

EXTRAORDINARY

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**THE  
JAMMU AND KASHMIR OFFICIAL GAZETTE**

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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 19th February, 2022.

SO-69.ôôWhereas, on 07-8-2021, Kulgam Police, received reliable information that some unknown terrorists fired indiscriminately upon police party deployed for regulation of traffic movement at Pumbay crossing with their illegal weapon with intention to kill them, resulting

2 The J&K Official Gazette, 19th Feb., 2022/30th Magha, 1943. [No. 47-e  
in injuries to one Constable Nisar Ahmad Wagay who later on succumbed  
to his injuries. The terrorists after commission of crime escaped from  
spot ; and

2. Whereas, a case FIR No. 103/2021 under Sections 302,  
307 IPC, 7/27 Arms Act, 13, 16, 19, 20, 38, 39 ULA (P) Act, came  
to be registered in Police Station, D. H. Pora and investigation was set  
into motion. Subsequently, during investigation Section 19 ULA (P) Act  
was dropped and Section 18 ULA (P) Act was added in the  
case ; and

3. Whereas, during investigation, site plan of place of occurrence  
and seizure memos were prepared and statement of witnesses acquainted  
with the facts and circumstances of the case were recorded under the  
relevant provisions of law ; and

4. Whereas, during investigation, two terrorists of HM banned outfit  
identified as Afaq Skinder Lone S/o Mohammad Skinder and Danish  
Hussain Dar S/o Mohammad Hussain Rø/o Raikapran, Shopian were  
found involved in attacking the Police party on 07-8-2021 at  
Pumpay ; and

5. Whereas, during further investigation three more accused persons  
Muzakir Syed S/o Mohammad Syed Shah R/o Yaroo, Basit Ahmad  
Thoker S/o Gh. Nabi and Junaid Skinder Bhat S/o Mohammad Skinder  
Rø/o Pariwan were also found involved in providing assistance to the  
terrorists in commission for the offence. Subsequently, above three  
accused persons were arrested in connection with the case ; and

6. Whereas, during investigation, it was established that the accused  
terrorists Afaq Skinder Lone and Danish Hussain Dar were members  
of banned HM outfit and on 07-8-2021, attacked upon the Police party  
which resulted death of one Police Constable. The accused persons  
Muzakir Syed, Basit Ahmad Thoker and Junaid Skinder were working  
as Over Ground Workers (OGWs) for above terrorists and under well  
knit criminal conspiracy facilitated the terrorists in carrying out the said  
attack ; and

7. Whereas, accused terrorists Afaq Skinder Lone and Danish  
Hussain Dar have been killed in the different encounters and proceedings  
under law shall abate against them ; and

8. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the investigating officer has *prima facie* established involvement of the below mentioned accused persons for commission of offences punishable under section(s) as shown against each of Unlawful Activities (Prevention) Act, 1967 :ô

9. Whereas, accused namely Basit Ahmad Thoker and Junaid Ahmad Bhat have been found juvenile during the investigation and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act ; and

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 *prima facie* case is made out against the 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 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, the Government hereby accord sanction for launching prosecution against the accused person Muzakir

4 The J&K Official Gazette, 19th Feb., 2022/30th Magha, 1943. [No. 47-e  
Syed for the commission of offences punishable under Sections 13, 18,  
39 of Unlawful Activities (Prevention) Act, 1967, in the case FIR No.  
103/2021 of Police Station, D. H. Pora.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to the Government,  
Home Department.