

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.

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

Notification

Jammu, the 15th November, 2022.

SO-602. Whereas, on 29-05-2022, the Police Station, Pulwama, received a docket to the effect that a reliable information was received about the hiding of some unknown terrorists in Village Gundipora, Pulwama. Subsequently, a Joint Cordon and Search Operation was launched by the Police/Security Forces. During the search, the terrorists hiding in the residential house of one Nazir Ahmad Mir S/o Mohd Sultan Mir R/o Gundipora, fired indiscriminately upon the Search Party with their illegal arms/ammunition, with the intention to kill them. The fire was retaliated, triggering an encounter ; and

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2. Whereas, based on the above, a Case FIR No. 151/2022 under Sections 307 IPC, 7/27 Arms Act, 16,18, 19, 20, 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 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 place of the occurrence and the 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, two dead bodies were recovered from the encounter site who were later on identified as the terrorists of JeM banned outfit namely Abid Hussain Shah S/o Late Mushtaq Ahmad Shah R/o Monghama, Pulwama and Saqib Azad Sofi S/o Azad Ahmad Sofi R/o Amshipora, Shopian. During the search, arms/ammunition viz. 02 AK-56 rifles, 08 Magazines and 43 AK rounds were also recovered from the place of encounter ; and

5. Whereas, during the investigation, the house owner's son namely Mehraj-ud-Din Mir S/o Nazir Ahmad Mir R/o Gundipora, Pulwama, was found involved in providing of shelter to the killed terrorists on the date of occurrence in his residential house. Subsequently, the accused viz. Mehraj-ud-Din Mir, was arrested in the case and was found in contact with the killed terrorist ; and

6. Whereas, during the investigation, three other persons identified as Firdous Ahmad Bhat S/o Gh. Hassan Bhat, Irshad Ahmad Malik S/o Mohd Ismail Malik R/o Urbagh, Pulwama and Mohd Saleem Mir S/o Mohd Yousuf Mir R/o Hakripora, Pulwama, were found involved in the case. Subsequently, the accused were arrested and were found working for the terrorists of JeM banned outfit ; and

7. Whereas, during further investigation, it was established that the accused viz. Abid Hussain Shah and Saqib Azad Sofi, were members of JeM banned outfit and the other accused namely, Mehraj-ud-Din Mir, Firdous Ahmad Bhat, Irshad Ahmad Malik and Mohd Saleem Mir, were working as Over Ground Workers (OGWs) for the terrorists of JeM banned outfit particularly the killed terrorists, viz. Abid Hussain Shah

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and Saqib Azad Sofi, and under a well knit criminal conspiracy were providing logistic support to them, besides, on the date of occurrence, the accused viz. Mehraj-ud-Din Mir, voluntarily harboured the killed terrorists in his residential house for carrying out the terrorist activities in the area ; and

8. Whereas, the accused namely, Abid Hussain Shah and Saqib Azad Sofi, have been killed in the said encounter and the proceedings under the law would abate against them ; and

9. 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 sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :

S. No.	Name of the accused person	Offence
1.	Mehraj-ud-Din Mir S/o Nazir Ahmad Mir R/o Gundipora, Pulwama.	18, 19, 39 of ULA (P) Act.
2.	Firdous Ahmad Bhat S/o Gh. Hassan Bhat R/o Urbagh, Pulwama.	18, 39 of ULA (P) Act.
3.	Irshad Ahmad Malik S/o Mohd Islam Malik R/o Urbagh, Pulwama.	
4.	Mohd Saleem Mir S/o Mohd Yousuf Mir R/o Hakripora, Pulwama.	

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

