

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Srinagar, the 17th October, 2022.

- S.O.-525.ô Whereas, on 27-04-2022, the Police Station, Karnah received a docket to the effect that three persons identified as Mohd Amir Kalas S/o Mohd Shakoor Kalas, Nisar Ahmad Kalas S/o Manzoor Kalas Rs/o Hajhitra, Karnah and Kafeel Ahmad Bhat S/o Late Ab. Rehman Bhat R/o Sadpora, Taad, were working as OGWs for the terrorists of LeT banned outfit and procured arms/ammunition from across the border in order to promote terrorist activities in the Valley; and
- 2. Whereas, based on the above, a Case FIR No. 32/2022 under Sections 7/25 Arms Act, 13, 18, 23, 39 of ULA(P) Act, was registered in the Police Station, Karnah and the investigation, of the case was taken up; and

- 3. Whereas, during the investigation, the accused viz. Mohd Amir Kalas, Nisar Ahmad Kalas and Kafeel Ahmad Bhat, were arrested in the case and it was found that the above accused along with another person namely Iftaqar Ahmad Qarashi @ Billa S/o Gh. Rasool Qarashi R/o Taad, were in contact with some unknown terrorists of LeT banned outfit. The accused viz. Iftaqar Ahmad Qarashi, procured arms/ammunition from unknown terrorists and handed over to the accused for further transportation to the Valley. Subsequently, during the investigation, 01 Chinese Pistol, 02 Magazines, 14 Rounds were recovered at the instances of accused viz. Mohd Amir Kalas, Nisar Ahmad Kalas and Kafeel Ahmad Bhat, respectively; and
- 4. Whereas, during the course of 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
- 5. Whereas, during the investigation, it was established that the accused viz. Mohd Amir Kalas, Nisar Ahmad Kalas, Kafeel Ahmad Bhat and Iftaqar Ahmad Qarashi, were working as Over Ground Worker (OGW) for the terrorists of LeT banned outfit and were providing logistic support to them, besides, under a well knit criminal conspiracy procured arms/ammunition from some unknown terrorists, 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
- - Nisar Ahmad Kalas S/o Manzoor Kalas R/o Hajhitra, Karnah.

No. 28-i] The J&K Official Gazette, 17th Oct., 2022/25th Asv., 1944.

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- - 4. Iftaqar Ahmad Qarashi @ Billa S/o 13, 18, 39 of Gh. Rasool Qarashi R/o Taad. ULA (P) Act.
- 7. Whereas, the accused viz. Iftaqar Ahmad Qarashi @ Billa, is absconding against whom proceedings under Section 299 Cr. PC have been proposed to be initiated; and
- 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 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. Mohd Amir Kalas, Nisar Ahmad Kalas, Kafeel Ahmad Bhat and Iftaqar Ahmad Qarashi, 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. 32/2022 of Police Station, Karnah.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.