

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Srinagar, the 6th October, 2022.

SO-483.66Whereas, on 03-02-2022, the Police Station, Hajin received a docket to the effect that a reliable information was received about the movement of some unknown terrorists of LeT banned outfit in the area. Subsequently, a Joint Naka was established by the Police/Security Forces at Checki-Chandergeer, Hajin. During the checking a person while seeing the Naka Party tried to escape but was chased down on the spot and identified as Shabir Ahmad Dar S/o Abdul Majid Dar R/o Chandergeer, Hajin. During his personal search, the Police recovered 01 Hand Grenade from his possession; and

- 2. Whereas, based on the above, a Case FIR No. 06/2022 under Sections 4/5 ESA, 13, 18, 20, 23, 38 of ULA (P) Act, was registered in the Police Station, Hajin and the investigation of the case was set into motion. Subsequently, during the investigation, Section 18-B and 39 of the 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, the accused viz. Shabir Ahmad Dar, was found in contact with a terrorist of TRF (offshoot of LeT banned outfit) namely, Bashit Ahmad Dar @ Kamran S/o Late Abdul Rashid Dar R/o Redwani Payeen, Kulgam, who motivated the accused to work for the outfit and provided some hand grenades to him in order to promote terrorist activities in the area. Subsequently, during the investigation, 02 more hand grenades were recovered at the instances of accused viz. Shabir Ahmad Dar; and
- 5. Whereas, during the investigation, it was established that the accused viz. Shabir Ahmad Dar, was working as Over Ground Worker (OGW) for the terrorists of TRF (offshoot or LeT banned outfit) particularly the terrorist namely Bashir Ahmad Dar @ Kamran, and was providing shelter/logistic support to them, besides, under a well knit criminal conspiracy procured hand grenades from the said terrorist 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 *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. Name of the accused Offences No.

- Shabir Ahmad Dar S/o Abdul Majid
 Dar R/o Chandergeer, Hajin,
 Bandipora.

 13, 18, 23, 39 of ULA (P) Act.
- Basit Ahmad Dar @ Kamran S/o Late
 Abdul Rashid Dar R/o Redwani
 Payeen, Kulgam.
 13, 18, 18-B, 23,
 38 of ULA (P)
 Act.

- 7. 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
- 8. 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 accused viz. Shabir Ahmad Dar and Basit Ahmad Dar @ Kamran, for the commission of offences punishable under the relevant sections of ULA (P) Act, as indicated against each accused at para (6) above, arising out of FIR No. 06/2022 of Police Station, Hajin.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.