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PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Jammu, the 23rd December, 2022.

SO-719.—Whereas, on 02-07-2022, a reliable information was received by the Police Station, Safakadal, about the hiding of one terrorist identified as Nisar Ahmad Ahanger S/o Habibullah Ahanger R/o Mirjanpora, Nawakadal, Srinagar, in his residential house, for carrying out the terrorist activities in the area in order to spread terror among the general masses ; and

2. Whereas, based on the above, a case FIR No. 117/2022 under Section 13 of ULA was registered in the Police Station, Safakadal, and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 18, 23 and 39 of ULA (P) Act were added in the case ; and

3. Whereas, during the investigation, the accused viz. Nisar Ahmad Ahanger, was arrested in the case and during investigation, 02 hand grenades were recovered at his instances. The accused was found in contact with the terrorists of Peoples League namely Mukhtar Ahmad R/o Anantnag and Usman through the virtual mode, who provided the Hand Grenades to the accused viz. Nisar Ahmad Ahanger, in order to promote terror activities in the area ; and

4. Whereas, during the investigation, the site plan of place of 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, it was established that the accused viz. Nisar Ahamd Ahanger, was working as Over Ground Worker (OGW) for the terrorists of Peoples League particularly the terrorists namely Mukhtar Ahmad and Usman, and was providing logistic support to them, besides, under a well knit criminal conspiracy procured hand grenades from the said terrorists for carrying out the terrorist activities in the area ; and

6. Whereas, the investigation, of the case shall continue to ascertain the actual identified of the accused viz. Mukhtar Ahmad and Usman, and to bring out their role/involvement in the case ; 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 :—

S.No.	Name of the accused	Offence
1.	Nisar Ahmad Ahanger S/o Habibullah Ahanger R/o Mirjanpora, Nawakadal, Srinagar.	13, 18, 23, 39 of ULA (P) Act.

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 Dairy 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. Nisar Ahmad Ahanger, for the commission of offences punishable under Sections 13, 18, 23 and 39 of ULA (P) Act, arising out of FIR No. 117/2022 of Police Station, Safakadal.

By order of the Government of Jammu and Kashmir.

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