

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Jammu, the 25th April, 2022.

SO-208.66Whereas, on 04-12-2021, a tip-off was received by Police Station, Khag regarding presence of terrorists in Village Alamnag Poshkar, Khag. Accordingly, joint cordon and search operation was launched and during search one terrorist of LeT banned outfit namely, Abdul Hamid Nath S/o Mohammad Akber Nath R/o Peth-Zanigam, Beerwah was

- 2. Whereas, based on the above, case FIR No. 95/2021 under section 7/25 Arms Act, 20, 23 of ULA (P) Act, came to be registered in Police Station, Khag and investigation was taken up. Subsequently, during investigation sections 13, 18, 39 of ULA (P) Act were added in the case; and
- 3. Whereas, during course of investigation, 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
- 4. Whereas, during investigation, on the disclosure of accused terrorist viz. Abdul Hamid Nath, Police recovered 01 Chinese hand grenade from Nagbal Khag forests, besides, two other persons viz. Mohammad Shafi Ganie S/o Ab. Rehman R/o Ganie Mohalla, Kawoosa, Khalisa and Zahoor Ahmad Chopan S/o Ali Mohammad R/o Mamoosa, Pattan were arrested on the disclosure and recovered 19 posters of LeT banned outfit from the above two persons; and
- 5. Whereas, during investigation, it was established that accused terrorist viz. Abdul Hamid Nath, was member of LeT banned outfit and was in close contact with LeT commander namely, Mohammad Yousuf Dar @ Kantroo S/o Ab. Gani Dar R/o Check Kawsoosa, Narbal and procured arms/ammunition from him for carrying out the terrorist activities in the area. The other two accused viz. Mohammad Shafi Ganie and Zahoor Ahmad Chopan were working as Over Ground Workers (OGWs) for the above terrorists and under well knit criminal conspiracy were providing shelter/logistic support to them, besides, procured LeT posters from the terrorists for carrying out the unlawful activities in the area; and
- 5. Whereas, the investigation in respect of LeT terrorist Mohammad Yousuf Dar @ Kantroo shall continue to bring out his role/involvement in the case; and
- 6. 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

- S. Name of accused Offence
 No. under section
 - 1. Abdul Hamid Nath S/o Mohammad Akber 18, 20, 23 of Nath R/o Peth-Zanigam, Beerwah. ULA (P) Act
 - 2. Mohammad Shafi Ganie S/o Ab. Rehman 13, 18, 39 of Ganie R/o Ganie Mohalla, Kawoosa, Khalisa. ULA (P) Act
 - 3. Zahoor Ahmad Chopan S/o Ali Mohammad Chopan R/o Mamoosa, Pattan.
- 7. Whereas, the Authority appointed by the Government under subsection (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
- 8. Whereas, after perusing the Case Diary file, the relevant documents and also taking into consideration the views of the Authority pointed 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 provisions of law.

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. Abdul Hamid Nath, Mohammad Shafi Ganie and Zahoor Ahmad Chopan for the commission of relevant offences of the Unlawful Activities (Prevention) Act, 1967, indicates against each at Para (6) above, arising out of FIR No. 95/2021 of Police Station, Khag.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner (Additional Chief Secretary), Home Department.