

EXTRAORDINARY

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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 29th October, 2022.

SO-554.ôôWhereas, on 08-12-2020, the Police Station, Larnoo, received reliable information to the effect that a person identified as Mohd Altaf Wani S/o Gh. Rasool Wani R/o Kharpora, with the assistance of two other persons namely, Mohd Aqib Padder S/o Gh. Hassan Padder R/o Kharpora and Nisar Ahmad Mir S/o Mohd Akbar Mir R/o Andoo, Achabal, distributed the posters of HM banned outfit among the general

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public of Village Kharpora, in order to spread terror among the general
masses ; and

2. Whereas, based on the above, a Case FIR No. 73/2020 under
Section 13 of ULA (P) Act, 506 IPC, was registered in Police Station,
Larnoo and investigation of the case was set into motion ; and

3. Whereas, during the investigation, the accused viz. Mohd Altaf
Wani, Mohd Aqib Padder and Nisar Ahamd Mir, were arrested in the
case and it was found that the accused viz. Mohd Aqib Padder and
Nisar Ahmad Mir, provided some posters of the HM banned outfit to
the accused viz. Mohd Altaf Wani, for further distribution among the
general public. Subsequently, during the investigation, 26 posters of the
said outfit were recovered at the instances of the accused viz. Mohd
Altaf Wani ; and

4. Whereas, during the course of the investigation, the site plan
of the place of occurrence and seizure memos 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

5. Whereas, during the investigation, one more person identified
as Mohd Aqib Khan S/o Ali Mohd Khan R/o Draway, was found involved
in the commission of the crime. Subsequently, the accused was arrested
and during the investigation, 02 Posters of HM banned outfit were also
recovered at his instance ; and

6. Whereas, during the investigation, it was established that on the
date of occurrence the accused viz. Mohd Altaf Wani, Mohd Aqib Padder,
Nisar Ahmad Mir and Mohd Aqib Khan, after procuring posters of HM
banned outfit from some unknown persons distributed some posters
among the general public of Village Kharpora, in order to spread terror
among the general public, thereby threatened the sovereignty and
territorial integrity of the Union of India ; 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 offences punishable

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

S. No.	Name of accused person	Offence
1.	Mohd Altaf Wani S/o Gh. Rasool Wani R/o Kharpora.	13 of ULA (P) Act.
2.	Mohd Aqib Padder S/o Gh. Hassan Padder R/o Kharpora.	
3.	Nisar Ahamd Mir S/o Mohd Akbar Mir R/o Andoo, Achabal.	
4.	Mohd Aqib Khan S/o Ali Mohd Khan R/o Draway.	

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 Altaf Wani, Mohd Aqib Padder, Nisar Ahmad Mir and Mohd Aqib Khan, for the commission of offence punishable under Section 13 of ULA (P) Act, arising out of FIR No. 73/2020 of Police Station, Larnoo.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.