

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Government-Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 28th July, 2022.

S.O.-354ô Whereas, on 10-9-2018, the Police Station, Kakapora received a docket to the effect that on a specific information, a Joint Naka was established by the Police/Security Forces at Naman Railway Crossing Kakapora. During checking 04 persons, while seeing the Naka Party tried to escape but were chased down on the spot and apprehended, who were later on, identified as Rameez Raja S/o Gh. Mohd Bhat, Mudasir Ahmad Bhat S/o Gh. Mohd Bhat Røs/o Parigam Pulwama, Shameem Ahmad Mir S/o Assadulla Mir R/o Pahoo, Pulwama and Bilal Ahmad Lone S/o Manzoor Ahmad Lone R/o Lelhar, Kakapora. During their personal search 08 posters of LeT banned outfit were recovered from their possession ; and

2. Whereas, based on the above, a Case FIR No. 33/2018 under section 19, 38 of ULA (P) Act, was registered in the Police Station, Kakapora and the investigation of the case was taken up. Subsequently, during the investigation, Section 19 of ULA (P) Act was dropped and Sections 18, 20 and 39 of ULA (P) Act and Section 506 IPC were added in the case ; and

3. Whereas, during the course of 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. Rameez Raja, Mudasir Ahmad Bhat, Shameem Ahmad Mir and Bilal Ahmad Lone, were found in contact with a terrorist of LeT banned outfit namely, Arshid Ahmad Dar S/o Gh. Rasool Dar R/o Marval, Kakapora, who provided some posters of LeT banned outfit to the above accused with the directions to paste/ circulate the same in the area ; and

5. Whereas, during the investigation, it was established that the accused viz. Rameez Raja, Mudasir Ahmad Bhat, Shameem Ahmad Mir and Bilal Ahmad Lone, were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit particularly terrorist namely Arshid Ahmad Dar and were providing logistic support to them, besides, in furtherance of a criminal conspiracy procured some posters from the said terrorist with the directions to paste the same in the area with the intention to spread terror among the general masses in order to restrict them from participating in the DDC Elections ; and

6. Whereas, the accused terrorist namely, Arshid Ahmad Dar, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him ; and

7. 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

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2.	Mudasir Ahmad Bhat S/o Gh. Mohd Bhat	18, 39
	R/o Parigam, Pulwama.	ULA (P) Act.
3.	Shameem Ahmad Mir S/o Assadulla Mir	

R/o Pahoo, Pulwama.

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4. Bilal Ahmad Lone S/o Manzoor Ahmad Lone R/o Lelhar, Kakapora.

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. Rameez Raja, Mudasir Ahmad Bhat, Shameem Ahmad Mir and Bilal Ahmad Lone, for the commission of offences punishable under sections 18 and 39 of ULA (P) Act, arising out of FIR No. 33/2018 of Police Station, Kakapora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.