

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 14th December, 2022.

SO-688.66Whereas, on 18-07-2022, the Police Station, Batmaloo, received a docket to the effect that a reliable information was received about the movement of some unknown terrorists in the area. Subsequently, a Naka was established at NHW NR Colony-B, and during the checking a suspect while seeing the Naka Party tried to escape but was chased down on the spot and identified as Zahid Ahmad Mir S/o Abdul Aziz Mir R/o Aripanthan, Beerwah, Budgam. During his personal search, the Police recovered 01 Electric Detonator from his possession; and

2. Whereas, based on the above, a Case FIR No. 99/2022 under Section 3/5 ESA, Sections 13, 23, 38 and 39 of ULA (P) Act, was

- 3. Whereas, during the investigation, the site plan of place of the 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. Zahid Ahmad Mir, was found in contact with a person namely Mushtaq Ahmad through the virtual mode and on his directions the accused viz. Zahid Ahmad Mir, received the explosive material from an unknown person at Khanyar, Srinagar for further distribution among the terrorists of the LeT banned outfit. Subsequently, during investigation, 5.03 Kgs. of explosive material, were also recovered at his instances; and
- 5. Whereas, the investigation, in respect of accused viz. Mushtaq Ahmad, and an unknown person who handed over the explosive material to the accused viz. Zahid Ahmad Mir, shall continue to ascertain their actual identity and to bring out their role/involvement in the case; and
- 6. Whereas, during the investigation, it was established that the accused viz. Zahid Ahmad Mir, was working as Over Ground Worker (OGW) for the terrorists of LeT banned outfit and was providing logistic support to them, besides, under a well knit criminal conspiracy procured explosive material from some unknown terrorists of the outfit for carrying out the terrorist activities in the area; and
- 7. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established a *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.

- 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 the 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. Zahid Ahmad Mir, for the commission of offences punishable under Sections 13, 18, 23 and 39 of ULA (P) Act, arising out of FIR No. 99/2022 of Police Station, Batmaloo.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.