

# THE

## JAMMU AND KASHMIR OFFICIAL GAZETTE

#### PART I—B

### Jammu and Kashmir Government—Notifications.

ôôôó

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

#### Notification

Srinagar, the 7th October, 2022.

SO-485.66Whereas, on 17-04-2022, the Police Station, Vilgam received a docket to the effect that a Joint Naka was established by the Police/Security Forces at Sonmulla Crossing. During the checking, a person while seeing the Naka Party tried to escape but was chased down on the spot and identified as Bashir Ahmad Kumar S/o Abdul Rahim Kumar R/o Lilam, Tarathpora. During his personal search, the Police recovered 01 Pistol with Magazine and 13 Rounds from his possession; and

2. Whereas, based on the above, a Case FIR No. 28/2022 under Section 7/25 Arms Act, was registered in Police Station, Vilgam and the

- 3. Whereas, during the course of investigation, the site plan of place of occurrence and 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. Bashir Ahmad Kumar, was found in contact with a PaK based terrorist of JeM banned outfit namely @ Aarif Malik, who provided the arms/ammunition to the accused viz. Bashir Ahmad Kumar, through an unknown person in order to promote terrorist activities in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Bashir Ahmad Kumar, was working as Over Ground Worker (OGW) for the terrorists of JeM banned outfit particularly PaK based terrorist viz. @ Aarif Malik, and was providing logistic support to them, besides, under a well knit criminal conspiracy procured arms/ammunition from the said terrorist for carrying out the terrorist activities in the area; and
- 6. Whereas, the investigation, in respect of PaK based terrorist viz. @ Aarif Malik, shall continue to obtain his actual particulars and to bring out his role/involvement in the case; 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 his name :ô
- S. Name of the accused Offences No.

- Bashir Ahmad Kumar S/o Abdul Rahim
   Kumar R/o Lilam, Tarathpora.
   13, 18, 23, 39 of ULA (P) Act.
- 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

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. Bashir Ahmad Kumar, for the commission of offences punishable under Sections 13, 18, 23 and 39 of ULA (P) Act, arising out of FIR No. 28/2022 of Police Station, Vilgam.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.