EXTRAORDINARY



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 3rd March, 2022.

SO683.ô Whereas, on 08-07-2021, Police Station Pulwama, received tip of information about the presence of terrorists in Village Puchal Pulwama. Subsequently, joint cordon and search operation was carried out and during search terrorists hiding in the joint residential house of Mohammad Ramzan Dar S/o Ab. Gani Dar and his son Bilal Ahmad R/o Puchal, Pulwama alongwith illegal arms/ammunition fired

2. Whereas, upon this information, Case FIR No. 199/2021 under Sections 307 IPC, 7/27 Arms Act, 16, 19, 20 Unlawful Activities (Prevention) Act, came to be registered in Police Station Pulwama and investigation of the case was taken up. During investigation Sections 18, 39 ULA (P) Act were added in the case ; and

3. Whereas, during encounter two terrorists of LeT outfit identified as Kifayat Ahmad Sofi S/o Mohammad Ramzan R/o Padgampora Awantipora and Inayat Ahmad Dar S/o Ab. Ahad R/o Samboora Pampore were killed in the encounter and during search arms/ammunition 01 AK 56 rifle, 02 AK Magazines, 05 AK rounds, 01 Pistol 01 Pistol Magazine and 02 Pistol rounds were recovered from the encounter site ; and

4. Whereas, during the course of investigation, site plan of place of occurance and seizure memos were prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

5. Whereas, during investigation, accused Bilal Ahmad Dar was arrested in connection with the case and it was established that he was in constant touch with above killed terrorists and was working as Over Ground Worker (OGW) for the above terrorists. The accused was providing shelter/logistic support to them, besides under well knit criminal conspiracy voluntarily harboured the above terrorists for carrying out the terrorists activities in the area ; and

6. Whereas, the terrorists Kifayat Ahmad Sofi and Inayat Ahmad Dar have been killed in the encounter and proceedings under law shall abate against them ; and

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

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 accused ; and

9. 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 for his prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by Sub-Ssection (2) of Section 45 of Unlawful Activities (Prevention) Act 1967, the Government hereby accords sanction for launching prosecution against the accused viz. Bilal Ahmad Dar for the commission of offences punishable under relevant Sections 18, 19 and 39 of Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 199/2021 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

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

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