

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.-67.ô Whereas, on 26-08-2021, Kulgam Police received reliable information about the presence of some Over Ground Workers (OGWs) of terrorists in Khudwani area who were carrying money with them in order to distribute the same among the terrorist cadres to promote terrorism in the area, besides werre providing logistic support to the active terrorists in the area; and

- 2. Whereas, a case FIR No. 79/2021 under Sections 13, 17, 18, 19, 39 Unlawful Activities (Prevention) Act 1967, came to be registered in Police Station Qaimoh and investigation of the case was set into motion. Subsequently, during investigation Sections17, 19 ULA (P) Act were dropped and Sections 20, 40 ULA(P) Act were added in the case; and
- 3. Whereas, on the basis of information, two persons identified as Khursheed Ahmad Dass S/o Ali Mohammad and Tajamul Islam Thoker S/o Ab. Razak Rø/o Wagwama Bijbehara were arrested and an amount of Rs. 1,25,750/- was recovered from their possession; and
- 4. 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
- 5. Whereas, during investigation, both the accused persons disclosed that they were in constant touch with one active terrorist of HM banned outfit namely Mohammad Aslam Dar S/o Mohammad Rfiq Dar R/o Redwani Qaimoh an were working for him. The accused persons also disclosed that on the directions of said terrorist they collected funds from general public for the ourtfit . Subsequently, on their disclosure an amount of Rs. 6000/was also recovered; and
- 6. Whereas, during further investigation, it was established that the accused Mohammad Aslam Dar was a member of HM banned outfit and accused persons Khursheed Ahmad Dass and Tajamul Islam Thoker were working as Over Ground Workers (OGWs) for the said terrorist and were providing shelter/logistic support to him for carrying out the terrorist activities, besides under well knit criminal conspiracy were raising funds for the terrorists in order to promote terrorism in the area; and
- 7. Whereas, accused terrorist Mohammad Aslam Dar has been killed in the encounter and proceedings under law shall abate against him; and
- 8. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer has *prima facie* established involvement of the below mentioned accused

- - Khursheed Ahmad Dass S/o Wali Mohammad 13, 18, 39, 40
 R/o Wagwama Bijbehara. ULA(P) Act
 - 2. Tajamul Islam Thoker S/o Ab. Razak R/o Wagwama Bijbehara.
- 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 relevent 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 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 persons for their prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by Sub-Section (2) of Section 45 of Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the above mentioned accused for the commission of offences punishable under Sections 13, 18, 39, 40 ULA (P) Act, 1967, in the case FIR No. 79/2021 of Police Station, Qaimoh.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government, Home Department.