

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 10th June, 2022.

SO-282.66Whereas, on 01-12-2021, a tip-off was received by the Police Station, Nowhatta, to the effect that some unknown terrorists equipped with illegally acquired arms/ammunition fired upon a Traffic Police Cop. namely, SGCT, Mohd Abdullah No. 307/T at Rajouri Kadal, Srinagar, with the intention to kill him, resulting in serious injuries to him, who was shifted to hospital for treatment; and

- 2. Accordingly, based on the above, a Case FIR No. 46/2021 under section 307 IPC, 7/27 Arms Act and sections 16, 18, 20 of ULA (P) Act was registered in Police Station, Nowhatta and the investigation of the case was taken up. Subsequently, during the investigation section 7/25 Arms Act, 3/4 ESA and section 23, 38 and 39 of ULA (P) Act, were added in the case; and
- 3. Whereas, during the course of the investigation, the 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, a suspect namely, Tajamul Bilal Dar S/o Bilal Ahmad Dar R/o Guzarbal, Noorbagh, was found involved in the commission of the offence. Subsequently, the said accused was arrested in the case and it was found that the accused was in contact with two terrorists of JeM banned outfit namely, Waseem Qadir Mir S/o Ghulam Qadir Mir R/o Dangerpora, Shazadpora, Nowgam and Aqib Mushtaq @ Imran S/o Mushtaq Ahmad Bhat R/o Kareemabad, Pulwama. During the investigation, 02 Hand grenades and 02 Detonators were recovered on the instance of the accused viz. Tajamul Bilal Dar; and
- 5. Whereas, during the investigation, it was established that the accused viz. Tajamul Bilal Dar, was working as Over Ground Worker (OGW) for the terrorists of a banned outfit i. e. JeM, and particularly for the accused terrorists viz. Waseem Qadir Mir and Aqib Mushtaq @ Imran and was providing shelter logistic support to them, besides, the accused in furtherance of criminal conspiracy procured arms/ammunition and committed the terrorist act by attacking upon the Traffic Cop at Rajouri Kadal, Srinagar, on 01-12-2021, which resulted in serious injuries to the said Cop; and
- 6. Whereas, the terrorists viz. Waseem Qadir Mir and Aqib Mushtaq @ Imran have been killed in different encounters with the Security Forces and proceedings under the law would abate against them; and
- 7. 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 for the commission of offences punishable under sections of

S. Name of the accused Offence No.

- 1. Tajamul Bilal Dar S/o Bilal Ahmad 16, 18, 23, 39 of Dar R/o Guzarbal, Noorbagh. ULA (P) Act.
- 8. Whereas, the Authority, appointed by the Government under subsection (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 his 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. Tajamul Bilal Dar, for the commission of offences punishable under sections 16, 18, 23 and 39 of the ULA (P) Act, arising out of FIR No 46/2021 of Police Station, Nowhatta.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.