



**THE
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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-115.—Whereas, on 29-05-2016, Police Station, Bomai received reliable information that Over Ground Workers (OGWs) of HM outfit namely (1) Liyaqar Ahmad Lone S/o Ghulam Mohi-ud-Din Lone, (2) Muhammad Shafi Bhat S/o Abdul Jabbar Bhat R/o Harwan, Sopore and (3) Tariq Ahmad Najar S/o Muhammmad Sultan Najar R/o Badrehar Rajwar, Handwara were instigating youth to join militancy. The accused have lured one Umer Khaliq Mir @ Sameer S/o Ab. Khaliq Mir R/o Tujjar Sharief and have inducted him in terrorist cadres ; and

2. Whereas, upon this information, a case FIR No. 45/2016 U/Ss 18-B and 20 ULA (P) Act, 1967 was registered in Police Station, Bomai and investigation was taken up. Subsequently, during investigation, Section 13 ULA (P) Act was added in the case ; and

3. Whereas, during investigation, accused Tariq Ahmad Najar was arrested in connection with the case and on his disclosure two other accused Liyaquat Ahmad Lone and Mohammad Shafi Bhat were also arrested in the case. However, accused Umar Khaliq Mir was arrested by Sopore Police in case FIR No. 142/2016 of P/S Sopore and his custody was changed in this case ; and

4. Whereas, during further investigation, site plane of place of occurrence was prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

5. Whereas, during investigation, it was established that the accused Liqayat Ahmad Lone had joined the HM banned outfit after his release on bail from the said case and later on was killed in an encounter with the Security forces at Galoor Handwara, against whom proceedings shall abate ; and

6. Whereas, , it was also established that the accused Mohammad Shafi Bhat, Tariq Ahmad Najar and Umar Khaliq Mir were members of HM banned outfit and were under well knit criminal conspiracy were motivating/instigating youth of the area to join the terrorist ranks, besides, accused Mohammad Shafi and Tariq Ahmad facilitated the joining of accused Umar Khaliq with the HM banned outfit ; 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 persons for commission of offences punishable under sections as shown against each of Unlawful Activities (Prevention) Act, 1967 :—

S. No.	Name of the accused	Offence
1.	Muhammad Shafi Bhat S/o Ab. Jabbar Bhat R/o Harwan, Sopore.	18-B, 20 ULA (P) Act
2.	Tariq Ahmad Najar S/o Muhammad Sultan Najar R/o Badrehar Rajwar, Handwara.	
3.	Umar Khaliq Mir @ Sameer S/o Ab. Khaliq Mir R/o Tujjar, Sharief.	13, 20 ULA (P) Act

8. Whereas, the Authority appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently examined 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

9. 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 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. Muhammad Shafi Bhat, Tariq Ahmad Najar and Umer Khaliq Mir for the commission of offences punishable under relevant sections of the Unlawful Activities (Prevention) Act, 1967, indicated against each in para 7 above arising out of FIR No. 45/2016 of Police Station, Bomai.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner (Additional Chief Secretary),
Home Department.