

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government-Notifications.

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

Notification

Jammu, the 24th November, 2022.

SO-630.66Whereas, on 11-07-2019, an information was received by the Police Station, Anantnag to the effect that some unknown miscreants of the area were providing shelter/logistic support to the terrorists of JeM banned outfit and were facilitating the transportation of their arms/ammunition from one place to another in order to promote terrorist activities in the area ; and 2. Whereas, based on the above, a Case FIR No. 132/2019 under Sections 13, 18 and 19 of ULA (P) Act, was registered in the Police Station, Anantnag and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 20, 38 and 39 of ULA (P) Act were added in the case ; and

3. Whereas, during the investigation, eight persons identified as Amir Rashid Rah S/o Ab. Rashid Rah R/o Zadipora, Khanabal, Barak Arsalan Dar S/o Gull Mohd Dar, Kaiser Hameed Beigh S/o Ab. Hameed Beigh Rs/o Naibasti, Anantnag, Ab. Majeed Dar S/o Gh. Rasool Dar R/o Danwathpora, Kokernag, Ayaz Ahmad Malik S/o Bashir Ahmad Malik R/o Trail, Srigufwara, Rayees Ahmad Sheikh S/o Gh. Ahmad Sheikh R/o Danwathpora, Kokernag, Mohd Saleem Shah S/o Kaiser Ahmad Shah R/o Poshwara, Anantnag and Fayaz Ahmad Wani @ Talak S/o Ab. Rashid Wani R/o Malakhnag, Anantnag, were found involved in the commission of crime. Subsequently, the accused were arrested in the case ; and

4. Whereas, during the course of investigation, the 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, the accused viz. Amir Rashid Rah, Barak Arsalan Dar, Kaiser Hameed Beigh, Ab. Majeed Dar, Ayaz Ahmad Malik, Rayees Ahmad Sheikh, Mohd Saleem Shah and Fayaz Ahmad Wani @ Talak, were found in contact with the terrorists of JeM banned outfit namely, Fayaz Ahmad Thoker S/o Bashir Ahmad Thoker R/o Panzwa, Tral, Shanu Showkat Bhat S/o Showkat Ahmad Bhat R/o Achwada, Bijbehara, Fasil Nazir Mir S/o Nazir Ahmad Mir R/o Khairbugh, Srigufwara A/P Naibasti, Anantnag and Rashid Bhai R/o Pakistan, and were working for them ; and

6. Whereas, during the investigation, it was established that the accused viz. Fayaz, Ahmad Thoker, Shanu Showkat Bhat, Fasil Nazir Mir and Rashid Bhai, were members of JeM banned outfit and the other accused viz. Amir Rashid Rah, Barak Arsalan Dar, Kaiser Hameed Beigh, Ab. Majeed Dar, Ayaz Ahmad Malik, Rayees Ahmad Sheikh, Mohd Saleem Shah and Fayaz Ahmad Wani @ Talak, were working as Over Ground Workers (OGWs) for the terrorists of JeM banned outfit particularly the above terrorists and under a well knit criminal conspiracy

7. Whereas, the accused terrorists viz. Fayaz Ahmad Thoker, Shanu Showkat Bhat, Fasil Nazir Mir and Rashid Bhai, have been killed in the different encounters with the Security Forces and the proceedings under the law would abate against them ; and

8. 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 :ô

S.	Name of the accused	Offence
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1.	Amir Rashid Rah S/o Ab. Rashid Rah	13, 18, 19, 39 of
	R/o Zadipora, Khanabal.	ULA (P) Act.
2.	Barak Arsalan Dar S/o Gull Mohd	
	Dar R/o Naibasti, Anantnag.	
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3.	Kaiser Hameed Beigh S/o Ab.	
	Hameed Heigh R/o Naibasti,	
	Anantnag.	
4.	Ab. Majeed Dar S/o Gh. Rasool Dar	
ч.	R/o Danwathpora, Kokernag.	
	No Danwampora, Kokemag.	
5.	Ayaz Ahmad Malik S/o Bashir	
	Ahmad Malik R/o Trail, Srigufwara.	
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6.	Rayees Ahmad Sheikh S/o Gh.	

 Rayees Ahmad Sheikh S/o Gh. Ahmad Sheikh R/o Danwathpora, Kokernag. 7. Mohd Saleem Shah S/o Kaiser Ahamd Shah R/o Poshwara, Anantnag.

 Fayaz Ahmad Wani @ Talak S/o Ab. Rashid Wani R/o Malakhnag, Anantnag.

9. 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

10. 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. Amir Rashid Rah, Barak Arsalan Dar, Kaiser Hameed Beigh, Ab. Majeed Dar, Ayaz Ahmad Malik, Rayees Ahmad Sheikh, Mohd Saleem Shah and Fayaz Ahmad Wani @ Talak, for the commission of offences punishable under the relevant sections of ULA (P) Act, as indicated against each accused at Para (8) above, arising out of FIR No. 132/2019 of Police Station, Anantnag.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.