

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.

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

Notification

Jammu, the 22nd December, 2022.

SO-715.66Whereas, on 12-07-2022, the Police Station, Anantnag, received a docket to the effect that a Naka was established by the Police at Reshi Bazar, Anantnag, and during the checking, a suspect while seeing the Naka Party tried to escape but was chased down on the spot and identified as Shariq Ahmad Wani S/o Niyaz Ahmad Wani R/o Nipora, Mirbazar, Kulgam. During his personal search, the Police recovered 01 Pistol, 02 Magazines and 25 Rounds from his possession ; and

2. Whereas, based on the above, a Case FIR No. 227/2022 under Section 7/25 Arms Act, and Sections 16, 18, 20, 39 of ULA (P) Act, was registered in the Police Station, Anantnag, and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 16 and 39 of ULA (P) Act were dropped and the Sections 23 and 38 of ULA (P) Act, were 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 statement 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, the accused viz. Shariq Ahmad Wani, was found in contact with the terrorists of LeT banned outfit namely, Zubair Ahmad Mir @ Furkan S/o Abdul Razak Mir R/o Tengpora, Qaimoh, Yasir Ahmad Wani @ Abu Annus S/o Abdul Rehman Wani R/o Wangund, Qazigund, Adil Ahmad Parray @ Abu Bakar S/o Late Habibullah Parray R/o Khan Mohalla, Badergund, Ganderbal, Saqib Mushtaq Khan @ Hurrira S/o Mushtaq Ahmad Khan R/o Khanmoh, Srinagar and Lateef Ahmad Rather @ Abdullah S/o Habibullah Rather R/o Badipora, Chadoora, who provided the arms/ammunition to the accused viz. Shariq Ahmad Wani, in order to promote terrorist activities in the area ; and

5. Whereas, during the investigation, it was established that the accused viz. Shariq Ahmad Wani, was member of LeT banned outfit and under a well knit criminal conspiracy procured arms/ammunition from the terrorists of the said outfit namely Zubair Ahamd Mir @ Furkan, Yasir Ahmad Wani @ Abu Annus, Adil Ahmad Parray @ Abu Bakar, Saqib Mushtaq Khan @ Hurrira and Lateef Ahmad Rather @ Abdullah, for carrying out the terrorist activities in the area ; and

6. Whereas, the accused terrorists namely, Zubair Ahmad Mir @ Furkan, Yasir Ahmad Wani @ Abu Annus, Adil Ahmad Parray @ Abu Bakar, Saqib Mushtaq Khan @ Hurrira and Lateef Ahmad Rather @ Abdullah, have been killed in the different encounters with the Security Forces and the proceedings under the law would abate against them ; and

7. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating

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. Shariq Ahmad Wani, for the commission of offences punishable under Sections 18, 20, 23 and 38 of ULA (P) Act, arising out of FIR No. 227/2022 of Police Station, Anantnag.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.