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PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIATð HOME DEPARTMENT, J&K.

Notification

Srinagar, the 21stMay, 2024.

SO-304.ð Whereas, on 27-11-2023, the Police Station, Kupwara, received a docket to the effect that a reliable information was receivedabout the transportation of arms/ammunition in the area. Subsequently, a joint Naka was established by the Police/Security Forces at Gushi Bridge, Kupwara. During the checking, the Naka Party

intercepted a vehicle (Tavera) and on checking, the Police recovered 01Pistol with Magazine , 08 Rounds and 04 Hand Grenades from the vehicle and arrested driver alongwith his accomplice identified as Nazir Ahmad Dar S/o Ab/ Majid Dar R/o Shah Hamdan Colony, Chanpora, Srinagar and Mst.Shameema Akhter @ Ranjit Kour W/o Buta R/o Srinagar; and

2.Whereas, based on the above, a case FIR No.295/2023under Sections7/25Arms Actand the Sections 13, 23and 39 of ULA (P) Act, was registered in the Police Station, Kupwara, and the investigation of the case was set into motion. Subsequently, during the investigationthe offence under Section 120-B IPC and 20 and 38 of ULA (P) Act were added in 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, one more person identified as Sajad Ahmad Dar S/o Sonaullah Dar R/o Mithan, Chanpora, Srinagar, was found involved in the commission of crime. Subsequently, the accused was arrested and was found in contact with two terrorists of HM, a bannedoutfit, namely Mushtaq Ahmad Zargar @Mushtaq Latram R/o Maisuma, Srinagar A/P Pok and Altaf Ahmad Bhat S/o Ab. Jabar Bhat R/o Baghi Mehtab, Srinagar A/P Behriya Town, Islamabad, through virtual mode and was working for them in order to promote terrorist activities in the area ; and

5.Whereas, during the investigation, it was found that the accused viz. Sajad Ahmad Dar, sent the accused viz Nazir Ahmad Dar and Mst. Shameema Akhter @ Ranjit Kour, to Drugmulla, Kupwara, to collect the arms/ammunition and Hand Grenades, which were arranged by the Pakistani based terrorists viz. Mushtaq Ahmad Zargar @ Mushtaq Latram and Altaf Ahmad Bhat; and

6. Whereas,during the investigation,it was found that on the date of occurrence the accused viz. Nazir Ahmad Dar and Mst. Shameema Akhter @ Ranjit Kour, on the directions of accused viz. Sajad Ahmad Dar, procuredthe arms/ammunition and Hand Grenades fromDrugmulla, Kupwara, from one Javid Ahmad R/o Kralpora, and on their way were arrested by the Police/SecurityForces along with the said arms/ammunition and Hand Grenades; and

7.Whereas, during the investigation, it was established that the accused viz. Nazir Ahmad Dar, Mst. Shameema Akhter @ Ranjit Kour and Sajad Ahmad Dar, were working as Over Ground Workers (OGWs) for the terrorists of HM, a banned outfit, particularly the Pakistani based terrorists viz. Mushtaq Ahmad Zargar @ Mushtaq Latram and Altaf Ahmad Bhat, and were providing logistic support to them, besides, the accused viz. Nazir Ahmad Dar and Mst. Shameema Akhter @ Ranjit Kour, on the directions of accused viz. Sajad Ahmad Dar, procured arms/ammunition and Hand Grenades from the accused viz. Javid Ahmad, for carrying out the terrorist/ unlawful activities in the area; and

8.Whereas, the investigation , in respect of accused viz. Javid Ahmad, shall continue to ascertain his actual identity and to bring out his role/involvement in the case and the Supplementary Charge-Sheet against him would/be filed in the court of competent jurisdiction ; and

9.Whereas, on the basis of investigation, the statements of witnesses recorded and the other evidence collected, the Investigating Officer has established*prima facie* involvement of below mentioned accused for the commission of the offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against theirnames:ð

S.No.	Name of the accused	Offence
1	2	3
1.	Nazir Ahmad Dar S/o Ab. Majid Dar R/o Shah Hamdan Colony, Chanpora, Srinagar.	13, 23, 39 of ULA (P) Act.
2.	Mst. Shameema Akhtar @ Ranjit Kour W/o	

	Buta R/o Jevan Singh Wali, Bathinda, Punjab A/P Methan Lal, Chanpora, Srinagar.	
3.	Sajad Ahmad Dar S/o Sonaullah Dar R/o Mithan, Chanpora, Srinagar.	13, 39 of ULA (P) Act.
1	2	3
4.	Mushtaq Ahmad Zargar @ Mushtaq Latram R/o Maisuma, Srinagar A/P Pok.	13, 20, 38 of ULA (P) Act.
5.	Altaf Ahmad Bhat S/o Ab. Jabar Bhat R/o Baghi Mehtab, Srinagar A/P Behriya Town, Islamabad.	

10. Whereas, the accused viz. Mushtaq Ahmad Zargar @ Mushtaq Latram and Altaf Ahmad Bhat, are absconding and the proceedings under Section 299 Cr. Pc. have been proposed to be initiated against them;and

11. 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*caseis made out against the above accused ; and

12. 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 bySub-Section (2) of Section 45 of the Unlawful Activities (Prevention)Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Nazir Ahmad Dar, Mst. Shameema Akhter @ Ranjit Kour, Sajad Ahmad Dar, Mushtaq Ahmad Zargar @ Mushtaq Latram and Altaf Ahmad Bhat, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against the each accused at Para (9) above, arising out of FIR No. 295/2023 of Police Station, Kupwara.

By order of the Government of Jammu and Kashmir.

(Sd/-) CHANDRAKER BHARTI,IAS,

Principal Secretary to the Government.