

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government-Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Jammu, the 24th February, 2022.

- S.O.-78.ô Whereas, on 24-07-2021, Awantipora Police received reliable information that one Shabir Ahmad Najar S/o Gh. Ahmad Najar R/o Wuyan Bala has joined the terrorist ranks of HM outfit and is roaming to carry out terrorist activities in the area; and
- 2. Whereas, a Case FIR No. 52/2021 18, 20, 38 ULA (P) Act came to be registered in Police Station Khrew and investigation of the

- 3. Whereas, on 07-08-2021, accused Shabir Ahmad Najar was arrested from village Khrew who was hiding in a vehicle (Truck) belonging to one Mohammad Shafi Dar S/o Mohammad Akber Dar R/o Gratwali Mohalla Khrew and during his personal search Police recovered 01 Chinese Pistol, 01 Pistol Magazine, 07 Pistol Rounds, 02 AKMagazines, 50 AK rounds, 01 Hand grende and 05 Kgm of explosive material from his possession which was provided to him by foreign terrorist Baber on his joining with the outfit; and
- 4. Whereas, during investigation, accused Mohammad Shafi Dar was also arrested in connection with the case and during investigation, he disclosed that he was in constant touch with terrorist Shabir Ahmad Najar and was providing shelter/logistic support to him and
- 5. Whereas, during the course of investigation, site plan of place of occurrence and seizure memos were prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provision of law; and
- 6. Whereas, during investigation, it was established that the accused terrorist Baber R/o Pakistan facilitated the joining of terrorist Shabir Ahmad Najar with HM banned outfit and provided arms/ammunition to him for carrying out the terrorist activities in the area and accused Mohammad Shafi Dar was working as Over Ground Worker (OGW) for terrorist Shabir Ahmad and was providing shelter/logistic support to him, besides under well knit criminal conspiracy harboured/concealed him in his vehicle (Truck); and
- 7. Whereas, on the basis of investigation, statements of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused persons for the commission of offences puishable under sections as shown against each of Unlawful Activities (Prevention) Act, 1967:ô

- 8. Whereas, accused Baber R/o Pakistan being active terrorist is absconding against whom proceeding under Section 299 Cr. PC has been proposed to be initiated; 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 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 persons; 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 accused persons for their prosecution under the provisions of law.

Now therefore, in exercise of powers conferred by Sub-Section (2) of Section 45 ULA (P) Act 1967, the Government hereby accord sanction for launching prosecution against the above accused persons for the commission of offences punishable under Sections 18, 18-B, 19, 20,23, 38, 39 of Unlawful Activities (Prevention) Act, 1967, in the case FIR No. 52/2021 of Police Station Khrew Pampore.

By order of the Government of Jammu and Kashmir.

(Sd.)
Principal Secretary to the Government
Home Department