

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Government-Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Jammu, the 7th July, 2022.

S.O. 330.ô Whereas, on 10-12-2018, the Police Station, Hajin received a reliable information that while carrying dead bodies of two terrorists who were killed in an encounter at Mujgund, Srinagar on 09-12-2018, for last rites in the local graveyard, some miscrents affiliated with Hurriyat (G) namely, Rafiq Ahmad Ganie S/o Ab. Aziz Ganie R/o Achabal, Anantnag A/ p Bagat Kanipora, Nowgam and Ali Mohammad Dar @ Ali Master S/o Mohammad Maqbool Dar R/o Danger Mohalla, Hajin, raised anti national slogans and instigated the general public against the sovereignty, security and integrity of the country ; and

2. Whereas, based on the above, a Case FIR No. 64/2018 U/S 13 of ULA (P) Act, 1967, came to be registered in Police Station, Hajin and the investigation of the case was taken up ; and

3. Whereas, during the course of investigation, the site plan of place of occurence and the seizure memos were prepared and the statement of the witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and

4. Whereas, during the investigation, three other accused namely, Showkat Ahmad Dar S/o Ali Mohammad Dar, Danish Ahmad Dar @ Nituji S/o Gh. Mohammad Dar Residents of Danger Mohalla, Hajin and Ab. Samad Malla @ Inqlabi S/o Ab. Rehman Malla R/o Ganstan, Sumbal were found involved in the case. Subsequently, all the accused viz. Ragiq Ahmad Ganie, Ali Mohammad Dar @ Ali Master, Showkat Ahmad Dar, Danish Ahmad Dar @ Nituji and Ab. Samad Malla were arrested in the case ; and

5. Whereas, during the investigation, it was established that on the date of occurrence, the accused Viz. Ali Mohammad Dar @ Ali Master, Showkat Ahmad Dar, Danish Ahmad Dar @ Nitu ji and Ab. Samad Malla while carrying the dead bodies of two killed terrorists to the local graveyard for last rites, raised ati national slogans and instigated theyouth against the sovereignty, security and integrity of the country. During the investigation, due to sufficient evidence against Rafiq Ahmad Ganie, benefit of section169 Cr. Pc. was given him ; and

6. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the investigating officer has established *prima facie* involvement of below mentioned accused in the commission of offence punishable under Unlawful Activities (Prevention) Act, 1967, as shown against each of the accused person :ô

S. No.				Name of the accused															Offence							
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1.	1. Ali Mohammad Dar @ Ali Master														13 of ULA											
	S/oMohammad Maqbool Dar R/o Danger														(P) Act											
	M	Ioh	all	a, 1	Ha	jin																				

- 2. Showkat Ahmad Dar S/o Ali Mohammad Dar R/o Danger Mohalla, Hajin.
- 3. Danish Ahmad Dar @ Nituji S/o Gh. Mohammad Dar R/o Danger Mohall, Hajin.
- 4. Ab. Samad Malla @ Inqlabi S/o Ab. Rehman Malla R/o Ganstan, Sumbal.

7. 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 relevent documents relating to the case and has come to the conclusion that a *prima facie* case is made out against the above accused ; and

8. 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. Ali Mohammad Dar @ Ali Master, Showkat Ahmad Dar, Danish Ahmad Dar @ Nituji and Ab. Samad Malla, for the commission of offence punishable under section 13 of the Unlawful Activities (Prevention) Act, arising out of FIR No. 64/2018 of Police Station, Hajin.

By order of the Government of Jammu and Kashmir.

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