

EXTRAORDINARY

REGD. NO. JK6633



**THE
JAMMU AND KASHMIR OFFICIAL GAZETTE**

Vol. 136] Jammu, Thu., the 29th Feb., 2024/10th Phal., 1945. [No. 48-b
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 29th February, 2024.

SO6139. Whereas, on 20-10-2023, a reliable information was received by the Police Station, Pulwama, to the effect that one person identified as javid Ahmad Thoker S/o Ghulam Nabi Thoker R/o Gudoora, Pulwama, has been working for the terrorists in order to promote terrorist activities in the area, besides, facilitating the terrorists for transportation of arms/ammunition from one place to another for carrying out the terrorist activities in the area ; and

2 The J&K Official Gazette, 29th Feb., 2024/10th Phal., 1945. [No. 48-b
oo

2. Whereas, based on the above a case FIR No. 284/2023 under Sections 18, 20 and 39 of ULA(P) Act, was registered in the Police Station, Pulwama, and the investigation, of the case was set into motion. Subsequently, during the investigation, the offences under Section 7/25 Arms Act and the Sections 23 and 38 of ULA(P) Act, were added in the case ; and

3. Whereas, during the investigation, 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, the accused viz. Javid Ahmad Thoker, was arrested in the case and 02 AK-47 Rounds 02 Empty Cartridges, 02 Pouches, 04 Diaries, 01 Pen Drive, 02 Matrix Sheets and 01 Blank Poster of HM, a banned outfit, were recovered at his instance ; and

5. Whereas, during the investigation, it was found that the accused viz. Javid Ahmad Thoker, was in contact with two terrorists of HM, a banned outfit, namely Majid Ahmad Mir S/o Abdul Hamid Mir R/o Kakapora, Pulwama and Aqib Ahmad Shergojri S/o Nazir Ahmad Shergojri R/o Khampora, Budgam, who provided the recovered ammunition and incriminatory material to the accused viz. Javid Ahmad Thoker, in order to promote terrorist activities in the area ; and

6. Whereas, during the investigation, it was established that the accused viz. Javid Ahmad Thoker, was working as Over Ground Worker (OGW) for the terrorists of HM, a banned outfit, particularly the terrorists viz. Majid Ahmad Mir and Aqib Ahmad Shergojri, and was providing logistic support to them, besides, under a well knit criminal conspiracy procured ammunition and incriminatory material from the terrorists for carrying out the terrorist activities in the area ; and

7. Whereas, the accused terrorist viz. Majid Ahmad Mir, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him ; and

8. Whereas, on the basis of the investigation, the statements 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

No. 48-b] The J&K Official Gazette, 29th Feb., 2024/10th Phal., 1945. 3
 Sections of the Unlawful Activities (Prevention) Act, 1967, as shown
 against their name :

S. No.	Name of the accused	Offence
1.	Javid Ahmad Thoker S/o Ghulam Nabi Thoker R/o Gudoora, Pulwama.	18, 23, 39 of ULA (P) Act.
2.	Aqib Ahmad Shergojri S/o Nazir Ahmad Shergojri R/o Khampora, Budgam.	18, 20, 38 of ULA (P) Act.

9. Whereas, the accused viz. Aqib Ahmad Shergojri, is absconding and the proceedings under Section 299 Cr. P.C. have been proposed to be initiated against him ; 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 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 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. Javid Ahmad Thoker and Aqib Ahmad Shergojri, for the commission of offences punishable under the relevant Sections of ULA(P) Act, as indicated against the each accused at Para (8) above, arising out of FIR No. 284/2023 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

(Sd/-) SANTOSH D. VAIDYA, IAS,
 Principal Secretary to the Government,
 Home Department.