

EXTRAORDINARY

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**THE
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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT& HOME DEPARTMENT

Notification

Srinagar, the 23rd of June, 2022.

S.O.6310.6 Whereas, on 29-12-2021, a tip-off was received by the Police Station, Dachhan, to the effect that persons namely, Ab. Rashid Ginoo S/o Ab. Rehman Ginoo and Ikhlq Ahmad Khanday S/o Gh. Rasool Khanday Residents of Upper Tender, Dachhan, were in contact with the terrorists of HM banned outfit namely, Mohd Amin @ Jahangeer S/o Mohd Anwar R/o Bhadat, Saroor, Riyaz Ahmad S/o Mohd Ramzan R/o Renie, Marwah and Mudasir Ahmad S/o Tariq Hussain R/o Tender, Dachhan and were providing shelter to them in the various places of Dachhan area and also provideing information regarding movement of the Security Forces to the terrorists ; and

2. Whereas, based on the above, a Case FIR No. 27/2021 under Sections 13, 18, 19, 20, 39 of ULA (P) Act, was registered in the Police Station, Dachhan and the investigation, of the case was taken up. Subsequently, during the investigation, Sections 7/25 Arms Act and Section 4/5 ESA were added in the case ; and

3. Whereas, during the investigation, a Joint Search Operation was launched by the Police/Security Forces in the Forests of Kalnoo, Nagdhara and during the search operation, a hideout was busted in the Jungles and 120 AK-47 rounds and 01 Chinese hand grenade were recovered from the said hideout. Subsequently, the accused viz. Ab. Rashid Ginoo and Ikhlq Ahmad Khanday, were arrested in the case ; and

4. 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

5. Whereas, during the investigation, it was found that the accused viz. Ab. Rashid Ginoo, procured 02 AK magazines from the terrorist viz. Mohd Amin @ Jahangeer and concealed the same in his residential house for a long time. The accused viz. Ab. Rashid Ginoo, damaged the said magazines and threw in a river after the other accused viz. Ikhlq Ahmad Khanday, was arrested. Subsequently, Section 201 of IPC was added in the case ; and

6. Whereas, during the investigation, it was established that the accused viz. Ab. Rashid Ginoo and Ikhtlaq Ahmad Khanday were in contact with the terrorists of HM banned outfit namely Mohd Amin @ Jahangeer, Riyaz Ahmad, and Mudasir Ahmad, and were working as Over Ground Workers (OGWs) for the above terrorists, besides, under a well-knit criminal conspiracy were voluntarily harboring the above terrorist for carrying out the terrorist activities in the area ; and

7. Whereas, the investigation, in respect of active terrorists viz. Mohd Amin @ Jahangeer, Riyaz Ahmad and Mudasir Ahmad, shall continue and supplementary charge sheet shall be filed against them in the competent Court of Law ; and

8. 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 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. | Ab. Rashid Ginoo S/o Ab. Rehman Ginoo R/o Upper Tender, Dachhan | 13, 18, 19, 39 ULA (P) Act |
| 2. | Ikhlaq Ahmad Khanday S/o Gh. Rasool Khanday R/o Upper Tender, Dachhan | |

9. 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

10. 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. Ab. Rashid Ginoo and Ikhtlaq Ahmad Khanday for the commission of offences punishable under Sections 13, 18, 19, and 39 of ULA(P) Act, arising out of FIR No. 27/2021 of Police Station, Dachhan.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/Additional Chief Secretary.