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

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PART I—B

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT& HOME DEPARTMENT

Notification

Srinagar, the 6th June, 2022.

SO-274.6 Whereas, on 04-12-2021, a written docket was received by the Police Station, Awantipora to the effect that some unknown terrorists fired some gunshots with their illegally acquired arms/ammunition upon the employees of the Railway Station, Panzgam, Awantipora with the intention to kill them. But the terrorists missed the target and no casualty or injury to any Railway Employee inflicted in the incident. The terrorists after committing the offence managed their escape from the spot ; and

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2. Whereas, based on the above, a case FIR No. 198/2021 under section 307 IPC, 7/27 Arms Act was registered in the Police Station, Awantipora and the investigation of the case was taken up. Subsequently, during the investigation Sections 16, 18, 20, 38 and 39 of ULA (P) Act were added in the case ; and

3. Whereas, during the course of investigation, site plan of the place of occurrence and the seizure memos were prepared and the statements 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, two persons namely, Raja Rashid Dar S/o Abdul Rashid Dar R/o Dogripora, Awantipora and Mohd. Shahid Nazir Dar S/o Nazir Ahmad Dar R/o Barsoo, Awantipora were found involved in the commission of offence. Subsequently, both the accused were arrested in the case and were found in contact with a terrorist of HM banned outfit namely, Yawar Ayoub Dar S/o Mohd Ayoub Dar R/o Dogripora, Awantipora. The said accused terrorist had hatched a conspiracy and planned to commit the terrorist act upon the employees of Railway Station, Panzgam ; and

5. Whereas, during the investigation, it was established that the accused viz. Raja Rashid Dar and Mohd. Shahid Nazir Dar were working as Over Ground Worker (OGW) for the terrorists namely Yawar Ayoub Dar, a member of the banned terrorist organization i. e. HM and were providing logistic support to him, the accused terrorist on 04-12-2021, fired upon the employees of Railway Station, Panzgam and other accused viz. Raja Rashid Dar and Mohd Shahid Nazir Dar under a well knit criminal conspiracy facilitated the said terrorist act ; and

6. Whereas, on the basis of the 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 offences punishable under sections of the Unlawful
 Activities (Prevention) Act, 1967, as shown against their name :ô

S.No.	Name of the accused	Offences
1.	Raja Rashid Dar S/o Abdul Rashid Dar R/o Dogripora, Awantipora.	18, 39 of ULA (P) Act.
2.	Mohd. Shahid Nazir Dar S/o Nazir Ahmad Dar R/o Barsoo, Awantipora.	
3.	Yawar Ayoub Dar S/o Mohd Ayoub Dar R/o Dogripora, Awantipora.	16, 18, 20, 38 of ULA (P) Act.

7. Whereas, the accused viz. Yawar Ayoub Dar being an active terrorist is absconding and the proceedings under section 299 Cr. PC have been proposed to be initiated against him ; and

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 a *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. Raja Rashid Dar, Mohd. Shahid Nazir Dar and Yawar Ayoub Dar for the commission of offences punishable under relevant sections of ULA (P) Act, indicated against each at para (6) above, arising out of FIR No. 198/2021 of Police Station, Awantipora.

By order of the Government of Jammu and Kashmir.

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