## EXTRAORDINARY



## 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

Jammu, the 18th November, 2022.

SO-615.ô Whereas, on 27-06-2022, an information was received by the Police Station, Achabal, to the effect that three persons identified as Irfan Ahmad Dar S/o Shareef Ahmad Dar R/o Bulbul Nowgam, Zahoor Ahmad Nazki S/o Farooq Ahmad Nazki and Mohsin Ahmad Bhat S/o Gull Mohd Bhat Røs/o Shangus, under a well knit criminal conspiracy, were provoking/instigating the youth of the area to join the terrorist ranks in order to secede J&K from the Union of India ; and

2. Whereas, based on the above a Case FIR No. 49/2022 under Sections 13, 18, 18-B and 39 of ULA (P) Act, was regtistered in Police Station, Achabal and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 18-B of ULA (P) Act was dropped and the Sections 20 and 38 of ULA (P) Act, were added in the case ; and

3. Whereas, during the investigation, the accused viz. Irfan Ahmad Dar, Zahoor Ahmad Nazki and Mohsin Ahmad Bhat, were arrested in the case and were found in contact with a terrorist of LeT banned outfit namely, Arbaz Ahmad Mir S/o Manzoor Ahmad Mir R/o Qaimoh, Kulgam, and were working for him in order to promote terrorist activities in the area ; and

4. Whereas, during the course of investigation, the seizer 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, It was established that the accused viz. Arbaz Ahmad Mir, was member of LeT banned outfit and the other accused namely, Irfan Ahmad Dar, Zahoor Ahmad Nazki and Mohsin Ahmad Bhat, Were Working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit particulary the terrorist namely Arbaz Ahmad Mir, and under a well knit criminal conspiracy were providing logistic support to him for carrying out the terrorist activities in the area ; and

6. 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 under Section of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :óó

S. No.				Name of the accused										Offences											
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Ahmad Nazki R/o Shangus.																									
3.	3. Mohsin Ahamad Bhat S/o Gull Mohd																								
		]	Bh	at	R/o	Sh	an	gu	s.																

		zette, 18th Nov., 2022/27th Kart., 1944. 3										
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4. Arbaz Ahmad Mir S/o Manzoor 13, 18, 20, 38 of												
Ahmad Mir R/o Qaimoh, Kulgam. ULA (P) Act.												

7. Whereas, the accused viz. Arbaz Ahmad Mir, being the active terrorist is absconding and the proceedings under Sections 299 Cr.PC have been proposed to be initiated against him ; 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 has come to the conclusion that a *prima facie* 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. Irfan Ahmad Dar, Zahoor Ahmad Nazki, Mohsin Ahmad Bhat and Arbaz Ahmad Mir, 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. 49/2022 of Police Station, Achabal.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.