

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Governmnt-Notification

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

Notification

Srinagar, the 18th February, 2022.

S.O.-66.ô Whereas, on 16-08-2021, Handwara Police received reliable information that some unknown terrorists lobbed a grenade upon the CRPF camped at Govt. Middle School Langate with intention to kill the CRPF personnel which exploded near main gate of the camp, resulting to injuries to one CRPF personnel; and

- 2. Whereas, a case FIR No. 260/2021 under Section 307 IPC, 3/4 Explosive Substances Act, came to be registered in Poilice Station Handwara and investigation of the case was taken up. Subsequently, during investigation Sections 13, 18, 20, 23, 39 ULA(P) Act were added in the case; and
- 3. Whereas, during the course of investigation, site plan of place of occurrence and seizure memos were prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during investigation, one Ishfaq Ahmad Dar S/o Wali Mohammad R/o Shartpora Langate was arrested in connection with the case. The accused disclosed that he was in constant touch with one PoK based terrorist Firdous Ahmad Dar S/o Khaliq Dar R/o Harwan Sopre A/P Pakistan through social media who send some arms/ammunition to him through an unknown person for further distribution among the terrorists and on his directions he handed over 01 Pistol and 01 Hand Grenade to some unknown terrorist; and
- 5. Whereas, accused Ishfaq Ahmad further disclosed that he also handed over some arms/ammunition to his associates namely Jamsheed Ahmad Shah S/o Sonaulla Shah R/o Check Langate and Javaid Ahmad Khan S/o Farooq Ahmad R/o Bagath Langate and kept some arms/ammunition with him. Subsequently, the above two accused persons were also arrested in connection with the case and during investigation 01 Pistol, 01 Pistol Magazines, 02 AK Magazines, 60 AK rounds and 01 hand grenade were recovered from all the three accused persons. The accused Ishfaq Ahmad further disclosed that on 16-08-2021 he alongwith his above associates lobbed hand grenade upon the CRPF personnel at Langate and escaped from the spot; and
- 6. Whereas, during investigation, it was established that the accused Firdous Ahmad Dar was a member of LeT banned outfit and accused persons Ishfaq Ahmad, Jamsheed Ahmad and Javaid Ahmad were working as Over Ground Workers (OGWs) for the outfit and were facilitating the Transportation of arms/ammunition for the terrorists of LeT banned outfit from one place to another for carrying out the terrorist activities in the area, besides under will knit criminal conspiracy lobbed hand grenade upon

- 7. Whereas, on the basis of investigation, statements of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused persons for the commission of offences punishable under section as shown against each of Unlawful Activities (Prevention) Act, 1967:ô
- - Ishfaq Ahmad Dar S/o Wali Mohammad
 R/o Shartpora, Langate.
 ULA(P) Act
 - 2. Jamsheed Ahmad Shah S/o Sonaullah Shah R/o Check Langate.
 - Javaid Ahmad Khan S/o Farooq Ahmad R/o Bagath Langate.
 - 4. Firdous Ahmad Dar S/o Ab. Khaliq 13, 18,20 ULA(P) R/o Harwan Sopore A/P Pakistan. Act
- 8. Whereas, accused Firdous Ahmad Dar being active terrorist is absconding and proceedings under Section 299 Cr. P. C. 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 persons; and
- 10. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the view of the Authority appointed under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevntion) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused persons for their prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by Sub-Section (2) of Section 45 ULA(P) Act, 1967, the Government hereby accord sanction for launching prosecution against the above accused persons for the commission of offences punishable under Sections 13,18, 20, 23, 39 of Unlawful Activities (Prevention) Act, 1967 in the Case FIR No.260/2021 of Police Station Handwara.

By order of the Government of Jammu and Kashmir.

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Principal Secretary to the Government, Home Department.