

## 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 16th December, 2022.

SO-695.66Whereas, on 19-07-2022, the Police Station, Zainapora, received a docket to the effect that a Joint Naka was established by the Police/Security Forces at Village Dragged on the main road and during the checking, a vehicle (TATA Mobile) was intercepted. The driver of the vehicle while seeing the Naka Party tried to escape but was chased down on the spot and identified as Bilal Ahmad Dar S/o Nazir Ahmad Dar R/o Maldera. During checking, the Police recovered 01 AK-47 Rifle with Magazine and 10 Rounds from the said vehicle; and

- 2. Whereas, based on the above, a Case FIR No. 88/2022 under Section 7/25 Arms Act and Sections 18, 20, 23 and 39 of ULA (P) Act, was registered in the Police Station, Zainapora, and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 38 of ULA (P) Act was added in the case; and
- 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. Bilal Ahmad Dar, was found in contact with a terrorist of Al-Badr banned outfit namely Adil Ahmad Wani @ Lukman Bai S/o Mohammad Khalil Wani R/o Katpora, who provided the arms/ammunition to the accused viz. Bilal Ahmad Dar, in order to promote terrorist activities in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Bilal Ahmad Dar, was working as Over Ground Worker (OGW) for the terrorists of Al-Badr banned outfit particularly the terrorist namely Adil Ahmad Wani @ Lukman Bai, and under a well knit criminal conspiracy was providing logistic support to him, besides, procured the arms/ammunition from the said terrorist for carrying out the terrorist activities in the area; and
- 6. 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 their name :ô
- S. Name of the accused Offence No.

- Bilal Ahmad Dar S/o Nazir Ahmad Dar
  R/o Maldera.
  ULA (P) Act.
- 2. Adil Ahmad Wani @ Lukman Bai S/o 18, 20, 38 of Mohammad Khalil Wani R/o Katpora. ULA (P) Act.

- 7. Whereas, the accused namely Adil Ahmad Wani @ Lukman Bai, being the active terrorist is absconding and the proceedings under Section 299 Cr. PC have been proposed to be initiated against him; and
- 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 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. Bilal Ahmad Dar and Adil Ahmad Wani @ Lukman Bai, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against the each accused at Para (6) above. arising out of FIR No. 88/2022 of Police Station, Zainapora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.