

EXTRAORDINARY

REGD. NO. JK6633



**THE
JAMMU AND KASHMIR OFFICIAL GAZETTE**

Vol. 135] Jammu, Tue., the 21st June, 2022/31st Jyai., 1944. [No. 11-q
Separate paging is given to this part in order that it may be filed
as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT

Notification

Srinagar, the 21st of June, 2022.

S.O.6305. Whereas, on 27-12-2021, Police Station, Litter, received a written docket to the effect that a Joint Naka was established by the Police/Security Forces at Village Panjran. During the Naka checking two persons while seeing the Naka Party tried to escape but were apprehended on the spot and identified as Adil Ali Bhat S/o Ali Mohd Bhat R/o Achan, Pulwama and Asif Gulzar Dar S/o Gulzar Ahmad Dar R/o Hajidarpura, Pulwama. During their personal search, 02 Hand Grenades (01 from each accused) were recovered from their possession ; and

2 The J&K Official Gazette, 21st June, 2022/31st Jyai., 1944. [No. 11-q
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2. Whereas, based on the above, a Case FIR No. 120/2021 under Sections 18 and 23 of ULA (P) Act, 4/5 Explosive Substances Act, was registered in the Police Station, Litter and the investigation of the case was taken up. Subsequently, during the investigation, Sections 7/25 Arms Act, Sections 20 and 39 of ULA (P) Act, were added and Section 4/5 ESA was dropped from 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, the accused viz. Adil Ali Bhat and Asif Gulzar Dar, were found in contact with terrorists of JeM banned outfit namely, Yasir Ahmad Parray S/o Gh. Mohd Parray R/o Qasbayar, Sameer Ahmad Tantray S/o Gh. Ahmad Tantray R/o Baragam, Tral and Furqan Pakistani, who provided the hand grenades, to the accused viz. Adil Ali Bhat and Asif Gulzar Dar, for lobbing the same upon the Security Forces with the intention to kill the Security Forces and damage their property ; and

5. Whereas, during the further investigation, it was established that the accused viz. Adil Ali Bhat and Asif Gulzar Dar, were working as Over Ground Workers (OGWs) for the terrorists of JeM banned outfit, particularly terrorists namely, Yasir Ahmad Parray, Sameer Ahmad Tantray and Furqan Pakistani, and were providing logistic support to them, besides, under a well-knit criminal conspiracy procured hand grenades from them to carry out the terrorist activities in the area ; and

6. Whereas, the terrorists viz. Yasir Ahmad Parray, Sameer Ahmad Tantray and Furqan Pakistani, have been killed in the different encounters with the Security Forces and the proceedings under the law would abate against them ; and

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

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 mentioned accused for the commission of offences punishable under
 sections of the Unlawful Activities (Prevention) Act, 1967, as shown
 against their names :ô

S.No.	Name of the accused	Offence
1.	Adil Ali Bhat S/o Ali Mohd Bhat R/o Achan, Pulwama	18, 23, 39 ULA (P) Act
2.	Asif Gulzar Dar S/o Gulzar Ahmad Dar R/o Hajidarpura, Pulwama	

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. Adil Ali Bhat and Asif Gulzar Dar for the commission of offences punishable under Sections 18, 23 and 39 of ULA(P) Act, arising out of FIR No. 120/2021 of Police Station, Litter.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/Additional Chief Secretary.