

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 22nd September, 2022.

S.O.-459.ô Whereas, on 02-04-2022, the Police Station, Bijbehara received a docket to the effect that a Joint Naka was established by the Police/Security Forces at Tulkhan, Hassanpora Crossing. During the checking, a person while seeing the Naka Party tried to escape but was chased down on the spot and identified as Aasif Bashir Ganie S/o Bashir Ahmad Ganie R/o Hassanpora, Taweela. During his personal search,

2. Whereas, based on the above, a Case FIR No. 43/2022 under Sections 7/25 Arms Act, 16 and 20 of ULA (P) Act, was registered in the Police Station, Bijbehara and the investigation of the case was set into motion. Subsequently, during the investigation Section 16 of ULA (P) Act was dropped and Sections 23 and 38 of ULA (P) Act were added in the case; and

3. Whereas, during the investigation, the site plan of 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, it was found that the accused viz. Aasif Ahmad Ganie, was motivated by one terrorist of TRF outfit namely, Nisar Ahmad Dar S/o Gh. Hassan Dar R/o Redwani, Kulgam, to join the terrorist ranks and provided arms/ammunition to him for subversive activities, for which a separate case FIR No. 35/2022 stands registered in the Police Station Bijbehara ; and

5. Whereas, during the investigation, it was established that the accused viz. Aasif Bashir Ganie, was member of LeT banned outfit and procured arms/ammunition from the terrorist viz. Nisar Ahmad Dar, for carrying out the terrorist activities in the area ; and

6. Whereas, the accused terrorist namely Nisar Ahmad Dar, 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 statements 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 his name :ô

S	. N	lo.		Name of the accused															Offence									
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	1.		А	Aasif Bashir Ganie S/o Bashir Ahmad														20, 23, 38 of										
Ganie R/o Hassanpora, Taw													we	eela UI								JLA	A (P) Act.					

 No. 25-h]
 The J&K Official Gazette, 27th Sept., 2022/5th Asv., 1944.
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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 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. Aasif Bashir Ganie, for the commission of offences punishable under Sections 20, 23 and 38 of ULA (P) Act, arising out of FIR No. 43/2022 of Police Station, Bijbehara.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner (Additional Chief Secretary).