



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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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

Notification

Srinagar, the 7th June, 2018.

SRO-264.—Whereas, on 24-04-2008, In-charge Camp Amno, Kulgam, lodged a written report in Police Station, Qazigund to the effect that based on a specific information a Search Operation was launched at Village Damjan on NHW at about 0900 hrs. During operation one suspected

person, who tried to flee, was apprehended, from whose possession one Chinese Pistol, one magazine of Pistol, 04 Pistol Rounds and one mobile phone were recovered. The person revealed his name as Subzar Ahmad Bhat @ Waza @ Basharat @ Usman S/o Gh. Ahmad Bhat R/o Sehpora Kulgam an active terrorist of HM outfit ;

Whereas, in this connection case FIR No. 55/2008 under section 7/25 A. Act 19, 20 ULAP Act was registered and investigation taken up ;

Whereas, during the course of investigation site plan was prepared, seizure memo of recovered arms/ammunition i. e. one Chinese Pistol, One Magazine of Pistol, 04 Pistol rounds and one mobile phone was prepared and placed on record as piece of evidence.

Whereas, during further course of investigation on the disclosure of the accused Subzar Ahmad Bhat @ Waza @ Basharat @ Usman S/o Gh. Ahmad Bhat R/o Sehpora Kulgam an active terrorist of HM outfit one Sniper rifle and 08 rounds were recovered in a hideout constructed in the house of Gull Mohd Naikoo S/o Ab. Rahim Naikoo R/o Such Kulgam and seizure memo was prepared.

Whereas, the site plan of the house of Gull Mohd. Naikoo S/o Ab. Rahim Naikoo R/o Such Kulgam, wherein the hideout was established, was prepared by Revenue Authorities. The revenue documents regarding the ownership of the house wherein the hideout was constructed, to conceal the illegal arms/ammunition of militants of HM outfit and to use it as a place of escape of terrorists' obtained from Tehsildar Kulgam has been placed on record. Further, Photography of the hideout has been conducted.

Whereas, statements of witnesses were recorded under relevant sections of law and placed on record. Investigation conducted revealed that the hideout has been constructed to conceal the illegal arm/ammunition of militants of HM outfit and to use it as a place of escape of terrorists. Based on the facts and evidence on record, *prima facie* offences punishable

under section 20 ULA(P) Act 7/25 Arms Act were established against Subzar Ahmad Bhat @ Waza @ Basharat @ Usman S/o Gh. Ahmad Bhat R/o Sehpora Kulgam an active terrorist of HM outfit and offences punishable under section 19 ULA (P) Act against the accused namely Gull Mohd Naikoo S/o Ab Rahim Naikoo R/o Such Kulgam and investigation of the case was closed as challan against the above mentioned two accused persons.

Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, 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 this is a fit case for accord of sanction for launching prosecution against the accused persons ; 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 Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there is sufficient material and evidence available against the accused persons for their prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accord sanction for launching prosecution against the accused persons namely Subzar Ahmad Bhat @ Waza @ Basharat @ Usman S/o Gh. Ahmad Bhat R/o Sehpora, Kulgam (active terrorist of HM outfit) for the commission of offence punishable under section 20 UAPA and Gull Mohd. Naikoo S/o Abdul Rahim Naikoo R/o Such, Kulgam for the commission of offence punishable under section 19 UAPA, arising out of FIR No. 55/2008 P/S Qazigund.

By Order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.