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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 SECRETARIATð HOME DEPARTMENT, J&K.

Notification

Jammu, the 12th January, 2024.

SOï 56.ð Whereas, on 02-06-2021, the Police Station, Qaimoh, received a docket to the effect that during the search of a missing person namely Yawar Bashir Dar S/o Bashir Ahmad Dar R/o Redwani Bala, Qaimoh, it came to learn that the missing person has joined the terrorist ranks of HM, a banned outfit, for carrying out the terrorist activities in the area ; and

2. Whereas, based on the above a case FIR No. 46/2021 under Sections 13, 18-B, 20 and 38 of ULA(P) Act, was registered in the Police Station, Qaimoh, and the investigation, of case was set into motion ; and

3. Whereas, during the course of investigation, the site plan of the place of occurrence and the seizure memos were prepared and 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 viz. Yawar Bashir Dar, was in contact with a terrorist of HM, a banned outfit, namely, Muhammad Abass Sheikh S/o Ghulam Hassan Sheikh R/o Rampora, Qaimoh, who motivated the accused viz. Yawar Bashir Dar, to join the terrorist ranks in order to promote terrorist activities in the area ; and

5. Whereas, during the investigation, it was found that the accused viz. Yawar Bashir Dar, left his home on 24-05-2021, and later on joined the terrorist ranks of HM, a banned outfit, on the instigation/motivation of accused terrorist viz. Muhammad Abass Sheikh, for carrying out the terrorist/unlawful activities ; and

6. Whereas, the accused terrorist viz. Muhammad Abass Sheikh, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him ; and

7. 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 :ð

S. No.	Name of the accused	Offence
1.	Yawar Bashir Dar S/o Bashir Ahmad Dar R/o Redwani Bala, Qaimoh.	13, 20, 38 of ULA (P) Act.

8. Whereas, the accused terrorist viz. Yawar Bashir Dar, is absconding and the proceedings under Section 299 Cr. P.C. have been proposed to be initiated against him ; and

9. 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 a *prima facie* case is made out against the above accused ; and

10. 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 powers conferred by Sub-Section (2) of Section 45 of Unlawful Activities (Prevention) Act 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Yawar Bashir Dar, for the commission of offences punishable under Sections 13, 20 and 38 of ULA(P) Act, arising out of FIR No. 46/2021 of Police Station, Qaimoh.

By order of the Government of Jammu and Kashmir.

(Sd/-) R. K. GOYAL, IAS,

Financial Commissioner/

Additional Chief Secretary.