

## 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

Jammu, the 17th November, 2022.

SO-609.ô Whereas, on 30-05-2022 an information was received by the Police Station, Awantipora to the effect that two persons identified as Jahangir Ahmad Lone and Umer Shafi Lone Sø/o Mohd Shafi Lone Rø/o Chek, Rajpora Awantipora, provided shelter to some unknown terrorists of JeM/LeT banned outfit in their Bakery Shop and residential house at Check, Rajpora, to carry out terrorist activities in the area. Subsequently, a Joint Cordon and Search Opertaion was

- 2. Whereas, based on the above, a Case FIR No. 108/2022 under sections 307, 452 IPC 7/27 Arms Act, 16, 18, 19, 20, 38, 39 of ULA(P) Act, was registered in Police Station, Awantipora and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 201 and 506 IPC, were added in the case; and
- 3. Whereas, during the investigation, two dead bodies were recovered from the place of encounter who were later on identified as the terrorists of LeT banned outfit namely, Shahid Ahmad Rather S/o Gh. Ahmad Rather R/o Lurow Jageer and Umeer Yousuf Seh S/o Mohammad Yousuf Seh R/o Tukroo, Shopian. During the search, arms/ammunition viz. 01 AK-56 rifles, 01 AK-47 rifles, 05 Magazines and 13 rounds were also recovered from the encounter site; and
- 4. 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
- 5. Whereas, during the investigation, the accused viz. Jahangir Ahmad Lone and Umar Shafi Lone, were in arrested in the case and it was found that the accused were in contact with the killed terrorists of LeT banned outfit namely, Shahid Ahmad Rather and Umer Yousuf Seh, and were working for the terrorists; and
- 6. Whereas, during the investigation, it was established that the accused viz. Jahangir Ahmad Lone and Umar Shafi Lone, were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit particulary the terrorists namely Shahid Ahmad Rather and Umer Yousuf Seh, and under a well knit criminal conspiracy were providing logistic support to them, besides, on the date of occurrence voluntarily harboured the terrorists in their residential house for carrying out the terrorist activities in the area; and
- 7. Whereas, the accused terrorists viz. Shahid Ahmad Rather and Umer Yousuf Seh, have been killed in the said encounter 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
- - 1. Jahangir Ahmad Lone S/o Mohd Shafi 18, 19, 39 of Lone R/o Chek, Rajpora, Awantipora. ULA (P) Act.
  - 2. Umer Shafi Lone S/o Mohd Shafi Lone R/o Chek, Rajpora, Awantipora.
- 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 view 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. Jahangir Ahmad Lone and Umar Shafi Lone for the commission of offences punishable under Sections 18, 19 and 39 of ULA (P) Act, arising out of FIR No. 108/2022 of Police Station, Awantipora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.