

THE

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 12th December, 2022.

SO-677.66Whereas, on 22-02-2022, the Police Station, Bandipora, received a docket to the effect that a reliable information was received about the movement of some unknown terrorists in the area. Subsequently, a Joint Naka was established by the Police/Security Forces at Kema crossing. During the checking, a suspect while seeing the Naka Party tried to escape but was chased down on the spot and identified as Danish Ahmad Shah S/o Sonna-ullah Shah R/o Ward No. 06, Bandipora A/P Ellahipora, Aloosa, Bandipora. During his personal search, the Police recovered 01 Pistol with Magazine, 06 Rounds, 01 Hand Grenade and some incriminating material from his possession; and

- 2. Whereas, based on the above, a Case FIR No. 28/2022 under Sections 20, 23 and 38 of ULA (P) Act, was registered in the Police Station, Bandipora and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 18 and 39 of ULA (P) Act were added in the case; and
- 3. Whereas, during the investigation, the site plan of place of occurrence and the seizure memos were prepared and the statements 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 Ahmad Shah, was found in contact with the terrorists of LeT banned outfit, namely Samanma, Lala Umer, Hilal Malik Rs/o Pakistan and Ashiq Hussain War R/o Warpora, Sopore, who provided the arms/ammunition to the accused viz. Danish Ahmad Shah, in order to promote terrorist activities in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Danish Ahmad Shah, was member of LeT banned outfit and under a well knit criminal conspiracy procured arms/ammunition from the terrorists namely Samanma, Lala Umer, Hilal Malik and Ashiq Hussain War, for carrying out the terrorist activities in the area; and
- 6. Whereas, the accused terrorist namely Ashiq Hussain War, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him; and
- 7. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against his name :ô
- 1. Danish Ahmad Shah S/o Sonna-ullah Shah R/o Ward No. 06, Bandipora A/P Ellahipora, Aloosa.

 18, 20, 23, 39 of ULA (P) Act.

2. Samanma R/o Pakistan.

18, 20, 38, 39 of

ULA (P) Act.

- 3. Lala Umer R/o Pakistan.
- 4. Hilal Malik R/o Pakistan.
- 8. Whereas, the accused terrorists namely Samanma, Lala Umer and Hilal Malik, 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 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 Ahmad Shah, Samanma, Lala Umer and Hilal Malik, for the commission of offences punishable under the relevant sections of ULA (P) Act, as shown against each accused at Para (7) above, arising out of FIR No. 28/2022 of Police Station, Bandipora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.