

## JAMMU AND KASHMIR OFFICIAL GAZETTE

Separate paging is given to this part in order that it may be filed as a separate compilation.

## Jammu and Kashmir Government-Notifications.

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

Notification

## Jammu, the 22nd December, 2022.

SO-712.66Whereas, on 26-04-2020, a reliable information was received by the Police Station, Kulgam, regarding the hiding of some unknown terrorists in Village Ashthal, near Veshu Nalla. Subsequently, a Joint Cordon and Search Operation, was launched by the Police/ Security Forces and during the search, the hiding terrorists fired indiscriminately upon the Search Party, with their illegal arms/ammunition, with the intention to kill them. The fire was retaliated, triggering an encounter ; and 2. Whereas, based on the above, a Case FIR No. 73/2020 under Sections 307 IPC, 7/27 Arms Act, 16, 20 and 38 of ULA (P) Act, was registered in the Police Station, Kulgam, and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 13, 18 and 39 of ULA (P) Act were added in the case ; and

3. Whereas, during the investigation, a dead body was recovered from the place of encounter, who was later on identified as Aqib Mushtaq Lone S/o Mushtaq Ahmad Lone R/o Shouch, Kulgam. During the search, the arms/ammunition viz. 01 Chinese Pistol with Magazine, 07 Rounds and 01 Chinese Hand Grenade was recovered from the place of occurrence ; and

4. Whereas, during the 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, four terrorists of HM banned outfit identified as Sheeraz Ahmad Lone @ Molvi S/o Ab. Rashid Lone R/o Shuch, Kulgam, Shakir Ahmad Najar S/o Gulzar Ahmad Najar R/o Panipora, Sabzar Ahamd Ganie S/o Mohd Amin Ganie R/o Sehpora and Bilal Ahmad Bhat S/o Gh. Mohd Bhat R/o Hardu Hanger, Yarpora, were found involved in carrying out the attack upon the Police/Security Forces on the date of occurrence at Village Ashthal and escaped from the spot ; and

6. Whereas, during the investigation, it was found that four other persons namely, Aqib Mushtaq Lone S/o Mushtaq Ahmad Lone, Adil Ahmad Mir S/o Mohd Yousuf Mir, Rayees Ahmad Thoker S/o Mohd Ayoub Thoker and Zahid Zameer Mir S/o Zameer Ahmad Mir Rs/o Shouch, Kulgam, were accompanied the above terrorists on the date of occurrence and during the ensuing gunfight the accused viz. Aqib Mushtq Lone, got killed and the other accused escaped from the spot. Subsequently, the accused Rayees Ahamd Thoker and Zahid Zameer Mir, were arrested in the case ; and

7. Whereas, during the investigation, it was established that the accused viz. Aqib Mushtaq Lone, Adil Ahmad Mir, Rayees Ahmad Thoker and Zahid Zameer Mir, were working as Over Ground Workers (OGWs) for the terrorist of HM banned outfit particularly the terrorists namely Sheeraz Ahmad Lone @ Molvi, Shakir Ahmad Najar, Shabzar Ahmad Ganie and Bilal Ahmad Bhat, and under a well knit criminal conspiracy,

8. Whereas, the accused viz. Aqib Mushtaq Lone, Sheeraz Ahmad Lone @ Movli, Shakir Ahmad Najar, Sabzar Ahmad Ganie, Bilal Ahmad Bhat, and Adil Ahmad Mir, were killed in the different encounters with the Security Forces and the proceedings under the law would abate against them ; and

9. 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 for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name : $\hat{o}$ 

S. Name of the accused Offence No.

1.	Rayees Ahmad	Thoker S/o	Mohd	13, 18, 39 of
	Ayoub Thoker	R/o Shouch,	Kuglam	ULA (P) Act.

 Zahid Zameer Mir S/o Zameer Ahamd Mir R/o Shouch, Kulgam.

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 a *prima facie* case is made out against the above 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 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. Rayees Ahmad Thoker and Zahid By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.