

EXTRAORDINARY

REGD. NO. JK-33



सत्यमेव जयते

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 137] Jammu, Wed., the 9th Oct., 2024/17th Asv., 1946. [No. 27-g

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 9th October, 2024.

SO-499.—Whereas, on 17-04-2024, a written docket was received at Police Station, Bijbehara, to the effect that a Naka was established by Police in collaboration with 3rd RR Army near Naina.

During checking, two persons were noticed in suspicious circumstances, who, while seeing the Naka party tried to flee from the spot but were tactfully apprehended. The persons were identified as Sameer Ahmad Dar S/o Ab. Gani Dar R/o Wadina, Shopian A/P Baba Gund Khalil, Naina, Sangam and Waseem Ahmad Wani S/o Mohammad Akram Wani R/o Wooderpora, Safanagri, Zainapora. On being searched, 01 Pistol with magazine, 08 pistol rounds, 01 hand grenade and 50 AK rounds were recovered from their possession respectively; and

2. Whereas, based on the above, a Case FIR No. 82/2024 under section 7/25 Arms Act, 120-B IPC, 18,20,23, 38 of ULA (P) Act, was registered in the Police Station, Bijbehara, and the investigation, of the case was set into motion. Subsequently, during the investigation, the offence under 4/5 ESA and 39 of ULA (P) Act, were added in the case ; and

3. Whereas, during the investigation, 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, it was found that the accused namely, Sameer Ahmad Dar and Waseem Ahmad Wani, were working as OGWs for the terrorists of LeT, a banned outfit, and were in close contact with an active terrorist namely Umair Ahmad Wani S/o Nisar Ahmad Wani R/o Pazalpora, Chawalgam, who provided the recovered arms/ammunition to them for promotion of terrorism in the area ; and

5. Whereas, the investigation conducted by the investigating agency has *prima facie* established that the accused viz. Sameer Ahmad Dar and Waseem Ahmad Wani were working as Over Ground Workers (OGWs) for the terrorists of LeT, a banned outfit, particularly the terrorist viz. Umair Ahmad Wani, and in furtherance of criminal conspiracy procured arms/ammunition from the terrorists for carrying out the terrorist activities in the area ; and

6. 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 :—

S. No.	Name of the accused person	Offence
--------	----------------------------	---------

- | | | |
|----|---------------------------------------------------------------------------------------------------|------------------------------|
| 1. | Sameer Ahmad Dar S/o Ab. Gani Dar
R/o Wandina, Shopian A/P Baba Gund
Khalil, Naina, Sangam. | 18, 23, 39 of
ULA (P) Act |
| 2. | Waseem Ahmad Wani S/o Mohammad
Akram Wani R/o Woodpora, Safanagri,
Zainapora. | |
| 3. | Umais Ahmad Wani S/o Nisar Ahmad
Wani R/o Pazalpora, Chawalgam. | 18, 20, 38 of
ULA (P) Act |

7. Whereas, the accused viz. Umais Ahmad Wani, is absconding and proceedings under Section 299 Cr.PC have been proposed to be initiated against him ; 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. Sameer Ahmad Dar, Waseem Ahmad Wani

4 The J&K Official Gazette, 9th Oct., 2024/17th Asv., 1946. [No. 27-g

and Umair Ahmad Wani, for the commission of offences punishable under the relevant sections of ULA (P) Act, as shown against each at Para (6) above, arising out of FIR No. 82/2024 of Police Station, Bijbehara

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKAR BHARTI, IAS,
Principal Secretary to the Government.