

EXTRAORDINARY

REGD. NO. JK—33



**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 day of September, 2018.

SRO-378.—Whereas, on 15-03-2018, Police Station, Budgam received a docket from I/c CIU, Budgam to the effect that an information through reliable sources was received regarding presence of some anti-national

elements in Budgam, who had planned to carry out subversive activities. Accordingly, SOG, Budgam in collaboration with troops of Army 53 RR established a naka near SBI Branch, Budgam. The naka party observed suspicious movement of two persons who were asked to prove their identity but the duo tried to fire upon the naka party. However, the naka party overpowered and apprehended them on spot, who were later identified as Sajjad Ahmad Dar S/o Gh. Rasool R/o Samboora, Pulwama and Faizan-ul-Zaman S/o Gh. Qadir Bhat R/o Kandipora, Bijbehara. Two pistols along with two magazines and 12 rounds were recovered from their illegal possession ; and

Whereas, in this connection, a case FIR No. 49/2018 under sections 307, 120-B RPC, 7/25 A. Act was registered in Police Station, Budgam and investigation initiated ; and

Whereas, during the course of investigation, one more person namely, Maiser Ahmad Dar S/o Mushtaq Ahmad R/o Samboora, Pulwama was apprehended. A vehicle "Baleno" bearing Chasis No. 7191055 was also seized. From his possession, one pistol along with two magazines and cash amounting to Rs. 40,000/- was also recovered. The accused namely, Faizan-ul-Zaman has been decalred as juvenile by the Hon'ble Court of CJM, Budgam in terms of order dated 09-04-2018 ; and

Whereas, during the course of further investigation, the offence under section 120-B RPC was deleted and sections 18 and 20 of UAPA were incorporated in the case ; and

Whereas, during the course of further investigation, it was established that accused person namely, Sajjad Ahmad Dar S/o Ghulam Rasool Dar R/o Samboora, Pulwama was also found involved in Case FIR No. 28/2013 under sections 148, 149, 307, 332, 353, 336, 341, 427 RPC and FIR No. 147/2016 under sections 147, 148, 341, 427 RPC of Police Station, Pampore ; and

Whereas, during the course of further investigation, on the basis of statements of witnesses, the seisure memos and other evidence, the Investigating Officer has established that the accused persons belong to banned

terrorist organization “LeT” outfit and a prima facie case is made out against the accused persons under sections 18 and 20 of the Unlawful Activities (Prevention) Act, 1967 apart from other offences ; and

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 prosecution sanction 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 the powers conferred by sub-section (1) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the below mentioned accused persons for the commission of offences punishable under sections 18 and 20 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 49/2018 of Police Station, Budgam :—

1. Sajjad Ahmad Dar S/o Gh. Rasool R/o Samboora, Pulwama.
2. Faizan-ul-Zaman S/o Gh. Qadir Bhat R/o Kandipora, Bijbehara.
3. Maiser Ahmad Dar S/o Mushtaq Ahmad R/o Samboora, Pulwama.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.