

EXTRAORDINARY

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separate compilation

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT

Notification

Jammu, the 27th of January, 2022.

SO-38. Whereas, on 20-07-2021, Anantnag Police received reliable information that some unknown terrorists entered in residential house of Sg. Constable Sajad Ahmad Malik S/o Ab. Rahim R/o Kokagund, Verinag and fired indiscriminately upon him and his family members, resulting in injuries to his wife Mst. Nahida Akhter and daughter Mst. Mehdiya Jan. The unknown terrorists after carrying out the attack escaped from spot ; and

2 The J&K Official Gazette, 27th Jan., 2022/7th Magha, 1943. [No.44-c
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2. Whereas, a Case FIR No. 77/2021 307, 452 IPC, 7/27 Arms Act, 18, 23, 39 ULA (P) Act came to be registered in Police Station, Dooru and investigation of the case was taken up. Subsequently, during investigation Section 326 IPC, 19, 20, ULA (P) Act were added in the case ; and

3. Whereas, during the course of investigation, site plan of place of occurrence and seizure memos were prepared and statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

4. Whereas, during investigation, it was revealed that on 20-7-2021, one active terrorist of HM banned outfit Mohammad Altaf Shah S/o Gh. Mohammad R/o Nathipora entered in the residential house of Sg. Constable Sajad Ahmad and fired indiscriminately upon him and his family members which resulted in injuries to his wife and daughter and the said terrorist after carrying out the attack escaped from the spot ; and

5. Whereas, during investigation, four more accused persons Waseem Ahmad Tantray S/o Gh. Rasool R/o Pethalan, Sabzar Ahmad Khanday S/o Mohammad Jamal R/o Dudwagan, Ashiq Hussain Mantkoo S/o Gh. Hnssan R/o Khahdar and Aadil Ahmad Shah S/o Mohammad Jabbar R/o Mehmoodabad were found involved in the case. Subsequently, all the accused persons were arrested and during investigation 01 hand grenade and 20 AK rounds were recovered from the possession of accused Waseem Ahmad, Sabzar Ahmad and Ashiq Hussain ; and

6. Whereas, during investigation, it was established that accused Mohammad Altaf Shah is member of HM banned outfit and accused Waseem Ahmad, Sabzar Ahmad, Ashiq Hussain and Aadil Ahmad were working as Over Ground Workers (OGWs) for the said terrorist and were providing shelter/logistic support to him, besides were voluntarily harbouring the terrorist for carrying out the terrorist activities in the area ; and

7. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the investigating Officer has established *prima facie* involvement of below mentioned accused persons

No. 44-c] The J&K Official Gazette, 27th Jan., 2022/7th Magha, 1943. 3
 for the commission of offences punishable under section as shown against
 each of Unlawful Activities (Prevention) Act, 1967 :

S.No.	Name of accused	Offence
1.	Mohammad Altaf Shah S/o Gh. Mohammad R/o Nathipora.	18, 20 ULA (P) Act
2.	Waseem Ahmad Tantray S/o Gh. Rasool R/o Pethalan.	19, 23, 39 ULA (P) Act
3.	Sabzar Ahmad Khanday S/o Mohammad Jamal R/o Dudwagan.	
4.	Ashiq Hussain Mantkoo S/o Gh. Hassan R/o Khahdar.	
5.	Aadil Ahmad Shah S/o Mohammad Jabbar R/o Mehmoodabad,	19,39 ULA (P) Act

8. Whereas, accused Mohammad Altaf Shah being active terrorist
 is abocsconing against whom proceedings under section 299 Cr. PC. has
 been proposed to be initiated ; and

9. 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 accused persons ; and

10. 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 accused persons for their
 prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by Sub-Section 02
 of Section 45 ULA (P) Act, 1967, the Government hereby accord sanction
 for launching prosecution against the accused persons for the commission
 of offences punishable under sections 18, 19, 20, 23, 39 of Unlawful
 Activities (prevention) Act, 1967, in the case FIR No. 77/2021 of Police
 Station Dooru.

By order of the Government of Jammu and Kashmir.

(Sd.).....

Principal Secretary to the Government,
 Home Department.