

EXTRAORDINARY

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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.-447. Whereas, on 17-04-2020, the Police Station, Shopian, received a docket to the effect that a reliable information was received about the hiding of some unknown terrorists in Village Dairoo, Keegam. Subsequently, a Joint Cordon and Search Operation was launched by the Police/Security Forces. During the search, the terrorists fired

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indiscriminately upon the search party with their illegally acquired arms/
ammunition with the intention to kill them. The fire was retaliated and
during ensuing gun fight, two unknown terrorists were killed on the
spot ; and

2. Whereas, based on the above, a Case FIR No. 62/2020 under
sections 307 IPC, 7/27 Arms Act, 16, 20 of ULA (P) Act, was registered
in the Police Station, Shopian, and the investigation of the case was
set into motion. Subsequently, during the investigation, Sections 18, 19,
23 and 39 of ULA (P) Act, were added in the case ; and

3. Whereas, during the investigation, two dead bodies were
recovered from the encounter site who were later on Identified as the
terrorists of HM banned outfit namely, Rahil Ahmad Magray S/o Ab.
Hamid Magray R/o Ganowpora, Shopian and Asif Ahmad Dar S/o Gh.
Mohammad Dar R/o Bonigam, Shopian. During the checking arms/
ammunition was recovered from the encounter site ; and

4. 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

5. Whereas, during the investigation, the accused house owner
namely, Ab. Rashid Dar, was arrested in the case and it was found that
the accused was in contact with the killed terrorists of HM banned outfit
viz. Rahil Ahmad Magray and Asif Ahmad Dar ; and

6. Whereas, during investigation, seven other accused namely
Amir Ayoub Magloo S/o Mohd Ayoub Magloo, Gh. Nabi Bhat S/o Ab.
Salam Bhat, Shakeel Ahmad Magloo S/o Ab. Gani Magloo R/o
Battamurran, Wanpora, Shopian, Firdous Ahmad Mir S/o Bashir Ahmad
Mir R/o Rajpora, Pulwama, Ramiz Ahmad Qazi S/o Gh. Qadir R/o
Tiken, Pulwama, Saqib Feroz Wani S/o Feroz Ahmad Wani and Faisal
Muzaffar Wani S/o Muzzffar Ahmad Wani R/o Babhara, Pulwama,
were found involved in the case. Subsequently, the accused were
arrested and during investigation 03 SLR rounds and 01 hand grenades
were recovered at the instances of accused viz. Gh. Nabi Bhat and
Firdous Ahmad Mir respectively ; and

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7. Saqib Feroz Wani S/o Feroz Ahmad

8. Faisal Muzffar Wani S/o Muzaffar

10. Whereas, the accused namely Saqib Feroz Wani and Faisal Muzaffar Wani, have 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

11. 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

12. 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. Ab. Rashid Dar, Firdous Ahmad Mir, Gh. Nabi Bhat, Amir Ayoub Magloo, Shakeel Ahmad Magloo and Ramiz Ahmad Qazi, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against each at Para (9) above, arising out of Fir No. 62/2020 of Police Station, Shopian.

By order of the Government of Jammu and Kashmir.

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