

EXTRAORDINARY

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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 1st January, 2024.

SO-3.66-Whereas, on 24-09-2023, the Police Station, Kulgam, received a docket to the effect that a Naka was established by the Police at Polytechnic College Crossing, Kulgam, and during the checking

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a suspect while seeing the Naka Party tried to escape but was chased
down on the spot and identified as Suhail Ahmad Dar S/o Siraj Ahmad
Dar R/o Brazloo Jagir, Kuglam. During his personal search, the Police
recovered 01 Hand Grenade from his possession ; and

2. Whereas, based on the above, a Case FIR No. 167/2023 under
Section 3/4 ESA, 7/25 Arms Act and Sections 13, 18, 20, 23, 38 and
39 of ULA (P) Act, was registered in the Police Station, Kuglam, and
the investigation, of the case was set into motion. Subsequently, during
the investigation, the offence under Section 3/4 ESA was dropped from
the case ; and

3. Whereas, during the course of investigation, the site plan of
the place of 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, two more persons identified
as Aadil Hussain Wani S/o Lal Din Wani R/o Poniwah, Kuglam and
Aitmad Ahmad Laway S/o Abdul Rashid Laway R/o Brazloo Jagir,
Kuglam, were found involved in the case. Subsequently, the
accused were arrested and during the investigation, 01 UBGL Grenade,
21 AK-47 rounds, 01 Pistol with Magazine and 06 Pistol Rounds were
recovered at their instances respectively ; and

5. Whereas, during the investigation, it was found that the accused
viz. Suhail Ahmad Dar, Aadil Hussain Wani and Aitmad Ahmad Laway,
were in contact with a terrorist of banned LeT outfit, namely Yawar
Ahmad Bhat S/o Abdul Samad Bhat R/o Punipora, Kuglam, who
provided the recovered arms/ ammunition and Grenades to them in order
to promote terrorist activities in the area ; and

6. Whereas, during the investigation, it was established that the
accused viz. Suhail Ahmad Dar, Aadil Hussain Wani and Aitmad Ahmad
Laway, were working as Over Ground Workers (OGWs) for the
terrorists of LeT, a banned outfit, particularly the terrorist viz. Yawar
Ahmad Bhat, and were providing logistic support to him, besides, under
a well knit criminal conspiracy procured arms/ammunition and Grenades
from the said terrorist for carrying out the unlawful activities in the
area ; and

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7. Whereas, the accused terrorist viz. Yawar Ahmad Bhat, 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 Sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their names :ô

| S. No. | Name of the accused | Offence |
|--------|--|-------------------------------|
| 1. | Suhail Ahmad Dar S/o Siraj Ahmad Dar R/o Brazloo Jagir, Kuglam. | 13, 18, 23, 39 of ULA (P) Act |
| 2. | Aadil Hussain Wani S/o Lal Din Wani R/o Poniwah, Kuglam. | |
| 3. | Aitmad Ahmad Laway S/o Abdul Rashid Laway R/o Brazloo Jagir, Kuglam. | |

9. Whereas, during the investigation, the accused viz. Suhail Ahmad Dar, has been found juvenile and in view of the Section 1(4) of the Juvenile Justice (Care and Protection of Child) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act ; 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 *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

