

EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

---

Vol. 130] Srinagar, Thu., the 6th July, 2017/15th Asad., 1939.[No. 14-c

---

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

Notification

Srinagar, the 6th July, 2017.

SRO-271.—Whereas, on receipt of an information by the Budgam Police regarding the presence of a militant in the house of Shri Nazir Ahmad Dar S/o Ghulam Hassan Dar R/o Hushroo, Chadoora, the area was cordoned off and the search operation was initiated. During the search operation, the militant, who was hiding in the house of above-named person, fired upon the search party and was killed in retaliation by the search party. Some arms and ammunition were also recovered

from the possession of deceased militant, whose identity was later on revealed as Umar R/o Lahore, Pakistan ; and

Whereas, with regard to the aforementioned incident, a case FIR No. 228/2013 under section 307 of RPC, 7/27 of Arms Act and sections 18 and 19 of the Unlawful Activities (Prevention) Act, 1967 [for short, “UA (P) Act”] was registered in Police Station, Chadoora, Budgam and the investigation was initiated ; and

Whereas, during the course of investigation, charge under section 18 of UA (P) Act was not established against the accused namely, Shri Nazir Ahmad Dar S/o Ghulam Hassan Dar R/o Hushroo, Chadoora, and the offence under section 18 of the UA (P) Act was dropped against the above-named accused ; and

Whereas, during the course of investigation, on the basis of statements of witnesses, including independent witnesses, the seizure memos and other evidence, the Investigating Officer has established a *prima facie* case under section 19 of the UA (P) Act against the above-named accused, besides, established a case under section 307 RPC and 7/27 Arms Act against the deceased militant ; and

Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the UA (P) Act has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that a *prima facie* case under section 19 of UA (P) Act arising out of FIR No. 228/2013 of Police Station, Chadoora, is made out against the accused person namely, Shri Nazir Ahmad Dar S/o Ghulam Hassan Dar R/o Hushroo, Chadoora, for launching prosecution against him in the competent court of law ; and

Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the UA (P) Act, the State Government is of the view that there is sufficient material and evidence available against the accused person for his prosecution under the aforesaid provision of law.

Now, therefore, in exercise of powers conferred by sub-section (1) of section 45 of the UA (P) Act, the State Government hereby accord sanction for launching prosecution against accused namely Nazir Ahmad Dar S/o Ghulam Hassan Dar R/o Hushroo, Chadoora, for commission of offence punishable under section 19 of UA (P) Act, arising out of FIR No. 228/2013 of Police Station, Chadoora.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Principal Secretary to Government,  
Home Department.