EXTRAORDINARY



THE JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT, J&K.

Notification

Srinagar, the 29th October, 2022.

S.O.-562.ô Whereas, on 15-04-2022, the Police Station, Pattan, received a reliable information that a bullet ridden dead body of one Sarpanch namely Manzoor Ahmad Bangroo S/o Mohd Sadeeq Bangroo R/o Goshbugh, Pattan, is lying in the orchards of Village Chanderhama who has been killed by some unknown terrorists by their illegally equipped arms/ammunition ; and

2. Whereas, based on the above, a Case FIR No. 117/2022 under sections 307 IPC 7/27 Arms Act, 302 IPC, 16 and 20 of ULA (P) Act, was registered in Police Station, Pattan and investigation of the case was set into motion. Subsequently, during the investigation, the Section

3. Whereas, during the course of investigation, the site plan of place of the 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, five persons identified as Noor Mohd Yatoo S/o Gh. Hassan Yatoo, Mohd Rafeeq Parray S/o Mohd Akbar Parray, Ashiq Hussain Parray S/o Ab. Rehman Parray Rø/o Goushbugh, Pattan, Mohd Afzal Lone S/o Mohd Yousuf Lone R/o Naidkhai, Bandipora and Mehraj-ud-Din Dar S/o Sonaullah Dar R/o Hajin, Banipora, were found involved in the case. Subsequently, the accused were arrested and during investigation, 03 Pistols, 03 Magazines, 18 rounds and 02 hand grenades were recovered at the instances of accused viz. Noor Mohd Yatoo, Mohd Rafeeq Parray and Ashiq Hussain Parray respectively ; and

5. Whereas, during the investigation, it was found that the accused viz. Mohd Afzal Lone and Mehraj-ud-Din Dar, motivated/lured the accused viz. Noor Mohd Yatoo, Mohd Rafeeq Parray and Ashiq Hussain Parray, to join the terrorists of LeT banned outfit identified as Mohd Yousuf Dar @ Kantroo S/o Late Ab. Gani Dar R/o Check, Kawoosa, Mohd Umar Lone S/o Mohd Akbar Lone, Gulzar Ahmad Ganie S/o Bashir Ahmad Ganie R¢s/o Wussa, Khoie Pattan and Hilal Ahmad Sheikh S/o Late Gh. Rasool Sheikh R/o Sharkwara, Krerri and provided the same to the accused viz. Noor Mohd Yatoo, Mohd Rafeeq Parray and Ashiq Hussain Parray, in order to promote terrorist activities in the area ; and

6. Whereas, during the investigation, it was established that the accused viz. Noor Mohd Yatoo, Mohd Rafeeq Parray, Ashiq Hussain Parray, Mohd Afzal Lone, Mehraj-ud-Din Dar, Mohd Yousuf Dar @ Kantroo, Mohd Umar Lone, Gulzar Ahamd Ganie and Hilal Ahmad Sheikh, were members of LeT banned outfit and on the date of occurrence the accused viz. Mohd Yousuf Dar @ Kantroo, Mohd Umar Lone, Gulzar Ahamd Ganie and Hilal Ahmad Sheikh, fired and killed the deceased Sarpanch Manzoor Ahmad Bangroo, and the other accused viz. Noor Mohd Yatoo, Mohd Rafeeq Parray, Ashiq Hussain

Parray, Mohd Afzal Lone, Mehraj-ud-Din Dar, under a well knit criminal conspiracy facilitated the accused while carrying out the attack upon the deceased Sarpanch ; and

7. Whereas, the accused terrorists viz. Mohd Yousuf Dar @ Kantroo Gulzar Ahmad Ganie and Hilal Ahmad Sheikh, have been killed in the different encounters with the Security Forces and the proceedings under the law would abate against them ; and

8. 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. No. Name of accused person Offence $\hat{0} \ \hat{0} \$ 1. Noor Mohd Yatoo S/o Gh. Hassan 16, 18, 20, 23of Yatoo R/o Goushbugh, Pattan. ULA (P) Act. 2. Mohd Rafeeq Parray S/o Mohd Akbar Parray R/o Goushbugh, Pattan. 3. Ashiq Hussain Parray S/o Ab. Rehman Parray R/o Goushbugh, Pattan. 4. Mohd Afzal Lone S/o Mohd Yousuf Lone R/o Naidkhai, Bandipora. 5. Mehraj-ud-Din Dar S/o Sonaullah Dar R/o Hajin, Banipora. 6. Mohd Umar Lone S/o Mohd Akbar

Lone R/o Wussan, Khoie Pattan.

9. Whereas, the accused viz. Mohd Umar Lone, being the active terrorist is absconding and the proceedings under section 299 Cr. P.C. have been proposed to be initiated against him ; and

10. 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

11. 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. Noor Mohd Yatoo, Mohd Rafeeq Parray, Ashiq Hussain Parray, Mohd Afzal Lone, Mehraj-ud-Din Dar and Mohd Umar Lone, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against each accused at Para (8) above, arising out FIR No. 117/2022 of Police Station, Pattan.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.