

# THE

## JAMMU AND KASHMIR OFFICIAL GAZETTE

#### PART I—B

Jammu and Kashmir Government—Notifications.

ô ô ô ó

### GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

#### Notification

Jammu, the 23rd February, 2022.

SO-74.óóWhereas, on 22-08-2021, Anantnag Police, received reliable information that two persons Faizan Javaid Rather S/o Javaid Ahmad and Basit Ahmad Dar S/o Mohammad Ashraf Røs/o Sirhama, Srigufwara who went missing from their residential houses on 20-8-2021, had been kidnapped by some unknown persons; and

- 2. Whereas, a Case FIR No. 75/2021 under Section 363 IPC, came to be registered in Police Station, Srigufwara and investigation of the case was set into motion; and
- 3. Whereas, during investigation, one suspect Shamim Ahmad Wani S/o Gh. Nabi R/o Anchidora, Anantnag was arrested in connection with the case who during questioning disclosed that he along with his associates Taffazul Ahmad Beigh S/o Gh. Mohiudin R/o Beigh Pora, Awantipora, Mohammad Abid Parray S/o Mohammad Khalil R/o Naninara, Sumbal, Ab. Rashid Mir S/o Ali Mohammad R/o Shilwat, Sumbal and Fayaz Ahmad Kallo S/o Gh. Ahmad R/o Naninara, Sumbal were working for banned HM outfit and motivated/instigated Faizan Javaid and Basit Ahmad to join the terrorist ranks. Subsequently, Section 363 IPC. was dropped and Sections 13, 18, 18-B, 23, 39 ULA (P) were added in the case; and
- 4. Whereas, on the disclosure of accused Shamim Ahmad both the missing persons Faizan Javaid Rather and Basit Ahmad Dar were recovered from the residential house of accused Ab. Rashid Mir R/o Shilwat, Sumbal and on the disclosures of accused persons Shamim Ahmad, Taffazul Ahmad, Mohammad Abid and Ab. Rashid Mir, Police recovered 106 AK-47 rounds from their instances; and
- 5. Whereas, during investigation, seizure memos were prepared and statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 6. Whereas, during investigation, it was established that the accused persons Shamim Ahmad, Taffazul Ahmad, Mohammad Abid, Ab. Rashid and Fayaz Ahmad were working as Over Ground Workers (OGWs) for the HM banned outfit and were providing shelter/logistic support to the terrorists of the said outfit, besides under well knit criminal conspiracy motivated/instigated accused Faizan Javaid and Bashit Ahmad to join the terrorist ranks to commit terrorist activities; and
- 7. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the investigating officer has *prima facie* established involvement of the below mentioned accused persons

S. Name of accused Offence No.

- 1. Shamim Ahmad Wani S/o Gh. Nabi R/o Anchidora, Anantnag.
- 13, 18, 18-B, 23, 39 ULA (P) Act,
- Taffazul Ahmad Beigh S/o Gh. Mohi-ud-Din Beigh R/o Beigh Pora, Awantipora.
- Mohammad Abid Parray S/o Mohammad Khalil Parray R/o Naninara, Sumbal.
- 4. Ab. Rashid Mir @ Rashid Ikhwani S/o Wali Mohammad Mir R/o Shilwat, Sumbal.
- 5. Fayaz Ahmad Kallo S/o Gh. 13, 18, 18-B, 39 Ahmad Kaloo R/o Naninara, Sumbal. ULA (P) Act
- 6. Faizan Javaid Rather 13,18 S/o Javaid Ahmad R/o Sirhama, ULA (P) Act Srigufwara.
- 7. Basit Ahmad Dar S/o Mohammad Ashraf R/o Sirhama, Srigufwara.
- 8. Whereas, accused namely Faizan Javaid Rather and Basit Ahmad Dar have been found juvenile during the investigation and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act; 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

- 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 accused persons for prosecution under the provisions of law.

Now therefore, in exercise of powers conferred by Sub-Section 02 of Section 45 ULA (P) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused persons Shamim Ahmad Wani, Taffazul Ahmad Beigh, Mohammad Abid Parray, Ab. Rashid Mir and Fayaz Ahmad Kallo for the commission of offences punishable under Sections 13, 18, 18-B, 23, 39 of Unlawful Activities (Prevention) Act, 1967, in the case FIR No. 75/2021 of Police Station, Srigufwara.

| Ву | order | of | the | Government | of   | Jammu     | and | Kashmir.                              |
|----|-------|----|-----|------------|------|-----------|-----|---------------------------------------|
|    |       |    |     |            |      | (Sd.)     |     |                                       |
|    |       |    |     | Princ      | cipa | 1 Secreta | •   | o the Government,<br>Home Department. |