

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

Notification

Jammu, the 18th February, 2022.

SO-68.ôôWhereas, on 30-07-2021, Pulwama Police, received reliable information that one Shahid Mushtaq Bhat S/o Mushtaq Ahmad Bhat R/o Pathan, Pulwama has been working as OGW for the terrorists and providing logistic support and information about the movement of security

2 The J&K Official Gazette, 18th Feb., 2022/29th Magha, 1943. [No. 47-d
forces to the terrorists for carrying out the subversive activities in
the area ; and

2. Whereas, upon this information, a Case FIR No. 221/2021 under
Sections 18, 39 Unlawful Activities (Prevention) Act, came to be
registered in Police Station, Pulwama and investigation of the case was
taken up ; and

3. Whereas, during investigation, accused Shahid Mushtaq was
arrested in connection with the case and during questioning he disclosed
that he was in constant touch with active terrorist Abu Manan Hizbi
R/o Pakistan through social media and was working for him ; and

4. Whereas, during the course of investigation, statement of
witnesses acquainted with the facts and circumstances of the case were
recorded under the relevant provisions of law ; and

5. Whereas, during investigation, it was established that the accused
person Abu Manan Hizbi is member of TRF outfit (offshoot of LeT
banned outfit) and accused Shahid Mushtaq has been working as Over
Ground Worker (OGW) for the said terrorist and under well knit criminal
conspiracy was providing information about the movement of security
forces to the terrorist for carrying out the terrorist attacks upon the
security forces ; and

6. Whereas, on the basis of investigation, statement of witnesses
recorded and other evidence collected, the Investigating Officer has
established *prima facie* involvement of below mentioned accused persons
for the commission of offences punishable under section as shown against
each of Unlawful Activities (Prevention) Act :

S. No.	Name of accused	Offence
1	2	3
1.	Shahid Mushtaq Bhat S/o Mushtaq Ahmad Bhat R/o Pathan, Pulwama	18, 39 ULA (P) Act
2.	Abu Manan Hizbi R/o Pakistan	18, 20 ULA (P) Act

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7. Whereas, accused Abu Manan being active terrorist is absconding and proceedings under Section 299 Cr. PC. have been proposed to be initiated against him ; 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 *prima facie* case is made out against the accused persons ; 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 accused persons for prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by Sub-Section 02 of Section 45 ULA(P) Act, 1967 and Section 196 Cr. PC., the Government hereby accords sanction for launching prosecution against the above accused persons for the commission of offences punishable under sections 18-B of Unlawful Activities (Prevention) Act, 1967, and Section 121 IPC in the case FIR No. 177/2021 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.