

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT, J&K

Notification

Srinagar, the 10th August, 2022.

SOó366.ô Whereas, on 13-03-2021, the Police Station, Chadoora, received a docket to the effect that a Naka was established at Gopalpora, Chadoora. During the Naka checking, a person while seeing the Naka Party tried to escape but was apprehended on the spot and identified as Tajamul Farooq Mir S/o Farooq Ahmad Mir R/o Kralpora, Chadoora and during his personal search, the Police recovered 13 Posters of TeM banned outfit from his possession; and

- 2. Whereas, based on the above, a Case FIR No. 15/2021 under Section 13 of ULA (P) Act, was registered in Police Station, Chadoora and the investigation of the case was set into motion. Subsequently, during the investigation Section 20 of ULA (P) Act, was added in the case; and
- 3. Whereas, during the course of investigation, the site plan of place of occurrence and the seizure memos were prepared and 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, it was established that the accused viz. Tajamul Farooq Mir, was in contact with a terrorist of TeM banned outfit, namely, Waseem Qadir Mir S/o Gh. Qadir Mir R/o Dangerpora, Nowgam, who provided the posters to him with the directions to paste the same in the area in order to spread terror among the general public of the area; and
- 5. Whereas, the accused terrorist namely Waseem Qadir Mir, has been killed in an encounter with the Security Forces and the proceedings under law would abate against him; 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 the offences punishable under section of the Unlawful Activities (Prevention) Act, 1967, as shown against his name :ô

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 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

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 his 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. Tajamul Farooq Mir, for the commission of offences punishable under Section 13 of ULA(P) Act, arising out of FIR No. 15/2021 of Police Station, Chadoora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.