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**THE  
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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

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## PART I—B

### **Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT& HOME DEPARTMENT

## Notification

Srinagar, the 8th October, 2022.

SO-488.66Whereas, on 23-04-2022, information was received by Police Station, Rajbagh to the effect that a person namely Mohd Ishfaq S/o Mohd Shafi R/o Malsoo, Doda, is associated with one terrorist namely Mohd Amin @ Khubib R/o Thatri, Doda A/P in Pakistan and the duo, in association of some other persons/inhabitants of Border villages of Tehsil Merheen and Hiranagar areas of District Kathua, are indulging in anti-national and terror activities aimed against the integrity and

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sovereignty of the India and in furtherance of a criminal conspiracy  
hatched for the purpose, were facilitating the transportation of arms/  
ammunition to promote terrorist activities in the area ; and

2. Whereas, based on the above, case FIR No. 86/2022 under  
Sections 120-B, 121, 121-A, IPC and 13, 16, 18, 38 & 39 of ULA  
(P) Act, 1967 was registered in Police Station, Rajbagh and investigation  
was taken up. Subsequently, during the investigation Section 23 of ULA  
(P) Act was added, whileas Section 16 of ULA(P) Act was dropped  
from the case ; and

3. Whereas, during course of investigation, site plan of place of  
occurrence and seizure memos were prepared and statement of witnesses  
acquainted with the facts and circumstances of the case were recorded  
under the relevant provisions of law ; and

4. Whereas, during the investigatton, it was established that the  
accused viz. Mohd Ishfaq, was arrested in the case and it was found  
that he was in contact with the terrorist viz. Mohd Amin @ Khubib,  
and presently based in PaK, through virtual mode ; and

5. Whereas, during further investigation, it was found that one more  
person namely Makhan Din @ Shah Hussain S/o Late Bika R/o Merheen,  
who was in constant touch with the accused viz. Mohd Ishfaq in  
furtherance of the criminal conspiracy for procurement of arms/  
ammunition. The accused managed to procure some ammunition and  
other incriminate material. The accused viz. Makhan Din @ Shah  
Hussain, was already in custody in case FIR No. 08/2021 of Police  
Station, Rajbagh wherefrom, the custody of the accused has been  
changed to the instant case under the order of the Competent Court  
of Law ; and

6. Whereas, during the investigation, it was established that accused  
viz. Mohd Ishfaq and Makhan Din @ Shah Hussain, were working as  
OGWs for the terrorists of LeT banned outfit particularly Mohd Amin  
@ Khubib, and under a well knit conspiracy were providing logistic/  
other support including transportation of arms/ammunition to facilitate  
and promote terrorist activities in the area and to wage war against the  
Government of India ; and

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7. Whereas, the accused terrorists viz. Mohd Amin @ Khubib, is absconding and proceedings under Section 299 Cr. PC, are proposed to be initiated against him ; and

8. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer has established, *prima facie*, involvement of below mentioned accused for the commission of offence punishable under sections as shown against their name of the Unlawful Activities (Prevention) Act, 1967 and sections of the Indian Penal Code :ô

S. No.	Name of the accused	Offence under Section
1.	Mohd Ishfaq S/o Mohd Shafi R/o Malsoo, Doda.	121, 121-A IPC, 13, 18, 23, 39 of ULA (P) Act.
2.	Makhan Din @ Shah Hussain S/o Late Bika R/o Merheen.	
3.	Mohd Amin @ Khubib (LeT Commander) R/o Thatri, Doda A/P in Pakistan.	121, 121-A IPC 13, 18, 23, 38 of ULA (P) Act.

9. Whereas, the Government 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 under Sections 121 and 121-A Indian Penal Code ; and

10. 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

11. 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

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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, and in pursuance of Section 196 of the Code of Criminal  
Procedure, 1973, the Government hereby accord sanction for launching  
prosecution against the accused viz. Mohd Ishfaq, Makhan Din @ Shah  
Hussain and Mohd Amin @ Khubib for the commission of offences  
punishable under relevant sections of the Unlawful Activities (Prevention)  
Act, 1967, indicated against each at para (9) above, arising out of  
FIR No. 86/2022 of Police Station, Rajbagh, Kathua.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/  
Additional Chief Secretary.