



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

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

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 20th October, 2022.

SO-538.ôôWhereas, on 30-06-2022, the Police Station, Tarzoo received a docket to the effect that a reliable information was received about the movement of some unknown terrorists in Takiybal, Sopore aera. Subsequently, a Joint Naka was established by the Police/Security Forces at Takiybal, Sopore. During the checking three persons while seeing the Naka Party tried to escape but were chased down on the

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spot and identified as Rahid Mushtaq Ganie S/o Mushtaq Ahmad Ganie,
Amir Shafat Mir S/o Mohammad Shafi Mir Rs/o Amargrah, Sopore and
Tahir Nisar Sheikh S/o Nisar Ahmad Sheikh R/o Bagh Rehmat,
Sopore. During their personal search, the Police recovered 02 Pistols,
02 Magazines, 10 Rounds, 01 AK-47 Rifle and 01 Live Hand Grenade
from their possession respectively ; and

2. Whereas, based on the above, a Case FIR No. 61/2022 under
Sections 7/25 Arms Act, 18, 23 and 38 of ULA (P) Act, came to be
registered in the Police Station, Tarzoo and the investigation of the case
was taken up. Subsequently, during the investigation the Sections 121
and 121-A IPC were added in the case ; and

3. Whereas, during the investigation, the site plan of place of
occurrence and the seizure memos of recovered arms/ammunition 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. Rahid
Mushtaq Ganie, Amir Shafat Mir and Tahir Nisar Sheikh, were found
in contact with two PaK based terrorists of LeT banned outfit namely
@ Zarar and @ Haroon, through the virtual mode, who arranged and
provided the arms/ammunition to the accused in order to promote terrorist
activities in the area ; and

5. Whereas, during the further investigation, it was established that
the accused viz. Rahid Mushtaq Ganie, Amir Shafat Mir and Tahir Nisar
Sheikh, were associated with the terrorist organization of LeT banned
outfit and under a well knit criminal conspiracy procured the arms/
ammunition from the terrorists for carrying out the terrorist activities
in the area and to wage war against the Government of India ; and

6. Whereas, the investigation, in respect of PaK based terrorists
of LeT banned outfit namely @ Zarar and @ Haroon, shall continue
to ascertain their actual identity and to bring out their role/involvement
in the case ; and

7. Whereas, on the basis of investigation, and other evidence
collected, the Investigating Officer has established, *prima facie*, involvement
of below mentioned accused in the commission of the offence punishable

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under sections of the Unlawful Activities (Prevention) Act, 1967, and
IPC as shown against their name :

S.	Name of the accused	Offence
No.		
1.	Rahid Mushtaq Ganie S/o Mushtaq Ahmad Ganie R/o Amargrah, Sopore.	18, 23, 38 of ULA (P) Act, 121, 121-A IPC.
2.	Amir Shafat Mir S/o Mohammad Shafi Mir R/o Amargrah, Sopore.	
3.	Tahir Nisar Sheikh S/o Nisar Ahmad Sheikh R/o Bagh Rehmat, Sopore.	

8. Whereas, the accused namely Rahid Mushtaq Ganie and Amir Shafat Mir, have been found juvenile during the investigation and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act ; and

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 accused under Sections 121 and 121-A of the Indian Penal Code, 1860 ; and

10. Whereas, on further perusal of 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 the Unlawful Activities (Prevention) Act, 1967.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 of Unlawful Activities (Prevention) Act, 1967, and Section 196 of Code of Criminal Procedure, 1973, the Government hereby accord sanction for launching prosecution against the accused viz. Tahir Nisar Sheikh, for the commission of offences punishable under the relevant sections of the Unlawful Activities (Prevention) Act, 1967,

[illegible]

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.