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PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Jammu, the 12th December, 2024.

SO-569.— Whereas, on 12.06.2024, an information was received by the Police Station, Gandoh, about the movement of some unknown terrorists in Tanta/ Draman/ Kota Top area. Subsequently, a Search Operation was launched by the Police and during the search, the terrorists hiding near Kota Top fired indiscriminately upon the Search Party, with their illegal arms/ammunition, with the intention to kill them, resulting in

injuries to one Police constable namely Fareed Hussain, who was shifted to a local hospital for treatment. The unknown terrorists after the commission of crime managed their escape from the spot ; and

2. Whereas, based on the above, a Case FIR No. 67/2024 under section s307,120- B, 121,122 IPC, 7/27 Arms Act and the Section 10,13,16,18,20,23,30, 38,39 of ULA (P) Act, came to be registered in the Police Station, Gandoh, and the investigation of the case was set into motion. Subsequently, during the investigation, the offence under Section 30 ULA (P) Act was dropped and Section 326 IPC and 19 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, three persons identified as Mubashir Hussain S/o Safdar Ali R/o Draman Tanta, Kahara, Doda; Sajad Ahmed S/o Gh. Qadir R/o Wani Pora Tanta, Kahara, Doda, and Safdar Ali S/o Shamash Din R/o Draman Tanta, Kahara, Doda, were found involved in the case. Subsequently, the accused were arrested ; and

5. Whereas, the investigation conducted by the investigating agency has a *prima facie* established that the accused viz. Mubashir Hussain, Safdar Ali and Sajad Ahmed, voluntarily concealed the presence/movement of four unknown terrorists and harboured the said terrorists, besides, provided food/logistic support to them in the Dhoke of accused viz. Safdar Ali, for carrying out the terrorist activities in the area ; and

6. Whereas, the investigation, in respect of unknown terrorists shall continue to ascertain their actual identity and to bring out their role/involvement in the case and the Supplementary Charge Sheet against them would be filed in the court of competent jurisdiction ; and

7. 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 Section of the Unlawful Activities (Prevention) Act, 1967 as shown against their names :—

S. No.	Name of the accused	Offence
1.	Mubashir Hussain S/o Safdar Ali R/o Draman Tanta, Kahara, Doda	19 ULA (P) Act
2.	Sajad Ahmed S/o Gh. Qadir R/o Wani Pora Tanta, Kahara, Doda	
3.	Safdar Ali S/o Shamash Din R/o Draman Tanta, Kahara, Doda,	

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. Mubashir Hussain, Sajad Ahmed and Safdar Ali, for the commission of offences punishable under Section 19 of ULA (P) Act, arising out of FIR No. 67/2024 of Police Station, Gandoh.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI, IAS,
Principal Secretary to Government.
