

## THE

# JAMMU AND KASHMIR OFFICIAL GAZETTE

#### PART I—B

Jammu and Kashmir Government-Notifications.

### GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

#### Notification

Srinagar, the 26th July, 2022.

- S.O.-349.ô Whereas, on 19-01-2022, the Police Station, Pulwama received a written docket to the effect that in the orchards of Banderpora, a hideout has been made for providing safe hiding place to the terrorists. Accordingly, a Joint Cordon and Search Operation was launched in the village by the Police/Security Forces and during the checking the hideout was busted on the spot; and
- 2. Whereas, based on the above, a Case FIR No. 08/2022 under sections 18 and 19 of ULA (P) Act, was registered in the Police Station, Pulwama, and the investigation of the case was taken up. Subsequently, during the investigation, Section 20 of ULA (P) Act, was 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, it was found that three persons namely, Hilal Ahmad Wani S/o Ab. Kabir Wani, Parvaiz Ahmad Dar S/o GuIzar Ahmad Dar R&/o Chandgam, Pulwama and Umar Farooq Bhat S/o Farooq Ahmad Bhat R/o Renzipora, Awantipora, voluntarily made the hideout in order to conceal terrorists and were in contact with two Pakistani based terrorists of JeM banned outfit namely, Abu Huriara and Abu Qasim R&/o Pakistan. Subsequently, two accused viz. Hilal Ahmad Wani and Parvaiz Ahmad Dar were arrested in the case and accused viz. Umar Farooq Bhat, was already arrested by Awantipora Police in case FIR No. 07/2020 of Police Station, Awantipora; and
- 5. Whereas, during the investigation, it was established that the accused viz. Hilal Ahmad Wani, Parvaiz Ahmad Dar and Umar Farooq Bhat, were working for the terrorists of JeM banned outfit particularly terrorists viz. Abu Huriara and Abu Qasim R/o Pakistan, and under a well knit criminal conspiracy voluntarily constructed a hideout in the land of accused viz. Hilal Ahmad Wani, for hiding place for terrorists; and
- 6. 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 the Unlawful Activities (Prevention) Act, 1967, as shown against their name:ô

S.No.	Name of accused	Offence
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1	2	3
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1.	Hilal Ahmad Wani S/o Ab. Kabir Wani	18, 19
	R/o Chandgam, Pulwama.	ULA (P) Act.
2.	Parvaiz Ahmad Dar S/o GuIzar Ahmad	18 19,
	Dar R/o Chandgam, Pulwama.	ULA (P) Act.

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3. Umar Farooq Bhat S/o Farooq Ahmad 18, 19

Bhat R/o Renzipora, Awantipora. ULA (P) Act.

4. Abu Huraira R/o Pakistan. 18, 20

ULA (P) Act.

- 5. Abu Qasim R/o Pakistan.
- 7. Whereas, the accused viz Abu Huraira and Abu Qasim being the active terrorists are absconding and the proceedings under section 299 Cr. PC have been proposed to be initiated against them; and
- 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. Hilal Ahmad Wani, Parvaiz Ahmad Dar, Umar Faroog Bhat, Abu Huriara and Abu Qasim, for the commission of offences punishable under relevant Section of ULA (P) Act, as indicated against each at Para (6) above, arising out of FIR No. 08/2022 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.