

THE 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 5th August, 2022.

S.O.-359.ô Whereas, on 12-02-2022, the Police Station, Rajpora received a docket to the effect that a Joint Naka was established by the Police/Secuirty Forces at Bellow Crossing and during the checking a person while seeing the Naka Party tried to escape but was chased down on the spot, and identified as Nazir Ahmad Dar @ Nazir Puj S/o Gh. Nabi Dar R/o Gulshanabad, Rajpora. During his personal search, the Police recovered one Chinese Hand Grenade from his possession; and

- 2. Whereas, based on the above, a Case FIR No. 10/2022 under Sections 4/5 ESA, was registered in the Police Station, Rajpora and the Investigation of the Case was taken up. Subsequently, during the investigation sections, 18, 20, 23 and 39 of ULA (P) Act, were added and Section 4/5 ESA, was dropped from the 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. Nazir Ahmad Dar @ Nazir Puj, was found in contact with three local terrorists of JeM banned outfit namely, Yasir Ahmad Parray S/o Gh. Ahmad Parray R/o Qasbayar, Rajpora, Zahid Ahmad Wani S/o Manzoor Ahmad Wani and Irfan Ahmad Sheikh S/o Ab. Rashid Sheikh Rø/o Karimabad, Pulwama, who provided a hand grenade to the accused in order to promote terrorism in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Nazir Ahmad Dar @ Nazir Puj, was working as Over Ground Worker (OGW) for the terrorists of JeM banned outfit viz. Yasir Ahmad Parray, Zahid Ahmad Wani and Irfan Ahmad Sheikh, and was providing logistic support to them, besides, under a well knit criminal conspiracy procured a hand greenade from the above terrorists for carrying out the terrorist activities in the area; and
- 6. Whereas, the accused terrorists namely, Yasir Ahmad Parray, Zahid Ahmad Wani and Irfan Ahmad Sheikh have been killed in the different encounters and the proceedings under the law would abate against them; 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 his name :ô
- Nazir Ahmad Dar @ Nazir Puj S/o
 Sh. Nabi Dar R/o Gulshanabad, Rajpora.
 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 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 powers conferred by Sub-Section (2) of Section 45 of Unlalwful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Nazir Ahmad Dar @ Nazir Puj, for the commission of offences punishable under Section 18, 23 and 39 of ULA (P) Act, arising out of FIR No. 10/2022 of Police Station, Rajpora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.