

# 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.-360.ô Whereas, on 11-02-2022, the Police Station, Kothibagh, received a reliable information to the effect that some unknown OGWs of terrorists of TRF (an offshoot of LeT banned outfit) were providing shelter/Logistic support to the terrorists namely Basit Ahmad Dar and Momin Gulzar Mir, and on their support the above terrorists are freely roaming, in the Srinagar City. Further, the terrorists of TRF and LeT banned outfit, conspired to procure arms/ammunition and recruit youths to join the outfits after imparting training to them for handing of arms/ ammunition, for carrying out the terrorists activities in the Valley ; and

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2. Whereas, based on the above, a Case FIR No. 10/2022 under Sections 13, 18, 38, 39 of ULA (P) Act, 120-IPC, was registered in the Police Station, Kothibagh and the investigation of the case was taken up. Subsequently, during the investigation Section 19, 20 of ULA (P) Act, and Section 506 IPC were added and Section 120-B IPC was dropped from the case ; and

3. Whereas, during the course of investigation, 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, two persons namely, Basharat Ahmad Pampori S/o Bashir Ahmad Pampori R/o Maidanpora, Chattabal, Sringar and Adil Shafi Bhat S/o Mohammad Shafi Bhat R/o Daresh Kadal, Bagh-i-Sunder Payeen, Srinagar were found involved in the case. Subsequently, both the accused were arrested and it was found that accused viz. Basharat Ahmad Pampori was in contact with a PoK based terrorist of LeT banned outfit namely Rehan, through the virtual mode, who provided some posters to the accused for pasting the same in Sringar City. Accordingly, the accused viz. Basharat Ahmad Pampori, and his associate Adil Shafi Bhat, pasted the same in area to terrorize the people ; and

5. Whereas, during the investigation, three other persons namely, Muzamil Fayaz Sofi S/o Fayaz Ahmad Sofi R/o Bagh-i-Sunder Payeen, Kaka Sarai, Karanagar, Mohammad Ansar Khan S/o Mohd Ashraf Khan R/o Saidpora, Eidgah, Srinagar and Adil Mushtaq Mir S/o Mushtag Ahmad Mir R/o Bagh-i-Sunder Payeen, Srinagar were found involved in the case. Subsequently, the accused were arrested and it was found that accused viz. Muzamil Fayaz Sofi, was also in contact with the PoK based terrorist namely Rehan. The accused viz. Muzamil Fayaz Sofi and Mohammad Ansar Khan, on the directions of said PoK based terrorist voluntarily concealed three terrorists namely Basit Ahmad Dar @ Kamran S/o Ab. Rashid Dar R/o Redwani Payeen, Qaimoh and Momin Gulzar Mir @ Momin S/o Gulzar Ahmad Mir R/o Firdous Coloney, Alijan Road, Eidah, Srinagar and one local terrorist in different places at Srinagar ; and

6. Whereas, during the further investigation, it was found that the accused viz. Adil Mushtaq Mir provided hand written threatening letter against the Political activists, non-local businessman and journalists which was later on send to the PoK based terrorist by the accused viz. Basharat Ahmad Pampori through his whatsapp ; and

7. Whereas, during the investigation, it was established that the accused viz. Basharat Ahmad Pampori, Adil Shafi Bhat, Muzamil Fayaz Sofi. Mohammad Ansar Khan and Adil Mushtaq Mir, were working as Over Ground Workers (OGWs) for the terrorists of TRF (an offshoot of LeT banned outfit) particularly terrorists namely, Basit Ahmad Dar @ Kamran and Momin Gulzar Mir @ Momin, and were providing shelter/logistic support to them, besides, under a well knit cirminal conspiracy were facilitating the movement of above terrorists in the Srinagar city from one place to another. The accused viz. Basharat Ahmad Pampori, Muzamil Fayaz Sofi and Mohammad Ansar Khan, were voluntarily harbouring the above terrorists for carrying out the terrorists activities in the Srinagar City ; and

8. Whereas, the investigation in respect of the PoKbassed terrorist viz. Rehan and other unidentified accused shall contine to ascertain their identity and to bring out their role/involvement in the case ; and

9. 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 : $\hat{o}$ 

S. No.	Name of accused	Offence
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1.	Basharat Ahmad Pampori S/o Bashir Ahmad Pampori R/o Maidanpora, Chattabal, Srinagar.	13, 18, 19, 39 ULA (P) Act
2.	Adil Shafi Bhat S/o Mohammad Shafi Bhat R/o Daresh Kadal, Bagh-i-Sunder Payeen, Srinagar.	13, 18, 39 ULA (P) Act
3.	Muzamil Fayaz Sofi S/o Fayaz Ahmad Sofi R/o Bagh-i-Sunder Payeen, Kakasaria, Karanagar.	13, 18, 19, 39 ULA (P) Act
4.	Mohammad Ansar Khan S/o Mohammad Ashraf Khan R/o Saidpora, Eidgah, Srinagar.	13, 18, 19, 39 ULA (P) Act

4 The J&K Official Gazette, 5th August, 2022/14th Srav., 1	944. [No. 18-c
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6.	Basit Ahmad Dar @ Kamran S/o Ab. Rashid Dar R/o Redwani Payeen, Qaimoh.	20, 38 ULA (P) Act	
7.	Momin Gulzar Mir @ Momin S/o Gulzar Ahmad Mir R/o Firdous Colony, Alijan Road, Eidgah, Srinagar.		

10. Whereas, the accused viz. Basit Ahmad Dar @ Kamran and Momin Gulzar Mir @ Momin, being the active terrorists are absconding against whom proceedings under Section 299 Cr.PC have been proposed to be initiated ; and

11. 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 prima facie case is made out against the above accused ; and

12. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authorty 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 powers conferred by Sub-Section (2) of Section 45 of ULA (P) Act, 1967, the Government hereby accord sanction for launching prosecution against the above accused viz. Basharat Ahmad Pampori, Adil Shafi Bhat, Muzamil Fayaz Sofi, Mohammad Ansar Khan, Adil Mushtaq Mir, Basit Ahmad Dar and Momin Gulzar Mir, for the commission of offences punishable under relevant Sections of ULA (P) Act, indicated against each at Para (9) above, arising out of FIR No. 10/2022 of Police Station, Kothibagh.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/Additional Chief Secretary.