

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

Notification

Srinagar, the 22nd September, 2022.

S.O.-452.ô Whereas, on 12-03-2022, the Police Station, Ganderbal received a docket to the effect that a reliable information was received regarding hiding of some unknown terrorists in Village Saderbagh, Ganderbal. Subsequently, Joint Cordon and Search Operation was launched by the Police/Security Forces. During the search, the terrorists hiding in the residential house of one Gh. Mohammad Dar S/o Ab. Rahim Dar

- 2. Whereas, based on the above, a Case FIR No. 55/2022 under Sections 307 IPC, 7/27 Arms Act, 16, 18, 19, 20 of Unlawful Activities (Prevention) Act, was registered in Police Station, Ganderbal and investigation of the case was set into motion. Subsequently, during investigation Sections 23 and 39 of ULA (P) Act were added in the case; and
- 3. Whereas, during the investigation, one dead body was recovered from the encounter site who was later on identified as the terrorist of LeT banned outfit namely, Adil Ahmad Khan S/o Ab. Ahad Khan R/o Badergund. During the investigation, arms/ammunition viz. 01 Rifle Short Barrel Kiren Koff, 02 Magazines and 20 Rounds were recovered from the encounter site; and
- 4. Whereas, during the investigation, 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 house owner son namely Jahangeer Ahmad Dar S/o Gh. Mohammad Dar R/o Saderbagh, was found in contact with the killed terrorist viz. Aadil Ahmad Khan. Subsequently, the accused was arrested and during the investigation, 01 Chinese Pistol, 01 Magazine, 05 Rounds and 01 Hand Grenade were recovered at his instance. During the investigation, one more accused namely, Zubair Ahmad Lone S/o Ab. Rashid Lone R/o Shahpora, Ganderbal, was found involved in the case. The said accused was also arrested and during investigation, 01 Hand Grenade was recovered at his instance; and
- 6. Whereas, during investigation, it was established that the accused viz. Jahangeer Ahmad Dar and Zubair Ahmad Lone were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit particularly killed terrorist viz. Aadil Ahmad Khan, and were providing logistic support to him and under a well knit criminal conspiracy procured the arms/ammunition from the said terrorist for carrying out the subversive activities, besides, were also voluntarily harbouring the said terrorist for carrying out the terrorist activities in the area; and

- 7. Whereas, the accused terrorist, namely Aadil Ahmad Khan, has been killed in the said encounter with the Security Forces and the proceedings under the law would abate against him; and
- 8. Whereas, on the basis of the investigation, the statements of witnesses recorded and other evidence collected, the Investigating Officer, has established *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 their names :ô
- 2. Zubair Ahmad Lone S/o Ab. Rashid Lone R/o Shahpora, Ganderbal.
- 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 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. Jahangeer Ahmad Dar and Zubair Ahmad Lone, for the commission of offences punishable under Sections 18, 19, 23 and 39 of ULA (P) Act, arising out of FIR No. 55/2022 of Police Station, Ganderbal.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.