

EXTRAORDINARY

REGD. NO. JK—33



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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT, J&K.

Notification

Srinagar, the 05th November, 2024.

SO-532.—Whereas, on 28-04-2024 an information was received by Police Station, Basantgarh, to the effect that a reliable information was received about the movement of some unknown terrorists in the area. Subsequently, a patrolling was conducted by the Police and VDG members in Sang, Trau, Sari Gala and Chochru Gala areas. During the patrolling at Trau, some unknown terrorists hiding in the Dhoke of one

Bashir Ahmad S/o Almu Gaste Gujjar R/o Dina Nagar, Punjab, fired indiscriminately upon the Police/VDG members, with their illegal arms/ammunition, with the intention to kill them resulting in serious injuries. to one VDG member namely Mohd Sharief S/o Ab. Rehman R/o Lower Ponara, Basantgarh, who was subsequently succumbed to his injuries, The fire was retaliated by the Police/VDG members, triggering an encounter ; and

2. Whereas, based on the above, a Case FIR No. 09/2024 under Senctions 302, 307, 121, 121-A, 122, 120-B RPC, 7/27 Arms Act, 13, 16, 18, 18-A, 19, 21 of ULA(P) Act, was registered in the Police Station, Basantgarh, and the investigation of the case was set into motion. Subsequently, during investigation, the offences under Sections 18-A, 21 ULA(P) Act, 121, 121-A and 122 IPC were dropped from 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 under the relevant provisions of law ; and

4. Whereas, during the investigation, role of one Mohd Javed S/o Mohd Hussain R/o Loha Natti, Lohir Malhar, Kathua, came to fore in the commission of crime. Subsequently, the accused was arrested in the case and it was found that the accused was providing shelter/logistic support to the terrorists, who carried out the attack upon the Police/VDG members, which resulted death of one VDG member ; and

5. Whereas, during the investigation, 04 unknown terrorists were also found involved in the case, among which 02 have been killed and investigation, in respect of other 02 unknown terrorists shall continue ; 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 his name :—

S. No.	Name of the accused	Offence
1	Mohd Javed S/o Mohd Hussain R/o Loha, Natti Lohai Malhar, Kathua	13, 19 of ULA(P) Act

7. 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

8. 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 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Mohd Javed, for the commission of offences punishable under Sections 13 and 19 of ULA(P) Act, arising out of FIR No. 09/2024 of Police Station, Basantgarh.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI, IAS,
Principal Secretary to the Government.