

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, J&K

Notification

Srinagar, the 4th July, 2022.

SO-322.óóWhereas, on 04-04-2021, the Police Station, Jhajjar Kotli, received a written docket to the effect that an information was received about the presence of terrorists with arms and ammunition in the area. Subsequently, a Naka checking was established at Domail, Suketar and during the Naka checking, the Police intercepted one

- 2. Whereas, based on the above, a Case FIR No. 53/2021 under Sections 13, 17, 20, 23 of ULA (P) Act, came to be registered in the Police Station, Jhajjar Kotli and the investigation of the case was taken up; and
- 3. Whereas, during the investigation, the site plan of the place of occurrence and the 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
- 4. Whereas, during the investigation, one more accused namely Aaqib Bashir Parray S/o Bashir Ahmad Parray R/o Unisoo, Handwara, was arrested in the case and during the investigation, both the accused were found in constant touch with ISIS terrorist namely, Ajaz Ahmad Ahanger @ Abu Usam-Al-Kashmiri R/o Nowakadal, Srinagar, through social media and after the arrest of said terrorist by the Afghan Security Forces (National Directorate of Security in April, 2020), both the accused came in contact with another ISIS terrorist namely, Umar Nissar @ Aka Qasim Khoasani S/o Nisar Ahmad Bhat R/o Magray Mohalla, Achabal, who was already arrested by National Investigation Agency (NIA) Delhi; and
- 5. Whereas, during the investigation, it was established that the accused viz. Malik Umaid and Aaqib Bashir Parray, were members of the ISIS banned outfit and were carrying out unlawful activities in the area, besides, the accused viz. Malik Umaid, on the directions of terrorist Umar Nissar @ Aka Qasim Khoasani, procured arms/ammunition from Jammu for the outfit for carrying out the terrorist activities in the Kashmir Valley, and subsequently, was arrested by the Police at Domail Naka, Suketar; and
- 6. Whereas, the sanction in respect of accused Malik Umaid and Aaqib Bashir Parray, has already been accorded vide Notification SO No. 332 dated 29-09-2021 and the investigation, in respect of the accused viz. Umar Nissar @ Aka Qasim Khoasani, was continued. During the investigation, the custody of the accused viz. Umar Nissar @

- 7. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established, *prima facie*, involvement of below mentioned accused in the commission of the offence punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against his name :ô
- S. Name of the accused Offence No.

- Umar Nissar @ Aka Qasim Khoasani
 S/o Nisar Ahmad Bhat R/o Magray
 Mohalla, Achabal.
 13, 17, 20 of
 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 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. Umar Nissar @ Aka Qasim Khoasani, for the commission of offence punishable under Sections 13, 17 and 20 of ULA (P) Act, arising out of FIR No. 53/2021 of Police Station, Jhajjar Kotli.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.