

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 3rd November, 2022.

SO-578.66Whereas, on 27-03-2020, an information was received by the Police Station, Pattan, to the effect that two persons identified Showkat Ahmad Mir S/o Nazir Ahmad Mir R/o Wussan, Khoie and Showkat Ahmad Yatoo S/o Mohd Akbar Yatoo R/o Chanderhama, are providing shelter and other assistance to the terrorists of LeT banned outfit namely Mohd Saleem Parray S/o Gh. Mohd Parray R/o Hajin, Bandipora and Abu Zargam R/o Pakistan, besides, were motivating the youth of the area to join the terrorists ranks, for carrying out the terrorist activities; and

2. Whereas, based on the above, a Case FIR No. 51/2020 under Sections 18, 18-B, 19 and 39 of ULA (P) Act, was registered in Police

- 3. Whereas, during the investigation, the accused viz. Showkat Ahmad Mir and Showkat Ahmad Yatoo, were arrested in the case and were found in contact with the terrorist of the LeT banned outfit viz. Mohd Saleem Parray and Abu Zargam, who provided the arms/ammunition to the accused in order to romote terrorist activities in the area. Subsequently, during the investigation, 01 Pistol, 01 Magazine, 06 Rounds, 01 Hand Grenade, 01 AK Magazine and 32 AK Rounds were recovered at their instances respectively; and
- 4. 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
- 5. Whereas, during the investigation, it was established that the accused viz. Showkat Ahmad Mir and Showkat Ahmad Yatoo, were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit particularly the terrorists viz. Mohd Saleem Parray and Abu Zargam, and were providing logistic support to them, besides, under a well knit criminal conspiracy procured the arms/ammunition from the above terrorists for carrying out the terrorist activities in the area; and
- 6. Whereas, the accused terrorist viz. Mohd Saleem Parray, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him; 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
- - Showkat Ahmad Mir S/o Nazir Ahmad
 Mir R/o Wussan, Khoie.
 18, 23, 39 of
 ULA (P) Act.

- 2. Showkat Ahmad Yatoo S/o Mohd Akbar Yatoo R/o Chanderhama.
- 3. Abu Zargam R/o Pakistan.

18, 20, 38 of ULA (P) Act.

- 8. Whereas, the accused viz. Abu Zargam, being the active terrorist is absconding and the proceedings under Section 299 Cr. PC, have been proposed to be initiated against him; and
- 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. Showkat Ahmad Mir, Showkat Ahmad Yatoo and Abu Zargam, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against each accused at Para (7) above, arising out of FIR No. 51/2020 of Police Station, Pattan.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.