

## 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.-566.ô Whereas, on 06-05-2022, the Police Station, Budgam, received a docket to the effect that a reliable information was received about the movement of some unknown terrorists at Haroo, Budgam. Subsequently, a Joint Naka was established by the Police/Security Forces at Huroo, Budgam. During the checking, two persons while seeing the Naka Party tried to escape but were chased down on the spot and identified as Amir Manzoor Budoo S/o Manzoor Ahmad Budoo R/o Damgarpora, Razwan, Budgam and Shahid Rasool Ganie S/o Putermulla, Safapora. During their personal search, the Police recovered 01 Chinese Hand Grenade and 25 AK rounds from their possession reapectively; and

- 2. Whereas, based on the above, a Case FIR No. 134/2022 under sections 7/25 Arms Act, 18 and 20 of ULA (P) Act, was registered in Police Station, Budgam and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 20 of ULA (P) Act, was dropped and the Sections 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, the accused viz. Amir Manzoor Budoo and Shahid Rasool Ganie, were found in contact with some unknown terrorists of Ansar-Gazwatul Hind (AGH) outfit, who provided the hand grenade/ammunition to the accused in order to promote terrorist activities in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Amir Manzoor Budoo and Shahid Rasool Ganie, were working as Over Ground Workers (OGWs) for the terrorists of Ansar-Gazwatul Hind (AGH) outfit and were providing logistic support to them, besides, under a well knit criminal conspiracy procured the hand grenade/ammunition from the terrorists for carrying out the terrorist activities in the area; and
- 6. 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 his name :ô
- 1. Amir Manzoor Budoo S/o Manzoor Ahmad 18, 23, 39 of Budoo R/o Damgarpora, Razwan, Budgam ULA (P) Act.
- Shahid Rasool Ganie S/o Gh. Rasool Ganie R/o Putermullas, Safapora
- 7. Whereas, the accused viz. Shahid Rasool Ganie, has 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

- 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) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Amir Manzoor Budoo, for the commission of offences punishable under sections 18, 23 and 39 of ULA (P) Act, arising out FIR No. 134/2022 of Police Station, Budgam.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.