

EXTRAORDINARY

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as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Srinagar, the 31st August, 2022.

S.O.-416. Whereas, on 10-03-2021, the Police Station, Shopian, received a docket to the effect that a Naka was established at Kukli Mazar, Shopian and during the checking, four persons while seeing the Naka Party tried to escape but were chased down on the spot and identified as Kaisar Ahmad Dar S/o Farooq Ahmad R/o Chillipora, Shopian, Ilyas Ahmad Bhat S/o Ab. Aziz Bhat R/o Kanigam, Shopian

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Musavir-ul-Islam S/o Fayaz Ahmad Padder R/o Heff Shirmal and Yasir
Ahmad Lone S/o Gh. Mohammad R/o Kanigam, Shopian. During
their personal search, the Police recovered an amount of Rs. 1,50,000/-
and 08 Letter Pads of HM banned outfit from their possession
respectively ; and

2. Whereas, based on the above, a Case FIR No. 39/2021 under
Sections 13, 20, 23, 38, 39, 40 of of ULA (P) Act, was registered
in the Police Station, Shopian, and the investigation of the case was
taken up. Subsequently, during the investigation, Section 18 of ULA (P)
Act was added in 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. Kaisar
Ahmad Dar, Ilyas Ahmad Bhat, Musavir-ul-Islam and Yassir Ahmad
Lone, were found in contact with a terrorist of HM banned outfit namely
Asif Ahmad Lone S/o Gh. Mohd Lone R/o Turkwangam, Shopian, who
provided the said money along with the letter pads of HM banned outfit
to them with the directions to hand over the same to another terrorist
of the said outfit namely Anaytullah Sheikh S/o Mohd Amin Sheikh
R/o Ramnagri, Shopian ; and

5. Whereas, during the investigation, it was established that the
accused namely, Kaisar Ahmad Dar, Ilyas Ahmad Bhat, Musavir-ul-
Islam and Yasir Ahmad Lone, were working as Over Ground Workers
(OGWs) for the terrorists of HM banned outfit particularly terrorists
namely Mohd Asif Lone and Anaytullah Sheikh and were providing
logistic support to them, besides, under a well kint criminal conspiracy
procured an amount of Rs, 1,50,000/- along with some letter pads of
HM banned outfit from the terrorist viz. Asif Ahmad Lone for further
distribution among the another terrorist of the outfit namely, Anaytullah
Sheikh, for carrying out the terrorist activities in the area ; and

6. Whereas, the accused terrorist namely, Asif Ahmad Lone and
Anaytullah Sheikh, have been killed in the different encounter with the

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 Security Forces and the proceeding 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 *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 names :

S. No.	Name of accused	Offences
1.	Kaisar Ahmad Dar S/o Farooq Ahmad Dar R/o Chillipora, Shopian.	13, 18, 39, 40 of ULA (P) Act.
2.	Ilyas Ahmad Bhat S/o Ab. Aziz Bhat R/o Kanigam, Shopian.	13, 18, 39 of ULA (P) Act.
3.	Musavir-ul-Islam S/o Fayaz Ahmad Padder R/o Heff Shirmal, Shopian.	13, 18, 39, 40 of ULA (P) Act.
4.	Yasir Ahmad Lone S/o Gh. Mohammad Lone R/o Kanigam, Shopian.	13, 18, 39 of ULA (P) Act.

8. Whereas, the accused namely Musavir-ul-Islam and Yasir Ahmad Lone, have been found juvenile during the invesgtigation and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act ; 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 a *prima facie* case is made out against the above accused ; and

10. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority

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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 accused viz. Kaisar Ahmad Dar and Ilyas Ahmad Bhat,
for the commission of offences punishable under the relevant sections
of ULA (P) Act, as indicated against each at para (7) above, arising
out of FIR No. 39/2021 of Police Station, Shopian.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.