



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Thu., the 16th Aug., 2018/25th Srav., 1940. [No. 20-b

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 16th August, 2018.

SRO-351.—Whereas, on 09-10-2017 it was reliably learnt by Police Station, Kulgam that one Khalid Zargar S/o Latief Zargar R/o Gratbal has close links with some terrorists of banned HM and LeT outfit and is providing logistic support and arms/ammunition to these banned organizations. Besides, a Police Personal namely Mohammad Ashraf Malik S/o Ghulam Nabi Malik R/o Khuri, Batpora posted in District Kulgam is also in hand in glove with these terrorist organizations and has provided some arms/ammunition to the terrorists through Khalid Zargar. In addition one Bashir Ahmad Alie has also

assisted these terrorists by way of providing illegal arms/ammunitions to terrorists. They have also met some top rank terrorists of these banned organizations and planned to strengthen the terrorist base and Anti-National activities and carry out illegal activities in South Kashmir particularly in District Kulgam etc. ;

2. Whereas, in this connection case FIR No. 175/2017 under sections 7/25 A. Act, 13 (2) 18, 19, 38, 39 ULAP Act, 30 Police Act was registered in Police Station, Kulgam ;

3. Whereas, during the course of investigation statements of witnesses were recorded under relevant sections of law and other allied evidence having bearing on the subject matter of the case, were collected and placed on record. During the course of investigation the accused namely Khalid Zargar (A1) was apprehended on 17-10-2017, he disclosed that he was receiving the arms and ammunition from accused (A3) namely Mohammad Ashraf Malik and providing the same to Dawood Ahmad Alie (A5) and Junaid Ahmad Matoo (A6) through Bashir Ahmad Alie (A2) and accordingly his disclosure statement was recorded and placed on record. During further investigation 17 live cartridges of AK 47 and a pouch have been recovered from the possession of accused No. 1 Khalid Zargar, 17 live cartridges of AK 47, 02 firing pins and 03 live cartridges of SLR have been recovered from the possession of accused No. 3 Mohd Ashraf Malik, 04 firing pins and one lac rupees of old currency consisting of 88 one thousands notes and 24 five hundred notes and also a mobile phone of Samsung were recovered from the possession of accused No. 04 Shameem Ahmad Dar and necessary seizure memos were prepared ;

4. Whereas, on the basis of evidence it comes to light that the accused No. 1 and 2 were facilitating the terrorist activities of HM and LeT outfit and have provided arms and ammunition to accused No. 5 and 6. The accused No. 5 was active member of HM outfit whileas the accused No. 6 was active member of LeT outfit. The accused No. 3 (Mohd. Ashraf Malik) and 4 (Shameem Ahmad Dar) used to provide arms/ammunition to accused No.1 who used to deliver the same to the accused No. 2 who further supplied them to accused No. 5 and 6. For effectuating the terrorist acts.

5. On the basis of investigation, a prima facie case has been made out for involvement of accused persons namely Khalid Zargar (A1) S/o Mohd. Lateef Zargar R/o Gratbal, Qamoh and Bashir Ahmad Allie (A2) S/o Abdul Hameed Allie R/o Hawoora Mishipora, Kulgam for the commission of offences punishable under sections 7/25 A/Act, 1959, 13, 18, 19, 38, 39 ULA (P) Act, whereas the accused namely Mohd. Ashraf Malik (A3) S/o Gh. Nabi Malik R/o Khuri, Batpora and Shameem Ahmad Dar (A4) S/o Ali Mohd Dar R/o Kakbara, Bandipora (Police Personnel) have been found involved for the commission of offences punishable under sections 7/25 A/Act, 1959, 13, 18, 19, 38, 39 ULAP Act, 30 Police Act read with 3 PEPO. Whereas accused No. 5 Dawood Ahmad Allie and accused No. 6 Junaid Ahmad Matoo have been eliminated in different encounters as per the material on record.

6. Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, have independently scrutinized the Case Diary file and all the other relevant documents relating to the case and have come to a definite conclusion that this is a fit case for accord of sanction for launching prosecution against the accused persons ; and

7. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authorities 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.

8. 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 for the commission of offences shown against each arising out of FIR No. 175/2017 P/S, Kulgam :—

- i. Khalid Zargar S/o Mohd. Lateef Zargar R/o Gratbal, Qaimoh.

- ii. Bashir Ahmad Allie S/o Abdul Hameed Allie R/o Hawoora
Mishipora, Kulgam.
..... for the commission of offences under sections 18, 19, 38
and 39 ULAP.
- iii Mohd. Ashraf Malik S/o Gh. Nabi Malik R/o Khuri, Batapora.
- iv. Shameem Ahmad Dar S/o Ali Mohd. Dar R/o Hakbara,
Bandipora
.... for the commission of offences under sections 13, 18, 19,
38 and 39 ULAP and 30 of the Police Act, read with section 3
of the PEPO (the Police Enhanced Penalties Ordinance, 2005).

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.