



सत्यमेव जयते

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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Jammu, the 25th March, 2022.

SO-112.—Whereas, on 17-08-2021, Police Station, Yariapora received reliable information to the effect that some unidentified terrorists barged into house of one Javid Ahmad Dar S/o Mohammad Abdullah Dar R/o Brazloo, Jagir and fired indiscriminately upon him, resulting his on spot death. The terrorists after commission of crime fled away from the spot ; and

2. Whereas, upon the information, a case FIR No. 55/2021 U/Ss 302 IPC, 7/27 Arms Act, 13, 16, 18, 38, 39 ULA (P) Act, came to be registered in Police Station, Yariapora and investigation of the case was taken up. Subsequently, during investigation, Sections 201 IPC, 19, 23 ULA (P) Act were added in the case ; and

3. Whereas, during the course of investigation, site plane of place of occurrence and seizure memos were prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

4. Whereas, during investigation, one suspect namely, Owais Gulzar Tantray S/o Gulzar Ahmad R/o Kujar, Frisal was arrested in connection with the case and during investigation, it was established that the accused alongwith two terrorists of HM banned outfit Mohammad Aslam Dar S/o Mohammad Rafiq R/o Redwani Bala, Basit Amin Bhat S/o Mohammad Amin R/o Palpora Frisal and one Over Ground Worker (OGW) Aqib Shafi Badder S/o Mohammad Shafi R/o Badderpora, Qaimoh hatched conspiracy to carry out terror attacks on security forces and also to kill the said political activist Javaid Ahmad Dar ; and

5. Whereas, it was established that on 17-08-2021, terrorists Mohammmd Aslam Dar and accused OGW Aqib Shafi Badder barged in the house of deceased Javaid Ahmad Dar and fired indiscriminately upon him and other accused persons facilitated the above accused to carry out the said attack which resulted on spot death of Javaid Ahmad ; and

6. Whereas, terrorist namely, Mohammad Aslam Dar has been killed in an encounter with security forces and proceedings under law would abate against him ; and

7. Whereas, on the basis of investigation, statements of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections as shown against each of Unlawful Activities (Prevention) Act, 1967 :—

S. No.	Name of the accused	Offence
1.	Owais Gulzar Tantray S/o Gulzar Ahmad Tantray R/o Kujar, Frisal.	13, 18, 19, 23, 39 ULA (P) Act
2.	Umar Ayoub Ganie S/o Mohammad Ayoub Ganie R/o Palpora, Frisal.	13, 18, 39 ULA (P) Act
3.	Basit Amin Bhat S/o Mohammad Amin Bhat R/o Palpora, Frisal	13, 18, 38, 39 ULA (P) Act
4.	Aqib Shafi Badder S/o Mohammad Shafi R/o Badderpora, Qaimoh	13, 16, 18, 23, 39 ULA (P) Act

8. Whereas, accused Basit Amin Bhat being active terrorist is absconding against whom proceedings under Section 299 Cr. PC have been proposed to be initiated ; and

9. Whereas, the Authority appointed by the 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 the conclusion that a *prima facie* case is made out against the above accused ; and

10. 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 accused 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 Government hereby accords sanction for launching prosecution against the above accused viz. Owais Gulzar, Umar Ayoub, Basit Amin and Aqib Shafi for the commission of offences punishable under relevant sections of the Unlawful Activities (Prevention) Act, 1967, indicated against each accused at para (7) above, arising out of FIR No. 55/2021 of Police Station, Yaripora.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Financial Commissioner/
(Additional Chief Secretary),
Home Department.