

JAMMU AND KASHMIR OFFICIAL GAZETTE

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Jammu and Kashmir Government-Notifications.

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

Notification

Jammu, the 14th December, 2022.

SO-690.66Whereas, on 19-07-2021, the Police Station, Budgam, received a docket to the effect that a reliable information was received about the presence of some unknown terrorists in Village Badibagh, Choon. Subsequently, a Joint Cordon and Search Operation was launched by the Police/Security Forces and during the search, a suspect while seeing the Police/Security Forces tried to escape but was chased down on the spot and identified as Mohammad Younis Mir S/o Mohd Ramzan Mir R/o Choon, Budgam. During his personal search, the Police recovered 01 Pistol with Magazine and 08 Rounds from his possession ; and

2. Whereas, based on the above, a Case FIR No. 219/2021 under Section 7/25 Arms Act and Sections 18, 19, 20, 38 and 39 of ULA

3. Whereas, during the investigation, the site plan of place of the occurrence and the seizure memos were prepared and the statements 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, four other persons namely Faizan Qayoom Ganie S/o Abdul Qayoom Ganie, Shahnawaz Ahmad Mir S/o Abdul Rehman Mir Rs/o Choon, Umar Farooq Wani S/o Farooq Ahmad Wani R/o Kulhama A/P Housing Colony, Ompora and Imran Zahoor Ganie S/o Zahoor Ahmad Ganie R/o Kulbugh, Khanshaib, were found involved in the case. Subsequently, the accused were arrested and during investigation 02 Chinese Grenades, 06 live Rounds and 10 Posters of LeT banned outfit were recovered at this instances respectively ; and

5. Whereas, during the investigation, it was established that the accused viz. Mohammad Younis Mir, Faizan Qayoom Ganie, Shahnawaz Ahmad Mir, Umar Farooq Wani and Imran Zahoor Ganie, were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit and were providing logistic support to them, besides, under a well knit criminal conspiracy procured arms/ammunition and incriminatory material from them for carrying out the terrorist activities in the area ; and

6. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

| | 36-af] The J&K Official Gazette, 14th Dec., 2022/23rd 2 6000 6006060606060606060606060606060606 | |
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| 3. | Umar Farooq Wani S/o Farooq Ahmad Wani R/o Kulhama A/P Housing Colony, Ompora. | |
| 4. | Imran Zahoor Ganie S/o Zahoor Ahmad Ganie R/o Kulbugh, Khanshaib. | |
| 5 | Shahnawaz Ahmad Mir S/o Abdul Rehman Mir R/o Choon. | 13, 18, 39 of ULA (P) Act. |

7. Whereas, during the investigation, the accused viz. Faizan Qayoom Ganie, Shahnawaz Ahmad Mir, Umar Farooq Wani and Imran Zahoor Ganie, have been found juvenile and in view of Section 1(4) of Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act ; 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 a *prima facie* case is made out against the above accused ; 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 above-mentioned accused for his 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. Mohammad Younis Mir, for the By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.