

EXTRAORDINARY

REGD. NO. JK633



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 135] Jammu, Wed., the 21st Dec., 2022/30th Agra., 1944. [No. 37-p

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.

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

Notification

Jammu, the 21st December, 2022.

SO-706. Whereas, on 07-9-2016, a reliable information was received by the Police Station, Baramulla, to the effect that four persons identified as Fayaz Ahmad Kumar @ Nirsama S/o Gh. Qadir Kumar R/o Khanpora, Baramulla, Asif Ahmad Alwahi @ Asif Gull S/o Gh. Mohd Alwahi R/o

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No. 37-p] The J&K Official Gazette, 21st Dec., 2022/30th Agra., 1944. 3
 Mehraj S/o Mehrajudin R/o Khanpora and Mohd Qasim Gojri S/o Mohd
 Hamid R/o Drangbal, Bararnulla, were arrested in connection with the
 case and during investigation, the said accused alongwith the accused namely
 Furhan Fayaz Laloo, were not found involved in the case and subsequently,
 were dropped from the case and were given the benefit under Section 169
 Cr. PC ; and

7. Whereas, during the investigation, it was established that the
 accused viz. Fayaz Ahmad Kumar @ Nirsama, Asif Ahmad Alwahi @
 Asif Gull and Shahid Ahmad Tantary @ Shahid, were associated with the
 terrorist organization of JeM banned outfit and under a well knit criminal
 conspiracy procured arms/ammunition from the terrorists of the said outfit
 for carrying out the terrorist activities in the area ; and

8. 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 :

S. No.	Name of the accused	Offence
1.	Fayaz Ahmad Kumar @ Nirsama S/o Gh. Qadir Kumar R/o Khanpora, Baramulla.	18, 23, 38 of ULA (P) Act.
2.	Asif Ahmad Alwahi @ Asif Gull S/o Gh. Mohd Alwahi R/o Ganie Hamam A/P Kanispora, Baramulla.	
3.	Shahid Ahamd Tantary @ Shahid S/o Ab. Rahman Tantary R/o Fetahpora, Khawajabagh.	

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

4 The J&K Official Gazette, 21st Dec., 2022/30th Agra., 1944. [No. 37-p
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(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. Fayaz Ahmad Kumar @ Nirsama, Asif Ahmad Alwahi @ Asif Gull and Shahid Ahmad Tantary @ Shahid, for the commission of offences punishable under Sections 18, 23 and 38 of ULA (P) Act, arising out of FIR No. 272/2016 of Police Station, Baramulla.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.