

EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

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-680.ôôWhereas, on 06-03-2020, an information was received by the Police Station, Tral, to the effect that some unknown terrorists fired upon one Shabir Ahmad Bhat S/o Mohd Sideeq Bhat R/o Tral-e-Payeen, with their illegal arms/ammunition, at Gamraj Road, Tral-e-Payeen, with the intention to kill him, resulting in injuries to him. The terrorists after the commission of crime escaped from the spot. The injured viz. Shabir Ahmad Bhat, was shifted to hospital, where he succumbed to his injuries ; and

2. Whereas, based on the above, a Case FIR No. 15/2020 under Sections 302 IPC, 7/27 Arms Act, 16, 18, 20 and 38 of ULA (P) Act,

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was registered in the Police Station, Tral and the investigation of the
case was set into motion. Subsequently, during the investigation, the
Sections 120-B, 34 IPC, and Section 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, two persons namely Amir
Amin Dar S/o Mohammad Amin Dar R/o Gamraj Road, Tral-e-Payeen
and Wakeel Ahmad Shah S/o Muzaffar Ahmad Shah R/o Tral-e-Payeen,
were found involved in the commission of crime. Subsequently, the
accused viz. Amir Amin Dar, was arrested in the case and the other
accused viz. Wakeel Ahmad Shah, after the commission of the crime
had joined the terrorist ranks of JeM banned outfit ; and

5. Whereas, during the investigation, it was established that the
accused viz. Amir Amin Dar, was working as Over Ground Worker
(OGW) for the terrorists of JeM banned outfit particularly the terrorist
namely Wakeel Ahmad Shah, and under a well knit criminal conspiracy
was providing logistic support to him, besides, on the date of occurrence
facilitated the terrorist viz. Wakeel Ahmad Shah, to carry out the attack
upon the deceased Shabir Ahmad Bhat, which resulted in the death of
the said person ; and

6. Whereas, the accused terrorist namely Wakeel Ahmad Shah, 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

S.	Name of the accused	Offence
No.		
1.	Amir Amin Dar S/o Mohammad Amin Dar R/o Gamraj Road, Tral-e-Payeen.	16, 18, 39 of ULA (P) Act.

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8. 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 he above accused ; and

9. 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. Amir Amin Dar, for the commission of offences punishable under Sections 16, 18 and 39 of ULA (P) Act, arising out of FIR No. 15/2020 of Police Station, Tral.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.