

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Jammu, the 16th March, 2022.

SO-95.óóWhereas, on 21-9-2021, Police Station, Aishmuqam received a docket to the effect that during Naka checking at Old Police Station, one person was intercepted by the Naka party for checking who tried to escape but was chased down on spot and identified as Shabir Ahmad Bhat S/o Gh. Mohammad Bhat R/o Adakhair, Karshangam. During his personal search, Police recovered 04 AK rounds from his possession; and

- 2. Whereas, upon the information, a Case FIR No. 73/2021 under Section 13 Unlawful Activities (Prevention) Act, 1967 and 7/25 Arms Act came to be registered in Police Station, Aishmuqam and investigation of the case was taken up; and
- 3. Whereas, during 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 accused Shabir Ahmad Bhat was in contact with one HM banned terrorist Sajad Ahmad who got killed in an encounter with the security forces. The accused was involved in unlawful activities and often provoked local youth against the sovereignty and territorial integrity of the country, besides, the accused was in contact with some unknown persons who have not been arraigned as accused in the case and the investigation in respect of those persons shall remain continue so that their particular role can be brought out and supplementary charge sheet shall be produced before the competent court of law; 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 section as shown against his name of the Unlawful Activities (Prevention) Act, 1967:ô
- S. Name of the accused Offence No.

- Shabir Ahmad Bhat S/o Gh.
 Mohammad Bhat R/o Adakhair,
 Karshangam.

 ULA(P) Act
- 6. 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 a conclusion that a *prima facie* case is made out against the accused: and

7. 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 person for his prosecution under the provisions of law.

Now therefore, in exercise of powers conferred by Sub-Section (2) of Section 45 Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the above accused viz. Shabir Ahmad Bhat for the commission of offence punishable under section 13 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 73/2021 of Police Station, Aishmuqam.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner, (Additional Chief Secretary), Home Department.