

EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU AND KASHMIR OFFICIAL GAZETTE**

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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

Srinagar, the 27th September, 2024.

SO-488.—Whereas, on 29-11-2023 a written docket from ASI Mohammad Younis was received by Police Station, Kulgam, to the effect that a person namely Adil Ahmad Hajam S/o Gh. Mohammad Hajam R/o Khandipora Kulgam, got missing and it was learnt that he had joined terrorist cadre of banned HM outfit. The said person was instigated/motivated by an active terrorist namely Mushtaq Ahmad Itoo

S/o Ghulam Hassan R/o Mohammadpora Kulgam to join the outfit for promotion of terrorism in the area ; and

2. Whereas, on receipt of information, Case FIR No. 196/2023 under sections 13, 19 and 20 of ULA(P) Act, came to be registered in the Police Station, Kulgam, and the investigation of the case was set into motion. Subsequently, during the investigation, the offence under Section 19 of ULA(P) Act was dropped and Sections 18, 18-B and 38 of ULA(P) Act were added in the case ; and

3. Whereas, during the course of the investigation, the statements of witnesses acquainted with the facts and circumstances of the case were recorded ; and

4. Whereas, during the investigation, it was found that the accused namely, Adil Ahmad Hajam, had gone missing on 08-08-2023 and subsequently joined the terrorist ranks on the instigation/motivation of accused terrorist namely, Mushtaq Ahmad Itoo ; and

5. Whereas, the investigation conducted by the investigating agency has *prima facie* established that the accused namely, Adil Ahmad Hajam and Mushtaq Ahmad Itoo, are associated/members with HM, a banned outfit, and in furtherance of criminal conspiracy the accused viz. Adil Ahmad Hajam, to join terrorist cadres for promotion of terrorist activities in the area ; and

6. Whereas, on the strength of evidence collected and the statements of witnesses recorded, the Investigating Officer, has established a *prima facie* case against the below mentioned accused for the commission of offences punishable under Sections of the Unlawful Activities (Prevention) Act, 1967 as shown against their names :—

S.No.	Name of the accused	Offence
1.	Adil Ahmad Hajam S/o Gh. Mohammad R/o Khandipora, Kulgam.	13, 18, 20, 38 of UA(P) Act
2.	Mushtaq Ahmad Itoo S/o Ghulam Hassan R/o Mohammadpora, Kulgam.	13, 18, 18-B, 20, 38 of UA(P) Act

7. Whereas, the accused namely, Adil Ahmad Hajam and Mushtaq Ahmad Itoo, are absconding and proceedings under Section 299 Cr. PC. have been proposed to be initiated against them ; and

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 *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 their prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Adil Ahmad Hajam and Mushtaq Ahmad Itoo, for the commission of offences punishable under the relevant Sections of ULA(P) Act, as indicated against the each accused at Para (6) above, arising out of FIR No. 196/2023 of Police Station, Kulgam.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI, IAS,  
Principal Secretary to the Government.