

## JAMMU AND KASHMIR OFFICIAL GAZETTE

separate compilation.

## PART I-B

Jammu and Kashmir Governmnt-Notification

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GOVERNMENT OF JAMMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

## Notification

Jammu, the 31st March, 2022.

S.O.-143.ô Whereas, on 02-10-2021, a tip off was received by Police Station, Pulwama to the effect that a person namely Gulzar Ahmad Dar S/o Abdul Rahim Dar R/o Larve, Pulwama has made a hideout inside the kitchen in his residential house at Larve, Pulwama and is providing shelter and other logistic support to the terrorists. Accordingly, search was carried

- 2. Whereas, upon the information, a case FIR No. 277/2021 under Sections 212 IPC, 18, 19, Unlawful Activities (Prevention) Act, came to be registered in Police Station, Pulwama and investigation of the case was taken up. Subsequently, during investigation Sections 20, 39, 40 ULA (P) Act, were added and Section 212 IPC was dropped from the case; and
- 3. Whereas, during the course of investigation, site plan of place of occurrence and seizure memo 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, accused house owner Gulzar Ahmad Dar was arrested in connection with the case and on his disclosure one more hideout was busted in the residential house of Gowhar Ahmad Pala S/o Gh. Mohd Pala R/o Pahloo, Kakapora. The said accused was also arrested in connection with the case; and
- 5. Whereas, during investigation, it was established that one terrorist of LeT banned outfit namely, Mudasir Ahmad Bhat S/o Abdul Rashid Bhat R/o Laribal, Kakapora provided an amount of Rs. 70,000/- to the accused Gulzar Ahmad Dar for construction of hideouts for hidings of terrorists and as per the directions both the accused Gulzar Ahmad Dar and Gowhar Ahmad Pala voluntarily constructed hedeout in their residential houses and under well knit criminal conspiracy harboured/concealed the said terrorist, besides provided food and other logistic support to carry out terrorist activities in the area; and
- 6. Whereas, terrorist Mudasir Ahmad Bhat has been killed in an encounters 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 below mentioned accused for the

- - Gowhar Ahmad Pala S/o Gh. Mohd Pala R/o Pahoo, Kakapora.
- 8. Whereas, the Authority appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized Case Diary File and all the other relevant documents relating to the case and has come the conclusion that a *prima facie* case is made out against the accused; and
- 9. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the views of the Authority appointed under Sub-Section (2) of the Section 45 Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficent 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 accused viz Gulzar Ahmad Dar and Gowhar Ahmad Pala for the commission of offences punishable under relevant Sections 18, 19, 39, 40 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 277/2021 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. Goyal, IAS, Financial Commissionrt/ (Additional Chief Secretary), Home Department.