

EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

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 3rd November, 2022.

SO-577.ôôWhereas, on 06-09-2017, the Police Station, Shopian received a docket to the effect that the terrorists of HM banned outfit identified as Zahid Ahmad Mir S/o Shameem Ahmad Mir, Firdous Rashid Lone S/o Ab. Rashid Lone Rs/o Ganowpora, Syed Naveed Mushtaq S/o Mushtaq Ahmad Shah R/o Nazneenpora, Shopian and Tanveer Ahmad Bhat S/o Gh. Nabi Bhat R/o Batamuran, Kellar, fired indiscriminately upon the guard personnel of Minority Picket, Panjer,

[illegible]

2. Whereas, based on the above, a Case FIR No. 237/2017 under Section 307 IPC, 7/27 Arms Act and Section 16 of ULA (P) Act was registered in Police Station, Shopian and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 398 RPC was 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, it was found that the accused viz. Zahid Ahmad Mir, Firdous Rashid Lone, Tanveer Ahmad Bhat and Syed Naveed Mushtaq, along with another terrorist of the said outfit identified as Adil Hussain Dar S/o Nazir Ahmad Dar R/o Chotipora, Shopian, fired upon the Minority Guard at Panjer in order to snatch arms/ammunition from the guard personnel. Subsequently, during the investigation, the accused viz. Aqib Hussain Dar, was arrested in the case and the accused viz. Syed Naveed Mushtaq is presently under the NIA custody ; and

5. Whereas, during the investigation, it was established that the accused viz. Zahid Ahmad Mir, Firdous Rashid Lone, Tanveer Ahmad Bhat, Syed Naveed Mushtaq and Adil Hussain Dar, were members of HM banned outfit and on the date of occurrence fired indiscriminately upon the guard personal of Minority Guard, Panjer in order to kill the guard personnel and to snatch their arms/ammunition ; and

6. Whereas, the accused terrorists viz. Zahid Ahmad Mir, Firdous Rashid Lone and Tanveer Ahmad Bhat, 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

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 under section of the Unlawful Activities (Prevention) Act, 1967, as shown
 against their name :ô

S. No.	Name of accused person	Offence
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[illegible]

1. Syed Naveed Mushtaq S/o Mushtaq Ahmad Shah R/o Nazneenpora, Shopian. 16 of ULA (P) Act.
2. Adil Hussain Dar S/o Nazir Ahmad Dar R/o Chotipora, Shopian.

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. Syed Naveed Mushtaq and Adil Hussain Dar, for the commission of offence punishable under Section 16 of ULA (P) Act, arising out of FIR No. 237/2017 of Police Station, Shopian.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.