

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

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 29th October, 2022.

SO-556.66Whereas, on 19-03-2022, the Police Station, Pulwama received a reliable information that some unknown terrorists fired upon a non-local person identified as Mohammad Akram S/o Ab. Salam R/o Bijnaur, Uttar Pradesh, in Village Arihal, Pulwama, resulting in the injuries to the said non-local, who was shifted to hospital for treatment; and

- 2. Whereas, based on the above, a case FIR No. 60/2022 under Section 307 IPC 7/27 Arms Act, 16, 20 and 38 of ULA (P) Act, was registered in Police Station, Pulwama and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 7/25 Arms Act, 18, 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 seizure memos were prepared and the statement 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, three persons identified as Anayat Iqbal Hajam S/o Mohd Iqbal Hajam R/o Chitragam, Kalan, Shopian, Zahid Mushtaq Rather S/o Mushtaq Ahmad Rather R/o Arigam, Pulwama and Sameer Ahmad Lone S/o Mohd Sadiq Lone R/o Tiken, Batapora, Pulwama, were found involved in the commission of crime. Subsequently, the accused were arrested and were found in contact with two terrorists of LeT banned outfit namely Aijaz Ahmad Hafiz S/o Farooq Ahmad Hajiz R/o Dalipora, Pulwama and Aqib Ahmad Thoker S/o Farooq Ahmad Thoker R/o Hefkuri, Shopian. The accused viz. Zahid Mushtaq Rather, procured a hand grenade from the terrorist viz. Aijaz Ahamd Hafiz in order to commit terrorist activities in the area. Subsequently, during the investigation, 01 hand grenade was recovered at his instances; and
- 5. Whereas, during the investigation, it was established that the accused viz. Anayat Iqbal Hajam, Zahid Mushtaq Rather and Sameer Ahmad Lone, were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit particularly the terrorists viz. Aijaz Ahmad Hafiz and Aqib Ahmad Thoker, and under a well knit criminal conspiracy were providing logistic support to them, besides, on the date of occurrence facilitated the terrorist viz. Aijaz Ahmad Hafiz, to carry out the attack upon a non the said local at Arihal, Pulwama, which resulted in the serious injuries to him; and
- 6. Whereas, the accused terrorists, viz. Aijaz Ahmad Hafiz and Aqib Ahmad Thoker, have been killed in the different encounters with the Security Forces and the proceedings under the law would abate against them; and

- 7. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established, *prima facie*, involvement of below mentioned accused in the commission of the offences punishable under section of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô
- S. Name of accused person Offence No.

- 1. Anayat Iqbal Hajam S/o Mohd Iqbal 16, 18, 39 of Hajam R/o Chitragam, Kalan, Shopian. ULA (P) Act.
- 2. Sameer Ahmad Lone S/o Mohd Sadiq Lone R/o Tiken, Batapora, Pulwama.
- 3. Zahid Mushtaq Rather S/o Mushtaq 16, 18, 23, 39 of Ahamd Rather R/o Arigam, Pulwama. 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 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. Anayat Iqbal Hajam, Zahid Mushtaq Rather and Sameer Ahmad Lone, for the commission of offences punishable under the relevant sections of ULA (P) Act, as indicated

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.