

## THE JAMMU AND KASHMIR OFFICIAL GAZETTE

## PART I-B

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

Notification

Jammu, the 3rd March, 2022.

SO682.ô Whereas, on 07-09-2021, Police Station Poonch received tip of information that one unknown person on the behest of Pakistan based handlers have brought arms/ammunition to wage war against the sovereignty of the country and with intention to conduct terrorist attack on security forces. Subsequently, search in the general area of Kirni was conducted and during search Police intercepted a person who tried

- 2. Whereas, a Case FIR No. 227/2021 under Sections 120-B, 121, 122, IPC, 7/25 Arms Act 3/4 Explosive Substance Act, 18 ULA (P) Act, was registered in Police Station Poonch and investigation of the case was taken up. Subsequently, during investigation section 3/4 Explosive Substances Act was dropped and Section 4/5 Explosive Substances Act, 20, 23, 38, 39 ULA (P) Act were added in the case; and
- 3. Whereas, during further investigation, site plan of place of occurrence and seizure memos of recovered arms/ammunition were prepared and statements of witnesses acquinted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during investigation, on the disclosure of accused Jahangir Ali two more accused namely Basharat Khan S/o Mohammad Younis Khan R/o Mohrah Bachhai and Sheraz Ahmad S/o Mohammad Iqbal R/o Sangla were arrested in connection with the case and it was found that the consignment of arms/ammunition was to be delivered to the above two accused; and
- 5. Whereas, during investigation, it was established that accused Basharat Khan is the brother of one Tariq Khan S/o Mohammad Younis Khan R/o Mohrah Bachhai who and one Imtiyaz Ahmad Khan S/o Mohammad Hussain R/o Mohrah Bachhai crossed LoC in year 1998 and 2000 respectively for obtaining illegal arms/ammunition and did not returned back. Accused Basharat Khan alongwith his above two associates Jahangir Ali and Sheraz Ahmad remained in touch with his brother Tariq Khan and Imtiyaz Ahmad Khan through social media and on their directions were instigating the youth to work for the newly created terror organization JK Gaznavi Force and got consignment of arms/ammunition with the ulterior motive to review/promote the terror activities in J&K particularly in Poonch and Rajouri Districts; and
- 6. Whereas, during investigation, it was also established that the accused Jahangir Ali, Basharat Khan and Sheraz Ahmad were working

as Over Ground Workers (OGWs) for accused terrorists Tariq Khan and Imtiyaz Ahmad Khan affiliated with banned LeT outfit and under well knit conspiracy were providing logistic support to the terrorists which includes facilitating transportation of arms/ammunition from one place to another in order to disrupt the peace, public order and to wage war against the sovereignity and integrity of the country; and

7. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of the below mentioned accused for the commission of offences punishable under section as shown against each of Unlawful Activities (Prevention) Act, and IPC:ô

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1.	Jahangir Ali S/o Wali Mohammad R/o Kirni Surankote.	18, 23, 39 ULA (P) Act. 121, 122 IPC
2.	Basharat Khan S/o Mohammad Younis Khan R/o Mohrah Bachhai, Surankote	18, 39 ULA (P) Act. 121, 122 IPC
3.	Sheeraz Ahmad S/o Mohammad Iqbal R/o Sangla, Surenkote.	
4.	Tariq Khan S/o Mohammad Younis Khan R/o Mohrah Bachhai, Surankote A/P PoK.	18, 20, 38 ULA (P) Act. 121, 122 IPC
5.	Imtiyaz Ahmad Khan S/o Mohammad	18, 20, 38

8. Whereas, accused Tariq Khan and Imtiyaz Ahmad Khan being active terrorists are absconding and proceedings under Section 299 Cr. PC have been proposed to be initiated against them; and

ULA (P) Act.

121, 122 IPC

Hussain Khan R/o Mohrah Bachhai,

Surankote A/P PoK.

9. Whereas, the Government has independently examined the Case Diary File and all the other relevant documents relating to the case

- 10. Whereas, on further perusal of 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 the Unlawful Activities (Prevention) Act, 1967 also;

Now, therefore, in exercise of powers conferred by sub-section (2) of Section 45 Unlawful Activities (Prevention) Act 1967, and Section 196 Cr. PC the Government hereby accords sanction for launching prosecution against the above mentioned accused for the commission of offences punishable under relevant Sections of the Unlawful Activities (Prevention) Act and Sections 121, 122 IPC indicated against each accused in para 07 above arising out of FIR No. 227/2021 of Police Station, Poonch.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary (Home).