

## 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-696.66Whereas, on 26-06-2022, the Police Station, Pampore, received a docket to the effect that a Joint Patrolling was conducted by the Police/Security Forces in the area and during patrolling at Samboora, near Petrol Pump, 04 suspects while seeing the Patrolling Party tried to escape but were chased down on the spot and identified as Mansoor Ahmad Dar S/o Shabir Ahmad Dar R/o Dar Mohalla, Samboora, Ubaid Mushtaq Hanji S/o Mushtaq Ahmad Hanji R/o Karnal, Samboora, Shakif Ahmad Reshi S/o Bashir Ahmad Reshi R/o Samboora

- 2. Whereas, based on the above, a Case FIR No. 74/2022 under Section 7/25 Arms Act and Sections 13, 18, 23, 38 and 39 of ULA (P) Act, was registered in the Police Station, Pampore, and the investigation of the case was set into motion; 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. Mansoor Ahmad Dar, Ubaid Mushtaq Hanji, Shakif Ahmad Reshi and Abrar Fayaz Dar, were found in contact with a terrorist of LeT banned outfit namely Riyaz Ahmad Dar @ Khalid Bhai S/o Abdul Aziz Dar R/o Sethergund, Kakapora, who provided the ammunition and incriminatory material to the accused, in order to promote terrorist activities in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Mansoor Ahmad Dar, Ubaid Mushtaq Hanji, Shakif Ahmad Reshi and Abrar Fayaz Dar, were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit particularly the terrorist namely Riyaz Ahmad Dar @ Khalid Bhai, and under a well knit criminal conspiracy were providing logistic support to them, besides, procured the ammunition and incriminatory material 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
- 1. Mansoor Ahmad Dar S/o Shabir Ahmad 18, 23, 39 of Dar R/o Dar Mohalla, Samboora. ULA (P) Act.

- 2. Ubaid Mushtaq Hanji S/o Mushtaq Ahmad Hanji R/o Karnal, Samboora.
- 3. Shakif Ahmad Reshi S/o Bashir Ahmad 13, 18, 39 of Reshi R/o Samboora. ULA (P) Act.
- 4. Abrar Fayaz Dar S/o Fayaz Ahmad Dar R/o Bonpora, Samboora.
- 5. Riyaz Ahmad Dar @ Khalid Bhai S/o
  Abdul Aziz Dar R/o Sethergund,
  Kakapora.

  18, 38 of
  ULA (P) Act.
- 7. Whereas, during the investigation, the accused viz. Ubaid Mushtaq Hanji and Shakif Ahmad Reshi, have been found juvenile and in view of Section 1(4) of Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act; and
- 8. Whereas, the accused namely Riyaz Ahmad Dar @ Khalid Bhai, being the active terrorist is absconding and the proceedings under Section 299 Cr. PC have been proposed to be initiated against him; 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)

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.