

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 12th August, 2022.

S.O.ó374.ô Whereas, on 19-02-2022, the Police Station, Rajpora, received a docket to the effect that an information was received regarding presence of some unknown terrorists in Village Rohmo, Hanzwan Mohalla. Subsequently, a joint Cordon and Search Operation was launched by the Police/Security Forces and during the search an associate of JeM banned outfit identified as Irfan Yousuf Dar S/o Mohammad Yousuf Dar R/o Rohmo, Pulwama, was arrested on the spot. During his personal search, the Police recovered 01 AK-47 rifle with 02 Magazines and 30 rounds from his possession ; and

2. Whereas, based on the above, a Case FIR No. 13/2022 under sections 7/25 Arms Act, Sections 18 and 39 of ULA (P) Act, was registered in the Police Station, Rajpora and the Investigation of the case was taken up. Subsequently, during the investigation Sections 20 and 23 of ULA (P) Act, were added in the case ; and

3. Whereas, during the course of investigation, the site plan of the place of occurence 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. Irfan Yousuf Dar was found in contact with some unknown terrorists of JeM banned outfit, who provided the said arms/ammunition to the accused with the directions to hand over the same to another terrorist of JeM banned outfit namely, Kaiser Ahmad Dar S/o Mohammad Ashraf Dar R/o Tujan, Pulwama for carrying out the terrorist activities ; and

5. Whereas, during the investigation, it was established that the accused viz. Irfan Yousuf Dar, was working as Over Ground Worker (OGW) for the terrorists of JeM banned outfit particularly terrorist viz. Kaiser Ahmad Dar and was providing logistic support to them, besides, under a well knit criminal conspiracy was facilitating the transportation of arms/ammunition for the terrorists from one place to another for carrying out the terrorist activities in the area ; 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 the accused															Offence									
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	1.			Irf	Irfan Yousuf Dar S/o Mohd Yousuf												18, 23, 39										
				Dar R/o Rahmoo.												UL	A	(F)	Ac	t						

	1		2														3									
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	,	2.	. Kaiser Ahmad Dar S/o Mohammad													18, 20										
			Ashraf Dar R/o Tujan, Pulwama												UL	A	(F	')	Ac	t						

7. Whereas, the accused namely Kaiser Ahmad Dar, being the active terrorist is absconding and the proceedings under Section 299 Cr. PC have been proposed to be initiated against him ; 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 above accused viz. Irfan Yousuf Dar and Kaiser Ahmad Dar, for the commission of offences punishable under Section of ULA (P) Act, as indicated against each at Para (6) above, arising out of FIR No. 13/2022 of Police Station, Rajpora.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS, Financial Commissioner/Additional Chief Secretary.