

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

Srinagar, the 19th May, 2022.

SO-247.66Whereas, on 27-11-2021, Police Station, Anantnag, received a written docket to the effect that a joint Naka was established by Police/Security Forces at KP Road, Anantnag, and during the Naka checking, a person, on seeing the Naka party tried to escape but was chased down on the spot and identified as Mohd Asif Dar S/o Gh. Mohd Dar R/o Hamdanpora, Redwani Bala, Kulgam. During his personal search,

- 2. Whereas, based on the above, a Case FIR No. 493/2021 under section 7/25 Arms Act and sections 18, 20, 39 of ULA (P) Act, was registered in Police Station, Anantnag, and investigation of the case was set into motion. During the investigation, section 23 of ULA (P) Act, was added in the case; and
- 3. Whereas, during the course of investigation, the site plan of place of occurrence and seizure memos were prepared and the statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during the investigation, it was established that the accused viz. Mohd Asif Dar was working as Over Ground Worker (OGW) for the terrorist namely, Basit Ahmad Dar S/o Late Ab. Rashid Dar R/o Redwani, Payeen, Kulgam, of LeT banned outfit and under a well knit criminal conspiracy was facilitating the transportation of arms/ammunition of the said terrorist from one place to another for carrying out the terrorist activities; and
- 5. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established, *prima facie* involvement of below mentioned accused in the commission of the offences punishable under Sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô
- - 1. Mohd Asif Dar S/o Gh. Mohd Dar R/o
 Redwani Bala.

 18, 23, 39 of
 ULA (P) Act
 - Basit Ahmad Dar S/o Ab. Rashid Dar R/o
 Redwani Payeen.
 ULA(P) Act
- 6. Whereas, the accused terrorist viz. Basit Ahmad Dar being active terrorist is absconding and the 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 a *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 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 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. Mohd Asif Dar and Basit Ahmad Dar for the commission of offences punishable under relevant sections of ULA (P) Act, indicated against each accused at Para (5) above, arising out of FIR No. 493/2021 of Police Station, Anantnag.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.