

EXTRAORDINARY

REGD. NO. JK633



सत्यमेव जयते

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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 SECRETARIAT HOME DEPARTMENT, J&K.

Notification

Jammu, the 9th February, 2024.

SO-90.66-Whereas, on 18-10-2020, the Police Station, Kupwara, received a docket to the effect that a Joint Naka was established by the Police/Security Forces at Nagri General road. During the checking, two suspects while seeing the Naka Party tried to escape but were

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 chased down on the spot and identified as Akhtar Hussain Ganie
 S/o Mohd Yousuf Ganie R/o Hatmulla and Javid Ahmad Dar S/o Late
 Abdul Majeed Dar R/o Nagri, Kupwara. During their personal search,
 the Police recovered 01 Pistol magazine and 07 cartridges from their
 possession respectively ; and

2. Whereas, based on the above, a Case FIR No. 290/2020 under
 Section 7/25 Arms Act and Section 13 of ULA (P) Act, was registered
 in the Police Station, Kupwara, and the investigation, of the case was
 set into motion. Subsequently, during the investigation, the offences under
 Section 23 and 39 of ULA (P) Act were added in the case ; 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 established that the
 accused viz. Akhtar Hussain Ganie and Javid Ahmad Dar, were working
 as Over Ground Workers (OGWs) for the terrorists of HM, a banned
 outfit, and were providing logistic support to them, besides, procured
 a Pistol magazine and rounds from the terrorists for carrying out the
 terrorist/unlawful activities in the area ; and

5. 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 :ô

S. No.	Name of the accused person	Offence
1.	Akhtar Hussain Ganie S/o Mohd Yosuf Ganie R/o Hatmulla, Kupwara.	13, 23, 39 of ULA (P) Act
2.	Javid Ahmad Dar S/o Late Abdul Majeed Dar R/o Nagri, Kupwara	

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6. 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

7. 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 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Akhtar Hussain Ganie and Javid Ahmad Dar, for the commission of offences punishable under Sections 13, 23 and 39 of ULA (P) Act, arising out of FIR No. 290/2020 of Police Station, Kupwara.

By Order of the Government of Jammu and Kashmir.

(Sd/-) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.