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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 08th November, 2024.

SO-538.—Whereas, on 17-03-2023, an information was received at Police Station, Pulwama to the effect that some miscreants have pasted a poster at Pandit Mohallah, Lajoora with lettered that Lone Wolf Warrior wishing you 23rd March, 1940 Pakistan Resolution Day with the intention to disrupt the sovereignty and territorial integrity of India and to cause disaffection against India ; and

2. Whereas, based on the above, a Case FIR No. 59/2023 under section 13 of ULA (P) Act, came to be registered in the Police Station, Pulwama and the investigation, of the case was taken up. Subsequently, during

the investigation, the offence under Section 120-B, 201 IPC and the Sections 18, 20, 38 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, role of two persons identified as Asif Gull S/o Gh. Mohammad Bandh and Shahid Hamid S/o Ab. Hamid Bandh resident of Kululo, Puchal, came to the fore in the commission of crime, who were subsequently arrested in the case and it was found that the accused viz. Shahid Hamid, was in contact with a terrorist of Al-Badr, a banned outfit, namely Arjumand Gulzar Dar S/o Gulzar Ahmad Dar R/o Kharbatapora, Ratnipora, Pulwama A/P PoK, who provided the posters to him which were printed out by the accused at the shop of another accused viz. Asif Gull ; and

5. Whereas, the investigation conducted by the investigating agency has *prima facie* established that the accused viz. Shahid Hamid, was working for the terrorist viz. Arjumand Gulzar Dar, and in furtherance of criminal conspiracy procured the posters from him and print out the same in the shop of accused Asif Gull, for carrying out the unlawful activities in the area ; and

6. Whereas, on the basis of the investigation, the statement 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	Offence
1.	Asif Gull S/o Gh. Mohammad Bandh R/o Kululo, Puchal, Pulwama.	13 ULA(P) Act.
2.	Shahid Hamid S/o Ab. Hamid Bandh R/o Kululo, Puchal, Pulwama.	13, 18, 39 ULA(P) Act.
3.	Arjumand Gulzar Dar S/o Gulzar Ahmad Dar R/o Kharbatapora, Ratnipora, Pulwama A/P PoK.	13, 18, 20, 38 of ULA(P) Act.

7. Whereas, the accused viz. Arjumand Gulzar Dar, 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 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Asif Gull, Shahid Hamid and Arjumand Gulzar Dar, 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. 59/2023 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI, IAS,
Principal Secretary to the Government.