

EXTRAORDINARY

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**THE
JAMMU AND KASHMIR OFFICIAL GAZETTE**

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Vol. 135] Jammu, Fri., the 3rd June, 2022/13th Jyai., 1944. [No. 9-c

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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 3rd June, 2022.

SO-269& Whereas, on 09-12-2021, Police Station, Kupwara, received a written docket to the effect that a subversive element is moving in suspicious circumstances in Bazar Kupwara in order to carry out an attack upon the Police/Security Forces. Subsequently, a joint Naka was established by the Police/Security Forces at Regipora Bazar, Kupwara ; and

2 The J&K Official Gazette, 3rd June, 2022/13th Jyai., 1944. [No. 9-c
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2. Whereas, during the Naka checking a person while seeing the Naka Party, tried to escape but was chased down on the spot and identified as Mohammad Maqbool Kataria S/o Mohammad Qasim Kataria R/o Manigah, Kupwara. During his personal search, 02 hand grenades were recovered from his possession ; and

3. Whereas, upon this information , a case FIR No. 389/2021 under section 3/7 Explosive Substances Act and Section 13 of the Unlawful Activities (Prevention) Act, was registered in Police Station, Kupwara and investigation of the case was taken up. Subsequently, during the investigation sections 18, 20, 23, 38 and 39 ULA (P) Act were added in the case ; and

4. Whereas, during course of investigation, the site plan of the 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

5. Whereas, during the investigation, it was found that the grenades had been provided to the accused viz. Mohammad Maqbool Kataria by one terrorist of HM banned outfit namely, Bashir Ahmad Mir S/o Siraj-ud-din Mir R/o Sarkuli, Kalaroos with the direction to lob the same upon the Police/Security Forces in Town Kupwara. Subsequently, the accused viz. Bashir Ahmad Mir was arrested in the case ; and

6. Whereas, during investigation, it was established that the accused viz. Mohammad Maqbool Kataria was working as Over Ground Worker (OGW) for the terrorists of HM banned outfit particularly for the terrorist viz. Bashir Ahmad Mir and was providing logistic support to them besides in furtherance of criminal conspiracy received two hand grenades from the terrorist viz. Bashir Ahmad Mir with the directions to execute a terrorist act upon the Police/Security Forces in the Kupwara Town ; 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 below mentioned accused for

No. 9-c] The J&K Official Gazette, 3rd June, 2022/13th Jyai., 1944. 3
 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. | Mohammad Maqbool Kataria S/o Mohammad Qasim Kataria R/o Manigah, Kupwara. | 13, 18, 23, 39 ULA (P) Act. |
| 2. | Bashir Ahmad Mir S/o Siraj-ud-din Mir R/o Sarkuli, Kalaroos. | 18, 20, 38 ULA (P) Act. |

8. 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

9. 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 the accused viz. Mohammad Maqbool Kataria and Bashir Ahmad Mir 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. 389/2021 of Police Station, Kupwara.

By order of the Government of Jammu and Kashmir.

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