

EXTRAORDINARY

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**THE
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Separate paging is given to this part in order that it may be filed as a
separate compilation

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PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT

Notification

Srinagar, the 2nd June, 2022.

SO-2676 Whereas, on 05-12-2021, a tip-off was received by the Police Station, Shopian, regarding the presence of a terrorist namely, Shahid Ahmad Ganie S/o Gulzar Ahmad Ganie R/o Dombwani, Keegam affiliated with LeT, a banned outfit along with his associate in Village Dombwani. Accordingly, a joint Cordon and Search Operation was launched by the Police/Security Forces in the said Village ; and

2. Whereas, during the search two persons while seeing the search Party, tried to escape but were chased down on the spot and identified as

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Shahid Ahmad Ganie S/o Gulzar Ahmad Ganie R/o Dombwani, Keegam
and Kifayat Ayoub Allie S/o Mohammad Ayoub Allie R/o Pinjura, Shopian.
During their personal search , 01 Chinese Pistol Magazine, 08 Pistol Rounds,
02 hand grenades and an amount of Rs. 2.09 lacs were recovered from
them by the Search Party ; and

3. Whereas, upon this information , a case FIR No. 294/2021 under
section 7/25 Arms Act, Sections 17, 18 and 20 of the Unlawful Activities
(Prevention) Act, was registered in Police Station, Shopian and investigation
of the case was taken up. Subsequently, during the investigation section
23 of ULA (P) Act was added in the case ; and

4. Whereas, during the course of investigation, site plan of place of
occurrence and seizure memos was prepared and the statement of witnesses
acquainted with the facts and circumstances of the case were recorded
under the relevant provisions of law ; and

5. Whereas, during the investigation, it was found that the accused
viz. Kifayat Ayoub Allie was in contact with one terrorist of Al-Badr, a
banned terrorist organization, namely Arjumand Gulzar Dar @ Hamza
Burhan S/o Gulzar Ahmad Dar R/o Khar, Batpora, Pulwama presently
operating from Pakistan through the virtual mode. The accused viz. Kifayat
Ayoub Allie on the direction of said terrorist, received an amount of Rs.
2.09 lacs from an unknown burka-clad for further distribution
among the terrorists. The said amount was recovered from the
accused viz. Kifayat Ayoub Allie ; and

6. Whereas, during the investigation, it was established that the
accused viz. Shahid Ahmad Ganie and Arjumand Gulzar Dar @ Hamza
Burhan were members of the banned terrorist organization i.e. Al-Badr
and the accused viz. Kifayat Ayoub Allie was in contact with the above
terrorists and in furtherance of a criminal conspiracy procured arms/
ammunitions and also received an amount of Rs. 2.09 lacs from an unknown
burka-clad lady on the directions of the terrorists viz. Arjumand Gulzar
Dar for promoting the terrorist activities in the area ; and

7. Whereas, on the basis of investigation, the statement of witnesses
recorded and other evidence collected, the Investigating Officer has
established a *prima facie* involvement of the below mentioned accused

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 for the commission of offence punishable under sections of the Unlawful
 Activities (Prevention) Act, 1967, as shown against their name :ô

| S. No. | Name of accused | Offence |
|--------|--|----------------------------|
| 1. | Shahid Ahmad Ganie S/o Gulzar Ahmad Ganie R/o Dombwani, Keegam. | 18, 20, 23 ULA (P) Act. |
| 2. | Kifayat Ayoub Allie S/o Mohammad Ayoub Allie R/o Pinjura, Shopian. | 17, 18, 23 ULA (P) Act. |
| 3. | Arjumand Gulzar Dar @ Hamza Burhan S/o Gulzar Ahmad Dar R/o Khar, Barpora, Pulwama. | 17, 18, 20 ULA (P) Act. |

8. Whereas, the accused viz. Kifayat Ayoub Allie, has been found juvenile during the investigation and in view of Section 1(4) of the juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act ; and

9. Whereas, accused viz. Arjumand Gulzar Dar being an active terrorist is absconding and the 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 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

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the accused viz. Shahid Ahmand Ganie and Arjumand Gulzar Dar @ Hamza
Burhan for the commission of offences punishable under relevant sections
of ULA (P) Act, indicated against each at Para (7) above, arising out of
FIR No. 294/2021 of Police Station, Shopian.

By order of the Government of Jammu and Kashmir.

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