

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 21st October, 2022.

S.O.-545.ô Whereas, on 09-05-2022, the Police Station, Baramulla received a docket to the effect that on a reliable information a Joint Naka was established by the Police/Security Forces at Juhama Crossing. During the checking a person while seeing the Naka Party tried to escape but was chased down on the spot and identified as Tawheed Ahmad Haroon S/o Late Khazer Mohammad Haroon R/o Delina Ghat, Baramulla. During his personal search, the Police recovered 01 Pistol 01 Magazine, and 07 live rounds from his possession; and

- 2. Whereas, based on the above, a Case FIR No. 81/2022 under sections 7/25 Arms Act, 13, 16 and 18 of ULA (P) Act, came to be registered in the Police Station, Baramulla and the investigation of the case was taken up. Subsequently, during the investigation, the Section 16 of ULA (P) Act was dropped and the Sections 20, 23 and 38 of 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 of recovered arms/ammunition were prepared and the 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 investigation, the accused viz. Tawheed Ahmad Haroon, was found in contact with a terrorist of LeT banned outfit identified as Hilal Ahmad Sheikh S/o Abdul Hamid Sheikh R/o Jahangirpora, Shrakwar, Kreeri, who provided the arms/ammunition to the accused viz. Tawheed Ahmad Haroon, in order to promote terrorist activities in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Tawheed Ahmad Haroon, was member of LeT banned outfit and under a well knit criminal conspiracy procured the arms/ammunition from the terrorist of the said outfit viz. Hilal Ahmad Sheikh, for carrying out the terrorist activities in the area; and
- 6. Whereas, the accused terrorist namely Hilal Ahmad Sheikh, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him; 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 under Sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

- 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 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. Tawheed Ahmad Haroon, for the commission of offences punishable under Sections 13, 18, 20, 23 and 38 of ULA (P) Act, arising out FIR No. 81/2022 of Police Station, Baramulla.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.