

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

Notification

Srinagar, the 26th July, 2022.

S.O.-352.ô Whereas, on 25-12-2021, the Police Station, Shopian, received a written docket to the effect that a specific information was received regarding hiding of terrorists in the residential house of one Zeeshan Gowhar S/o Altaf Gowhar R/o Chowgam, Shopian. Subsequently, a Joint Cordon and Search Operation was launched by the Police/Security Forces. During the Search Operation, the hiding terrorists started indiscriminate firing upon the Search Party with their illegal arms/ammunition, with the intention to kill them. The fire was retaliated which triggering an encounter; and

2. Whereas, based on the above, a Case FIR No. 301/2021 under section 307 IPC, 7/27 Arms Act, 16,18,19,20 of ULA (P) Act, was

- 3. Whereas, during the investigation, two dead bodies were recovered from the encounter site, who were later on identified as Sajad Ahmad Check S/o Bashir Ahmad Check R/o Braripora, Shopian and Basit Yaqoob Najar S/o Mohd Yaqoob Najar R/o Achan, Pulwama, affiliated with LeT/HM banned outfit. During the search, 02 AK-74 rifles, 04 AK Magazines and 32 AK rounds, were recovered at the encounter site; and
- 4. Whereas, during the course of the investigation, the site plan of the place of occurrence and the seizure memos were prepared and the statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 5. Whereas, during the investigation, the accused house owner namely Zeeshan Gowhar Lone, was arrested in the case and during the questioning, 01 Chinese Hand Grenade and 10 AK rounds, were recovered at his instances. During the investigation, one more person namely, Mohd Saleem Mir S/o Mohd Amin Mir R/o Kaniproa, Chowgam, Shopain was found involved in the case. Subsequently, the accused was arrested and during the investigation, 01 Chinese Pistol, 01 Magazine and 06 Pistol rounds, were recovered from his residential house; and
- 6. Whereas, during the investigation, it was established that the accused viz. Zeeshan Gowhar Lone and Mohd Saleem Mir were working as Over Ground Workers (OGWs) for the terrorists of LeT/HM banned outfit particularly killed terrorists viz. Sajad Ahmad Check and Basit Yaqoob Najar and under a well knit criminal conspiracy procured arms/ammunition from them for carrying out the terrorist activities in the area, besides, the accused viz. Zeeshan Gowhar Lone, voluntarily harboured the above terrorists in his residential house on the date of encounter; and
- 7. Whereas, the accused terrorists namely Sajad Ahmad Check and Basit Yaqoob Najar, have been killed in the said encounter with the Security Forces and the proceedings under the law would abate against them; and
- 8. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established a *prima facie* involvement of the below mentioned accused

9. Whereas, the Authority, appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that a *prima facie* case is made out against the above accused; and

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10. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Zeeshan Gowhar Lone and Mohd. Saleem Mir for the commission of offences punishable under relevant Section of ULA (P) Act, as indicated against each at Para (8) above arising out of FIR No. 301/2021 of Police Station, Shopian.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Financial Commissioner/ Additional Chief Secretary.