

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 19th September, 2022.

S.O.ó446.ô Whereas, on 10-01-2021, the Police Station, Pampore, received a docket to the effect that a reliable information was received that the terrorists of LeT banned outfit had built a hideout in the house compound of one Adil Ahmad Shah S/o Azad Ahmad Shah R/o Gulchabal, Chandhara, for carrying out the terrorists activities.

- 2. Whereas, based on the above a Case FIR No. 04/2021 under sections 18, 23, 39 of ULA (P) Act, 7/25 Arms Act, was registered in Police Station, Pampore and investigation of the case was set into motion. Subsequently, during the investigation Sections 19 and 38 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 house owner namely, Adil Ahmad Shah, was arrested in the case and it was found that the accused was in contact with a terrorist of LeT banned outfit namely, Aijaz Ahmad Reshi S/o Ab. Salam Reshi R/o Samboora, who directed the accused to built a hideout in his residential house; and
- 5. Whereas, during the investigation, it was established that the accused viz. Adil Ahmad Shah, was working as Over Ground Worker (OGW) for the terrorists of LeT banned outfit particularly terrorist namely Aijaz Ahmad Reshi, and was providing logistic support to them, besides, under a well knit criminal conspiracy was voluntarily harbouring the said terrorist in his residential house for carrying out the terrorist activities in the area; and
- 6. Whereas, the accused terrorist viz. Aijaz Ahmad Reshi has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him; and
- 7. 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 his name :ô

Pampore.

- 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 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. Adil Ahmad Shah, for the commission of offences punishable under sections 18, 19, 23 and 39 of ULA(P) Act, in the case FIR No. 04/2021 of Police Station, Pampore.

By order of the Government of Jammu and Kashmir.

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