

EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATô HOME DEPARTMENT, J&K

Notification

Srinagar, the 6th September, 2022.

SO-426.ôôWhereas, on 12-03-2022, the Police Station, Heerpora, received a reliable information that an active terrorist of LeT banned outfit ; namely Abid Ramzan Sheikh S/o Mohammad Ramzan Sheikh R/o Chotipora, along with one unknown terrorist fired upon a CRPF person namely, Mukhtar Ahamd Doie S/o Jamal Din Doie R/o Check,

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Chotipora, at General Road, Chotipora, with their illegal arms/
ammunition, resulting in injuries to him, who was shifted to hospital
for treatment ; and

2. Whereas, based on the above, a Case FIR No. 10/2022 under
Sections 307 IPC, 7/27 Arms Act, 16, 18, 20 of ULA (P) Act, was
registered in the Police Station, Heerpora, and the investigation of the
case was taken up. During the investigation, the injured succumbed to
his injuries. Subsequently, Sections 302, 120-B, 34 IPC, 7/25 Arms Act
and Sections 23 and 39 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, one Ruksar Sidiq Thoker
S/o Mohammad Sidiq Thoker R/o Ringmarg, Sedow, was found involved
in the case. Subsequently, the accused was arrested and during
investigation, 01 Pistol with Magazine and 04 Rounds, were recovered
at his instances. The accused along with another person namely Amir
Ahmad Dewan S/o Khursheed Ahmad Dewan R/o Bohrihallan, Shopian,
were found in contact with the said terrorist of LeT banned outfit namely,
Abid Ramzan Sheikh, who provided arms/ammunition to them with the
directions to kill the deceased CRPF person. Accordingly, the accused
viz. Amir Ahmad Dewan, was also arrested in the case ; and

5. Whereas, during the investigation, it was established that the
accused viz. Ruksar Sidiq Thoker and Amir Ahmad Dewan, were working
as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit
particularly terrorist namely Abid Ramzan Sheikh, and were providing
logistic support to him, besides, under a well knit criminal conspiracy
procured arms/ammunition from the said terrorist and on the date of
occurrence fired upon the CRPF person at General Road, Check
Chotipora, which resulting death of the said CRPF person ; and

6. Whereas, on the basis of the investigation, the statement of
witnesses recorded and other evidence collected, the Investigating Officer,
has established *prima facie* involvement of the below mentioned accused

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 for the commission of offences punishable under sections of the Unlawful
 Activities (Prevention) Act, 1967, as shown against their name : ढ

S. No.	Name of accused	Offence
1.	Ruksar Sidiq Thoker S/o Mohammad Sidiq Thoker R/o Ringmarg, Sedow, Shopian.	16, 18, 23, 39 of ULA (P) Act.
2.	Amir Ahmad Dewan S/o Khursheed Ahmad Dewan R/o Bohrihallan, Heerpora, Shopian.	16, 18, 39 of ULA (P) Act.
3.	Abid Ramzan Sheikh S/o Mohammad Ramzan Sheikh R/o Chotipora, Shopian.	16, 18, 20 of ULA (P) Act.

7. Whereas, the accused namely Ruksar Sidiq Thoker, has been found juvenile during the investigation and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act ; and

8. Whereas, the accused namely Abid Ramzan Sheikh, being the active terrorist is absconding and the proceedings under Section 299 Cr. PC, has been proposed to be initiated against him ; and

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

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

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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. Amir Ahmad Dewan and Abid
Ramzan Sheikh, for the commission of offences punishable under the
relevant sections of ULA (P) Act, as indicated against each at para (6)
above, arising out of FIR No. 10/2022 of Police Station, Heerpora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.