

# THE JAMMU AND KASHMIR OFFICIAL GAZETTE

#### PART I—B

Jammu and Kashmir Government-Notifications.

## GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

### Notification

Jammu, the 28th March, 2022.

S.O.-130.ô Whereas, on 28-09-2021, a tip-off was received by Police Station, Nowhatta to the effect that one person namely, Siraj-ud-Din Hajam @ Mandoo S/o Abdul Rehman R/o Syed Sahab, Rajouri Kadal, is harbouring terrorists in his residential house and has constructed hideout for the terrorists to promote terrorist activities in the area; and

- 2. Whereas, upon the information, a Case FIR No. 35/2021 under sections 13, 19 of the Unlawful Activities (Prevention) Act, 1967, came to be registered in Police Station, Nowhatta and investigation was set into motion. Subsequently, during investigation, section 13 of the ULA (P) Act was dropped and sections 18, 20, 23, 39 of ULA (P) Act were added in the case; and
- 3. Whereas, during investigation, the house of accused Siraj-ud-Din Hajam @ Mandoo was raided and a hideout was found at 4th floor of his residential house. During search, Police recovered 07 AK-47 rounds from the said hideout. Subsequently, the accused was arrested in connection with the case; and
- 4. Whereas, during site plan of place of occurrence and seizure memos were prepared and statement 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 along with his brother-in-law namely, Mohammad Yousuf Dar S/o Abdul Rehman Dar R/o Old Barzulla were in contact with active terrorist of LeT banned outfit namely, Riyaz Ahmad Dar @ Khalid S/o Ab. Aziz Dar R/o Sethargund, Kakapora and were working for him. Accordingly, accused Mohammad Yousuf Dar was arrested in the case; and
- 6. Whereas, during investigation, two other accused namely, Gulzar Ahmad Dar S/o Ab. Rahim Dar R/o Larve, Kakapora and Feroz Ahmad Wani S/o Mohammad Akber Wani R/o Qazigund, Kakapora were found involved in the case and were arrested in conection with the case: and
- 7. Whereas, during investigation, it was established that the accused Siraj-ud-Din Hajam @ Mandoo, Mohammad Yousuf Dar, Gulzar Ahmad Dar and Feroz Ahmad Wani were working as Over Ground Workers (OGWs) for the terrorist Riyaz Ahmad Dar @ Khalid and under well knit conspiracy were providing shelter/logistic support to him for carrying out the terrorist activities in the area, besides, accused Siraj-ud-Din Hajam voluntarily constructed a hideout in his residential house for hiding/concealing of the said terrorist; and

- 8. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer has *prima facie* established involvement of the below mentioned accused for commission of offences punishable under section as shown against each of the Unlawful Activities (Prevention) Act, 1967:ô
- S. Name of the accused Offence No.

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- Siraj-ud-Din Hajam @ Mandoo S/o Abdul 18, 19, 23, 39 of Rehman R/o Syed Sahab, Rajouri Kadal, ULA (P) Act Srinagar.
- Mohammad Yousuf Dar S/o Abdul
   Rehman Dar R/o Old Barzullah,
   Srinagar.

   Mohammad Yousuf Dar S/o Abdul
   18, 39 of
   ULA (P) Act
- 3. Riyaz Ahmad Dar @ Khalid S/o Abdul 18, 20 of Aziz Dar R/o Sethargund, Kakapora. ULA (P) Act
- 4. Gulzar Ahmad Dar S/o Abdul Rahim 18, 39 of Dar R/o Larve, Kakapora. ULA (P) Act
- Feroz Ahmad Wani S/o Mohammad Akber Wani R/o Qazigund, Kakapora.
- 9. Whereas, accused Riyaz Ahmad Dar @ Khaild being active terrorist is absconding and proceedings under section 299 Cr. PC have been proposed to be initiated against him; and
- 10. 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 above accused; and
- 11. 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 above-mentioned accused for their prosecution under the provision of law.

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Now, therefore, in exercise of the powers conferred by subsection (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Siraj-ud-Din Hajam @ Dandoo, Mohammad Yousuf Dar, Riyaz Ahmad Dar @ Khalid, Gulzar Ahmad Dar and Feroz Ahmad Wani for the commission of offences punishable under section relevant provisions of ULA (P) Act, indicated at Para (8) above, arising out of FIR No. 35/2021 of Police Station, Nowhatta.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS, Financial Commissioner (Additional Chief Secretary), Home Department.