

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU AND KASHMIR OFFICIAL GAZETTE**

Vol. 137] Jammu, Fri., the 8th November, 2024/17th Kart., 1946. [No. 32-a

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,
JAMMU/SRINAGAR

Notification

Srinagar, the 8th November, 2024.

SO-537.—Whereas, on 17-05-2024, a written docket from Inspector Naseer Ahmad was received at Police Station, Nowhatta, to the effect that a Naka was established by Police in collaboration with QRT near Islamia College, Nowhatta. During the checking, a person while seeing the Naka party tried to flee from the spot but was tactfully apprehended. The person was identified as Amir Fayaz Shah S/o Fayaz Ahmad Shah R/o Sheelteng, Habbakadal, Srinagar. On being searched, 01 Pistol with magazine and 05 rounds were recovered from his possession ; and

2. Whereas, on receipt of information, a Case FIR No. 22/2024 under section 7/25 Arms Act and the Sections 13, 18, 20, 23 and 39 of ULA (P) Act, came to be registered in the Police Station, Nowhatta and the investigation of the case was set into motion. Subsequently, during the investigation the offence under Section 38 of the ULA (P) Act, was added in the case ; and

3. Whereas, during the course of the investigation, the statement 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 Amir Fayaz Shah, was working as OGW for the terrorists of LeT a banned outfit and was in close contact with a PaK based handler namely Numan Bhaie, through virtual mode, who provided the recovered arms/ammunition to him for promotion of terrorism in the area. The identity/ involvement of Pak based handler has not been ascertained and investigation shall continue and the supplementary charge sheet against him would be filed in the Court of law ; and

5. Whereas, the investigation, conducted by the investigating officer has *prima facie* established that the accused viz. Amir Fayaz Shah, was working as Over Ground Worker (OGW) for the terrorists of LeT a banned outfit and in furtherance of conspiracy procured arms/ammunition from the terrorists for carrying out the terrorist activities in the area ; and

6. Whereas, on the strength of evidence collected and the statement 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 his name :—

S. No.	Name of accused	Offence
1.	Amir Fayaz Shah S/o Fayaz Ahmad Shah R/o Sheelteng, Habbakadal, Srinagar.	13, 18, 23, 39 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, hrs 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 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Amir Fayaz Shah, for the commission of offences punishable under Sections 13,18,23, 39 of ULA (P) Act, arising out of FIR No. 22/2024 of Police Station, Nowhatta.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI IAS,
Principal Secretary to the Government,
Home Department.