

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.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT

Notification

Srinagar, the 16th September, 2022.

S.O.-441. Whereas, on 03-01-2022, the Police Station, Zakoora, received a docket to the effect that a reliable information was received about the presence of some unknown terrorists in Dar Mohalla, Wanihama Payeen, conspiring to commit terrorist activities. Subsequently, a joint cordon and Search Operation was launched in the area and during the search, the terrorists hiding, in the residential house of one Manzoor Ahmad Dar S/o Late Abdul Rashid Dar R/o Wanihama Payeen, fired

2 The J&K Official Gazette, 16th Sept., 2022/25th Bhad., 1944. [No. 24-b
indiscriminately upon the Search Party with their illegally equipped arms/
ammunition, with the intention to kill them. The fire was retaliated by
the Search Party, resulting elimination of one unknown terrorist on the
spot. During the search, Arms/ammunition was recovered from the
encounter site ; and

2. Whereas, based on the above, a Case FIR No. 02/2022 under
sections 307 IPC, 7/27 Arms Act, 13, 16, 18, 20 and 38 of ULA (P)
Act, was registered in the Police Station, Zakoora and the investigation
of the case was set into motion. Subsequently, during the investigation
Section 18 of ULA (P) Act was dropped and Section 19 of ULA (P)
Act was added in the case ; and

3. Whereas, during the Investigation, the dead body of killed
terrorist was recovered from the encounter site who was later on
identified as the terrorist of LeT banned outfit namely, Hafiz @ Hamza
R/o Pakistan. During the search, arms/ammunition viz. 01 AK-47 rifle,
03 AK Magazines and 46 AK rounds were recovered and seized in the
case ; and

4. Whereas, during the investigation, the site plan of 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 viz.
Manzoor Ahmad Dar, was arrested in the case and it was established
that the accused was in contact with the killed terrorist namely Hafiz
@ Hamza and on the date of occurrence voluntarily harboured the said
terrorist in his residential house for carrying out the terrorist activities
in the area ; and

6. Whereas, the accused terrorist viz. Hafiz Hamza R/o Pakistan,
has been killed in the said encounter 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

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 sections of the Unlawful Activities (Prevention) Act, 1967, as shown
 against his name:ô

S. No.	Name of the accused	Offence
1.	Manzoor Ahmad Dar S/o Late Abdul Rashid Dar R/o Wanihama Payeen, Hazratbal.	19 ULA (P) Act.

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 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. Manzoor Ahmad Dar, for the commission of offences punishable under Section 19 of Unlawful Activities (Prevention) Act, arising out of FIR No. 02/2022 of Police Station, Zakoora.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.