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JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 26th August, 2022.

S.O.-409.ô Whereas, on 06-03-2022, the Police Station, Ganderbal, received a docket to the effect that a joint naka was established by the Police/Security Forces at Shuhama Crossing. During the checking, a person while seeing the Naka Party tried to escape but was chased down on the spot and identified as Altaf Ahmad Wani S/o Late Wali Mohammad Wani R/o Keegam, Shopian, an active terrorist of LeT banned outfit ; and

2. Whereas, based on the above, a Case FIR No. 50/2022 under Section 353 IPC and Section 20 of ULA (P) Act, was registered in the Police Station, Ganderbal, and the investigation of the case was taken up. Subsequently, during the investigation, Sections 13, 18, 18-B and 23 of ULA (P) Act were added in the case ; and

3. Whereas, during the course of 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

4. Whereas, during the investigation, 01 Pistol with Magazine and 02 rounds were recovered at the instances of accused viz. Altaf Ahmad Wani. The accused was found in contact with another terrorist of the LeT banned outfit namely Aaquib Mushtaq Bhat S/o Mushtaq Ahmad Bhat R/o Karimabad, Pulwama, who motivated the accused viz. Altaf Ahmad Wani, to join the LeT banned outfit and provided the said arms/ ammunition ; and

5. Whereas, during the investigation, it was established that the accused viz. Altaf Ahmad Wani, was member of LeT banned outfit and the accused namely, Aaquib Mushtaq Bhat motivated and facilitated the joining of the accused Altaf Ahmad Wani, with the LeT banned outfit and under a well knit criminal conspiracy provided arms/ammunition to him for carrying out the terrorist activities in the area ; and

6. Whereas, the accused terrorist namely, Aaquib Mushtaq Bhat, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him ; and

7. 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 for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against his name :ô

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Offence

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No. 21-d] The J&K Official Gazette, 26th Aug., 2022/4th Srav., 1944.

8. 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

9. 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 the 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 his 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. Altaf Ahmad Wani, for the commission of offences punishable under Sections 13, 18, 20 and 23 of ULA (P) Act, arising out of FIR No. 50/2022 of Police Station, Ganderbal.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.