## EXTRAORDINARY

## REGD. NO. JKó33



## JAMMU AND KASHMIR OFFICIAL GAZETTE

separate compilation.

## PART I—B

Jammu and Kashmir Government-Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT, J&K.

Notification

Jammu, the 19th December, 2022.

SO.-700ô Whereas, on 29-07-2022, an information was received by the Police Station, Lalpora, to the effect that some unknown terrorists equipped with illegal arms/ammunition are roaming in the area with the intention to carry out terrorist activities in order to harm the sovereignty and territorial integrity of the Union of India ; and

2. Whereas, based on the above, a Case FIR No. 42/2022 under

3. Whereas, during the investigation, a Joint Cordon and Search Operation was launched by the Police/Security Forces and during the checking one load carrier parked at Maidanpor in suspicious circumstances, a person boarded on driver¢s seat while seeing the Search Party tried to escape but was chased down on the spot and identified as Shamim Ahmad Khan S/o Gh. Mohi-ud-Din Khan R/o Kawari, Laderwan. During the checking, the Police recovered 10 Chinese hand grenades from the said vehicle ; and

4. 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

5. Whereas, during the investigation, two other persons namely Talib Ahmad Sheikh S/o Ali Mohammad Sheikh R/o Laderwan and Zaffer Ahmad Waza S/o Mohammad Jamal Waza R/o Madhama, Zurhama, were found involved in the case. Subsequently, both the accused were also arrested and during investigation 04 Pistols, 08 magazines and 130 rounds were also recovered at the instances of accused viz. Talib Ahmad Sheikh ; and

6. Whereas, during the investigation, it was found that the accused viz. Talib Ahmad Sheikh, was in contact with an unknown terrorist through the virtual mode and on his directions he alongwith the accused viz. Zaffer Ahmad Waza, received an amount of Rs. 149000/- from an unknown person at Dalgate,Srinagar, and handed over the said amount to the two other unknown persons at Village Warnow, and procured a bag containing 04 Pistols, 08 Magazines, 130 rounds and 10 hand grenades from the unknown persons in order to promote terrorist activities in the area ; and

7. Whereas, during the investigation, it was established that the accused viz. Shamim Ahmad Khan, Talib Ahmad Sheikh and Zaffer Ahmad Waza, were associated with the terrorist organization of LeT banned outfit and under a well knit criminal conspiracy procured arms/ammunition from the terrorists for carrying out the terrorist activities in the area; and

8. Whereas, the investigation, in respect of the unknown persons who provided cash and arms/ammunition to the accused shall continue to ascertain their identity and to bring out their role/involvement in the case ; and

9. 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 their name :ô

S. No.					Name of the accused																Offence						
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1.	1. Shamim Ahmad Khan S/o Gh. Mohi-ud-															13, 18, 23, 38 of											
	Din Khan R/o Laderwan, Kawari.																ULA (P) Act.										
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- 2. Talib Ahmad Sheikh S/o Ali Mohammad Sheikh R/o Laderwan, Kawari.
- 3. Zaffer Ahmad Waza S/o Mohammad Jamal Waza R/o Madhama, Zurhama.

10. 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

11. 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 By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.