

## 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-658.ô Whereas, on 07-07-2022, the Police Station, Yaripora, received a docket to the effect that a Joint Naka was established by the Police/Security Forces at Tengbal, Kujjar crossing and during the checking three suspects while seeing the Naka Party tried to escape but were chased down on the spot and identified as Danish Manzoor Tantray S/o Manzoor Ahmad Tantray, Noor Mohd Mir S/o Shabir Ahmad Mir Rø/o Kujjar, Frisal and Ab. Hameed Bhat S/o Mohd Yaqoob Bhat R/o Nowbal, Frisal. During their personal search, the Police recovered 01 Pistol, 02 Magazines, 15 rounds and 04 detonators from their possession respectively; and

- 2. Whereas, based on the above, a Case FIR No. 40/2022 under section 7/25 Arms Act and Sections 13, 18 and 23 of ULA(P) Act, was registered in Police Station, Yaripora and the investigation of the case was set into motion. Subsequently, during the investigation, the sections 20 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 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
- 4. Whereas, during the investigation, the accused viz. Danish Manzoor Tantray, Noor Mohd Mir and Ab. Hameed Bhat, were found in contact with a terrorist of LeT banned outfit namely Arbaz Ahmad Mir S/o Manzoor Ahamd Mir R/o Gufbal, Qaimoh, who provided arms/ammunition to the accused in order to promote terrorist activities in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Danish Manzoor Tantray, Noor Mohd Mir and Ab. Hameed Bhat, were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit particularly the terrorist namely Arbaz Ahmad Mir, and were providing logistic support to him, besides, under a well knit criminal conspiracy procured arms/ammunition from the said terrorist 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 :ô

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- 3. Ab. Hameed Bhat S/o Mohd Yaqoob
  Bhat R/oNowbal, Frisal
  ULA (P) Act.
- 4. Arbaz Ahmad Mir S/o Manzoor Ahamd Mir R/o Gufbal, Qaimoh.
- 7. Whereas, the accused namely Danish Manzoor Tantray and Noor Mohd Mir, have been found juvenile during the investigation, and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act; and
- 8. Whereas, the accused viz. Arbaz Ahmad Mir, being the active terrorist is absconding and the proceedings under section 299 Cr. PC have been proposed to be initiated against him; 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 doucments 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. Danish Manzoor Tantray, Noor Mohd Mir, Ab. Hameed Bhat, and Arbaz Ahmad Mir, for the commission of offences

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.