



सत्यमेव जयते

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

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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-116.—Whereas, on 31-12-2019, Police Station, Dangiwacha received a written docket to the effect that a joint Naka by Security forces was laid at Behrampora and during chacking two persons coming from Dangerpora towards Seeloo, Sopore in a suspicious condition were asked to stop who tried to flee but were tactfully apprehended and identified as Ishfaq Ahmad Dar S/o Mohammad Sammander Dar and Rayees Ahmad Mir S/o Nazir Ahmad Mir residents of Warpora, Sopore. During their personal search, Police recovered two (2) hand grenades from their possession ; and

2. Whereas, upon this information, a case FIR No. 159/2019 U/Ss 3/5 Explosive Substances Act, 16, 18 ULA (P) Act, was registered in Police Station, Dagiwacha and investigation of the case was taken up. Subsequently, during investigation, Sections 23 and 39 ULA (P) Act were added and Section 16 ULA (P) Act was dropped from 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, it was established that both the accused were working as Over Ground Workers (OGWs) for the terrorists of HM banned outfit and procured two hand grenades from the terrorists under a well knit criminal conspiracy to carry out the terrorist activities in the area ; and

5. 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 section(s) as shown against each of Unlawful Activities (Prevention) Act, 1967 :—

S. No.	Name of the accused	Offence
1.	Ishfaq Ahmad Dar S/o Mohammad Sammander Dar R/o Warpora.	18, 23, 39 ULA (P) Act
2.	Rayees Ahmad Mir S/o Nazir Ahmad Mir R/o Warpora.	

6. 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

7. 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. Ishfaq Ahmad Dar and Rayees Ahmad Mir for the commission of offences punishable under Sections 18, 23 and 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 159/2019 of Police Station, Dangiwachha.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner (Additional Chief Secretary),
Home Department.