

## 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 6th December, 2022.

SO-657.ô Whereas, on 01-05-2022, the Police Station, Kulgam, received a docket to the effect that a reliable information was received that a person identified as Yameen Yousuf Bhat S/o Mohammad Yousuf Bhat R/o Gadihama, has been working as OGW for the terrorists of LeT banned outfit, and providing shelter to a terrorist of the outfit identified as Hamza Burhan R/o Pakistan, besides, conspiring to carry out terrorist act upon non local laborer/panch/sarpanch in the area in order to spread terror among the general public; and

2. Whereas, a Joint Cordon and Search Operation was launched in Village Gadihama and during the search, the accused viz. Yameen

- 3. Whereas, based on the above, a Case FIR No. 57/2022 under sections 7/25 Arms Act and Section 13, 16, 18 and 38 of ULA(P) Act, was registered in Police Station, Kulgam and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 16 of ULA(P) Act was dropped and the Sections 23 and 39 of ULA (P) Act was added in the case; and
- 4. Whereas, during the course of 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, the accused viz. Yameen Yousuf Bhat, was found in contact with three terrorists of LeT banned outfit namely Arjumand Gulzar Dar @ Hamza Burhan S/o Gulzar Ahmad Dar R/o Kharbatpora, Pulwama A/P PoK Basit Ahmad Dar S/o Ab. Rashid Dar R/o Redwani, Kulgam and Umais Ahmad Wani S/o Nasir Ahmad Wani R/o Chowalgam, Kulgam, who provided the arms/ammunition to the accused in order to promote terrorist activities in the area; and
- 6. Whereas, during the investigation, it was established that the accused viz. Arjumand Gulzar Dar @ Hamza Burhan, Basit Ahmad Dar and Umais Ahmad Wani, were members of LeT banned outfit and the other accused namely Yameen Yousuf Bhat, was working as Over Ground Worker (OGW) for the sasid terrorists and was providing logistic support to them, besides under a well knit criminal conspiracy procured arms/ammunition from them, for carrying out the terrorist activities in the area; 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 under Section of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

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- Arjumand Gulzar Dar @ Hamza Burhan
   S/o Gulzar Ahmad Dar R/o Kharbatpora,
   Pulwama A/P PoK.
- Basit Ahmad Dar S/o Ab. Rashid Dar R/o Redwani, Kulgam.
- Umais Ahmad Wani S/o Nasir Ahmad Wani R/o Chowalgam, Kulgam.
- 8. Whereas, the accused terrorists namely Arjumand Gulzar Dar @ Hamza Burhan, Basit Ahmad Dar and Umais Ahmad Wani, are absconding and the proceedings under section 299 Cr. PC have been proposed to be initiated against them; and
- 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 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. Yameen Yousuf Bhat, Arjumand Gulzar Dar @ Hamza Burhan, Basit Ahmad Dar and Umais Ahmad Wani, for the

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.