

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 19th September, 2022.

S.O.444.6 Whereas, on 08-05-2019, the Police Station, Zainapora, received a reliable information that the terrorists of HM banned outfit namely, Adil Bashir Sheikh S/o Bashir Ahmad R/o Zainapora, Zubair Ahmad Wani S/o Nazir Ahmad, Mir Zeenatul Islam S/o Mohammad Ishaq Mir R/o Turkawangam, Shakir Khalil Wagay S/o Mohammad

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Khalil Wagay R/o Awneera, Manzoor Ahmad Bhat S/o Ab. Razak Bhat
R/o Wachi, Yawer Mushtaq Dar S/o Mushtaq Ahmad R/o Thokerpora,
Adil Magray @ Sajoo Magray S/o Manzoor Ahmad R/o Nowpora and
Sameer Ahmad S/o Ab. Aziz R/o Sughan Zainapora, kidnapped two
persons namely, Irfan Ahmad Lone S/o Ab. Hamid Lone and Muzaffar
Ahmad Bhat S/o Gh. Mohammad Bhat R/o Zainapora on gun point
from their shop at Zainapora market and beat them in the orchards of
village Reban. Later both the persons were fired indiscriminately by the
terrorists, resulting serious injuries to them, who were shifted to hospital
for treatment ; and

2. Whereas, based on the above, a Case FIR No. 25/2019 under
sections 307, 364 IPC, 7/27 Arms Act, 16 and 39 of ULA (P) Act, was
registered in Police Station, Zainapora and investigation of the case was
set into motion. During the investigation, one injured viz Irfan Ahmad
Lone, succumbed to his injuries. Subsequently, Sections 302, 326, 3/5
ESA and Section 18, 23 and 38 of ULA (P) Act were added in the case
; and

3. Whereas, during the course of 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

4. Whereas, during the investigation, one Aijaz Ahmad Naikoo
S/o Mohammad Abdullah Naikoo R/o Zainapora, was found involved
in the case. Subsequently, the accused was arrested and it was found
that he was in contact with the above terrorists, who provided a hand
grenade to the accused for promoting the terrorist activities in the area
; and

5. Whereas, during the investigation, it was established that the
accused viz Aijaz Ahmad Naikoo, was working as Over Ground Worker
(OGWs) for the terrorists of HM banned outfit particularly terrorists
namely, Adil Bashir Sheikh, Zubair Ahmad Wani. Mir Zeenatul Islam,
Shakir Khalil Wagay, Manzoor Ahmad Bhat, Yawer Mushtaq Dar, Adil
Wagay @ Sajoo Magray and Sameer Ahmad and was providing logistic
support to them. The accused viz. Aijaz Ahmad Naikoo, under a well
knit criminal conspiracy procured a hand grenade from the above
terrorists, for carrying out the terrorist activities in the area, besides,

[illegible]

6. Whereas, the accused terrorists namely Adil Bashir Sheikh, Zubair Ahmad Wani, Mir Zeenatul Islam, Shakir Khalil Wagay, Manzoor Ahmad Bhat, Yawer Mushtaq Dar, Adil Wagay @ Sajoo Magray and Sameer Ahmad have been killed in the different encounter with the Securty forces and the proceedings under the law would abate against them ; 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

S. No.	Name of the accused	Offence
1.	Aijaz Ahmad Naikoo S/o Mohammad Abdullah Naikoo R/o Zainapora.	18, 23, 39 of 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)

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Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Aijaz Ahmad Naikoo, for the commission of offences punishable under Sections 18, 23 and 39 of ULA (P) Act, arising out of FIR No. 25/2022 of Police Station, Zainapora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.