

EXTRAORDINARY

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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

Jammu, the 25th March, 2022.

S.O.-123.& Whereas, on 20-03-2019, Police Station, Kulgam received reliable information that some persons in the area are working as OGWs for the terrorists of HM outfit and were providing logistic support to them for carrying out the terrorists activities in the area, besides, instigate/provoke the general masses against the sovereignty, integrity and security of the country ; and

2 The J&K Official Gazette, the 25th Mar., 2022/4th Chai., 1944. [No. 52-n
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2. Whereas, upon the information, a Case FIR No. 29/2019 under sections 13, 19, 38, 39 of Unlawful Activities (Prevention) Act, 1967, came to be registered in Police Station, Kulgam and investigation of the case was set into motion. During investigation section 20 of ULA (P) Act was added and section 38 of ULA (P) Act was dropped from the case ; and

3. Whereas, during the course of investigation, seizure memos were prepared and statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provision of law ; and

4. Whereas, during investigation, three accused Shakir Nazir Rather S/o Nazir Ahmad, Basit Bashir Check S/o Bashir Ahmad Rs/o Odura and Javaid Ahmad Shan S/o Gh. Mohi-ud-Din R/o Sudsona were arrested in connection with the case who were found in close contact with terrorists of HM banned outfit Farooq Ahmad Bhat @ Nali S/o Ab. Gani R/o Check Dessan, Sayar Ahmad Bhat S/o Sonauallah Bhat R/o Machwa and Ishfaq Ahmad Itoo S/o Mohammad Yousuf R/o Hangalbuch, Yaripora. Subsequently, accused Shakir Nazir, Basit Bashir and Javid Ahmad were arrested in connection with the case ; and

5. Whereas, during investigation, it was established that accused Shakir Nazir, Basit Bashir and Javaid Ahmad were working as Over Ground Workers (OGWs) for the above terrorists and were providing logistic support to them for carrying out the unlawful activities in the area, besides were voluntarily harbouring them and conducting meetings with the terrorists for promoting the terrorist activities in the area ; and

6. Whereas, accused terrorists Sayar Ahmad Bhat and Ishfaq Ahmad Itoo have been killed in the different encounters against whom proceedings under law shall abate ; and

7. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused for the commission of offences punishable under section, as indicated

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 against his name under the Unlawful Activities (Prevention) Act,
 1967 :ô

S. No.	Name of the accused	Offence
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1.	Shakir Nazir Rather S/o Nazir Ahmad R/o Odura.	13, 19, 39 of ULA (P) Act
2.	Basit Bashir Check S/o Bashir Ahmad R/o Odura.	
3.	Javid Ahmad Shan S/o Gh. Mohi-ud-Din R/o Sudsona, Yaripora.	
4.	Farooq Ahmad Bhat @ Nali S/o Ab. Ganie R/o Check Dessan, Yaripora.	13, 20 of ULA (P) Act

8. Whereas, accused Farooq Ahmad bhat @ Nali R/o Dessan, Yaripora being active terrorist is absconding and proceedings under section 299 Cr. PC have been proposed to be initiated against him ; 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 examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the 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 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 accord sanction for launching prosecution against the above accused viz. Shakir Nazir Rather, Basit Bashir Check, Javaid Ahmad Shan and Farooq Ahmad Bhat for the commission of offence

4 The J&K Official Gazette, the 25th Mar., 2022/4th Chai., 1944. [No. 52-n
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punishable under relevant sections of the Unlawful Activities (Prevention)
Act, 1967, indicated against each accused in Para (7) above, arising
out of FIR No. 29/2019 of Police Station, Kulgam.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner
(Addl. Chief Secretary),
Home Department.