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 9th March, 2022.

SOó88.ô Whereas, on 13-09-2021, Police Station, Rajpora received a written docket from Incharge Naka Party to the effect that Pulwama Police in collaboration with other security forces during Naka checking at Pachar near Fruit Mandi, Rajpora intercepted a suspect for checking who tried to escape but was chased down on spot and identified as Ishfaq Ahmad Dar S/o Nazir Ahmad Dar R/o Kothipora, Chitrigam. During his personal search, Police recovered one hand grenade from his possession ; and

2. Whereas, upon this information, a Case FIR No. 165/2021 under Sections 20, 23, 39 ULA (P) Act and Section 4 ESA, came to be registered in Police Station, Rajpora and investigation of the case was taken up. Subsequently, during investigation Section 39 ULA (P) Act was dropped and Sections 18, 38 ULA(P) Act, were added in the case ; and

3. Whereas, during the course of investigation, site plan of place of occurrence and 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

4. Whereas, during investigation, it was established that the accused Ishfaq Ahmad Dar was member of TRF outfit, a subsidiary of LeT banned outfit, and was close associate of active terrorist Bashir Nazir R/o Pakistan, who under well knit criminal conspiracy provided the said hand grenade to the accused Ishfaq Ahmad Dar for lobbing the same upon the Police/Security forces with the intention to kill them and to promote terrorist activities in the area ; and

5. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the investigating Officer has established *prima facie* involvement of below mentioned accused for the commission of offences punishable under sections as shown against each of the Unlawful Activities (Prevention) Act, 1967 :ô

S.	Name of accused	Offence
No.		
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1.	Ishfaq Ahmad Dar S/o Nazir	18, 20, 23, 38
	Ahmad Dar R/o Kothipora,	ULA (P) Act
	Chitrigam.	
2.	Bashir Nazir R/o Pakistan.	18, 20
		ULA (P) Act

6. Whereas, accused Bashir Nazir being an active terrorist is absconding and proceedings under section 299 Cr. PC. have been proposed to be initiated against him ; and

No. 49-g] The J&K Official Gazette, 9th March, 2022/18th Phal., 1943. 3

7. Whereas, the Authority appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the accused ; and

8. Whereas, after perusing the Case Diary, 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 their prosecution under the provisions of law.

Now, therefore, in exercise of 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. Ishfaq Ahmad Dar and Bashir Nazir for the commission of offences punishable under the relevant sections of the Unlawful Activities (Prevention) Act, 1967, indicated against each in para 5 above, arising out of FIR No. 165/2021 of Police Station, Rajpora.

By order of the Government of Jammu and Kashmir.

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