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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 19th December, 2022.

SO-702.6 Whereas, on 17-08-2022, the Police Station, Shopian, received a docket to the effect that a reliable information was received about the presence of two unknown terrorists in the residential house of a terrorist of Al-Badr banned outfit namely Adil Hussain Wani R/o Kutpora,

2 The J&K Official Gazette, 19th Dec., 2022/28th Agra., 1944. [No. 37-1
 Shopian. Subsequently, a Joint Cordon and Search Operation was launched
 by the Police/Security Forces and during the search, the hiding terrorists
 lobbed a grenade followed by indiscriminately firing upon the Search Party
 with their illegal arms/ammunition, with the intention to kill them. The
 terrorists after the commission of crime escaped from the spot and during
 search, a hideout was busted in the said house and the arms/ammunition
 viz. 01 AK-47 Rifle with magazine, 10 rounds, 01 Pistol magazine and 03
 rounds were recovered from the said hideout ; and

2. Whereas, based on the above, a Case FIR No. 154/2022 under section 307 IPC, 7/27 Arms Act, 16, 18, 19 and 20 of ULA (P) Act, was registered in the Police Station, Shopian, and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 39 of ULA (P) Act was added in the case ; and

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, three persons namely, Arif Ahmad Wani, Tousef Ahmad Wani and Shabir Ahmad Wani Ss/o Mohd Khalil Wani Rs/o Kutpora, Shopian, were found involved in the commission of crime. Subsequently, the accused were arrested in the case and were found working for the terrorists in order to promote terrorist activities in the area ; and

5. Whereas, during the investigation, it was established that the accused viz. Arif Ahmad Wani, Tousef Ahmad Wani and Shabir Ahmad Wani, were working as Over Ground Workers (OGWs) for the terrorists of Al-Badr banned outfit and under a well knit criminal conspiracy were providing logistic support to them, besides, were voluntarily harbouring the terrorists in their residential house for carrying out the terrorist activities in the area ; and

6. Whereas, the investigation, in respect of unknown terrorists who attacked upon the Police/Security Forces, shall continue to ascertain their identification and to bring out their role/involvement in the case ; and

7. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established a *prima facie* involvement of, the below-mentioned accused

[illegible][illegible]

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 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. Arif Ahmad wani, Tousef Ahmad Wani and Shabir Ahmad Wani, for the commission of offences punishable under Sections 18, 19 and 39 of ULA (P) Act, arising out of FIR No. 154/2022 of Police Station, Shopian.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.