

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 20th April, 2022.

S.O.-197.ô Whereas, on 10-08-2016, a tip-off was received by Police Station, Baramulla to the effect that some unknown terrorists of HM/LeT and JeM banned outfits were terrifying the general public/shopkeepers on gun point to follow the protest calendar formulated by Hurriyat (G) and participate in processions, besides, were instigating to cause damage to the Government/public property and unfurl the Pakistani flags, thereby posing threat to the integrity and sovereignty of the Union of India ; and

2. Whereas, based on the above, a Case FIR No. 217/2016 under section 13 of ULA (P) Act, 451, 153-A, 120-B, 506 IPC, 7/25 Arms Act, came to be registered in Police Station, Baramulla and investigation of the

3. Whereas, during 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, three persons viz. Nadeem Ahmad Dar @ Usama S/o Mushtaq Ahmad R/o Nowpora Kalan, Sopore, Naseer Ahmad Sheikh @ Yasir S/o Ab. Hamid R/o Model Town, Sopore A/P Amargarh, Sopore and Ab. Majeed Bhat S/o Habibullah Bhat R/o Maghalpora Saloosa, Kreeri were found involved in the case. Subsequently, all the accused were arrested in connection with the case ; and

5. Whereas, during investigation, it was established that the accused viz. Nadeem Ahmad Dar, Naseer Ahmad Sheikh and Ab. Majeed Bhat were working as Over Ground Workers (OGWs) for the terrorists of HM/LeT/JeM outfit and were providing shelter/logistic support to them, besides on their directions were instigating the general public against the unity, security and sovereignty of the country ; and

6. 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 for the commission of offences punishable under section as shown against each of the Unlawful Activities (Prevention) Act, 1967 :ô

S.	Name of accused	Offence
No.		
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1.	Nadeem Ahmad Dar @ Usama S/o Mushtaq	13, 39 of
	Ahmad Dar R/o Nowpora Kalan, Sopore.	ULA (P) Act
2.	Naseer Ahmad Sheikh S/o Ab. Hamid	
	Sheikh R/o Model Town, Sopore A/P	
	Amargarh, Sopore.	
3.	Ab. Majid Bhat S/o Habibullah Bhat R/o	
	Mugalpora Saloosa, Kreeri.	

7. 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 relevent 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 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 Law.

Now, therefore, in the exercise of the 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. Nadeem Ahmad Dar, Naseer Ahmad Sheikh and Ab. Majeed Bhat for the commission of offences punishable under section 13 and 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 217/2016 of Police Station, Baramulla.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner (Additional Chief Secretary), Home Department.