

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 6th May, 2022.

SO-229.ô Whereas, on 08-11-2021, a tip-off was received by Police Station, Rajpora regarding presence of terrorists in the area. Accordingly, joint cordon and search operation was launched by Police/Security Forces in orchards of Mirgund, Rajpora. During search, a person while seeing Naka party tried to escape but was chased down on spot and identified as Sarwar Ahmad Mir S/o Gh. Mohi-ud-Din Mir R/o Bathan Khrew, Pampore. During his personal search Police recovered 02 hand grenades from his possession; and

- 2. Whereas, based on the above, a Case FIR No. 206/2021 under sections 16, 20 of ULA (P) Act, came to be registered in Police Station, Rajpora and investigation of the case was taken up. Subsequently, during investigation, section 16 of ULA (P) Act, 4 Explosive Substances Act were dropped and sections 18, 23 of ULA (P) Act and section 7/25 Arms Act were added in the case; and
- 3. Whereas, during 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, it was established that the accused viz. Sarwar Ahmad Mir was member of LeT banned outfit and was in contact with PAK handler namely Waleed R/o Pakistan who under well knit criminal conspiracy provided the grenades to the accused for carrying out the terrorist activities in the area; and
- 5. 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 shown against each of the Unlawful Activities (Prevention) Act, 1967:ô

- Waleed R/o Pakistan.
 18, 20 of ULA (P) Act.
- 6. Whereas, accused Waleed being active terrorist is absconding and proceedings under section 299 Cr. PC have been proposed to be initiated against him; and
- 7. 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

- 8. 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 the 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. Sarwar Ahmad Mir and Waleed for the commission of offences punishable under relevant sections of the Unlawful Activities (Prevention) Act, 1967, indicates against each at para (5) above, arising out of FIR No. 206/2021 of Police Station, Rajpora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner (Additional Chief Secretary), Home Department.