

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

Jammu and Kashmir Government—Notifications.

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

Notification

Jammu, the 15th November, 2022.

SO-601.ô Whereas, on 28-03-2022, the Police Station, Chandoosa, received an application from one Nazir Ahmad Lone S/o Mohammad Ramzan Lone R/o Shirpora to the effect that his son namely Tawseef Ahmad Lone S/o Nazir Ahmad Lone and his friend namely Tahir Tariq Para S/o Tariq Ahmad Para Rø/o Shirpora, went missing from their residential houses on 26-3-2020 and did not return back; and

- 2. Whereas, based on the above, a Case FIR No. 06/2020 under Sections 363 IPC, was registered in Police Station, Chandoosa and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 342 IPC, 18-B, 23 and 39 of ULA (P) Act were added in the case; and
- 3. Whereas, during the course of investigation, the site plan of the 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
- 4. Whereas, during the investigation, both the missing persons viz. the accused viz. Tawseef Ahmad Lone and Tahir Tariq Para, were arrested in the case and during investigation 01 hand grenade was recovered at the instance of accused viz. Tawseef Ahmad Lone, which was provided to him by one Bashir Ahmad Beigh S/o Late Ghulam Mohi-ud-Din Beigh R/o Shirpora, who instigated both the persons to join the terrorist ranks and provided a hand grenade to them in order to promote terrorist activities in the area. Subsequently, the accused viz. Bashir Ahmad Beigh, was also arrested in the case; and
- 5. Whereas, during the investigation, both the persons viz. Tawseef Ahmad Lone and Tahir Tariq Para, were found juvenile and have been cited as witnesses in the instant case; and
- 6. Whereas, during the investigation, it was established that the accused viz. Bashir Ahmad Beigh, was working as Over Ground Worker (OGW) for the terrorists and was providing logistic support to them. The accused instigated/motivated both the persons viz. Tawseef Ahmad Lone and Tahir Tariq Para, to join the terrorist ranks and provided a hand grenade to them, with the intention to facilitate their joining with the terrorist ranks; and
- 7. Whereas, on the basis of the investigation, and other evidence collected, the Investigating Officer, has established *prima facie* involvement of the below mentioned accused for the commission of offences punishable under section of the Unlawful Activities (Prevention) Act, 1967, as shown against his name :ô
- S. Name of the accused person Offence No.
- - 1. Bashir Ahmad Beigh S/o Late 18-B-23, 39 of Ghulam Mohi-ud-Din Beigh ULA (P) Act. R/o Shirpora.

- 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. Bashir Ahmad Beigh, for the commission of offences punishable under Sections 18-B, 23 and 39 of ULA (P) Act, arising out of FIR No. 06/2020 of Police Station, Chandoosa.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.