

Government of Jammu and Kashmir
Home Department
Civil Secretariat, Jammu/Srinagar

Phone.No. 0191-2547169-(J)
0194-2506262-(S)

NOTIFICATION

Jammu, the 24th December, 2020

S. O. 392, Whereas, on 09-07-2020 the Police, during naka checking at Hakbara crossing, arrested one terrorist namely Mohammad Rafiq Rather @ Haji S/O Abdul Rehman Rather R/O Chendergair affiliated with LeT outfit and recovered 02 hand grenades and 19 AK rounds from his possession; and

2. Whereas, a case FIR NO. 31/2020 U/S 18,20,23,39 ULA(P) Act, 1967 was registered in Police Station Hajin and investigation of the case was taken up; and

3. Whereas, during the course of investigation site plan of place of occurrence and seizure memo was 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 the course of investigation the accused disclosed that he had joined the terrorist ranks of LeT outfit and disclosed that one Shafat Ahmad Dar S/O Gh. Nabi Dar R/O Chandergair was facilitating food and shelter to the said terrorist, besides was providing information about the movement of Police/ security forces to him in the area; and

5. Whereas, the accused Shafat Ahmad Dar was arrested in the case. The accused disclosed that he was working as associate for terrorists, facilitating food and shelter and information about the movement of security forces to the terrorists of LeT outfit. Subsequently on the disclosure of the accused, one hand grenade was recovered at his instance; and

6. Whereas, during the further course of investigation it was revealed that the accused namely Mohammad Rafiq Rather @ Haji was active terrorist of LeT outfit and the accused namely Shafat Ahmad Dar under the criminal conspiracy was working as OGW for the terrorists of LeT outfit and was providing logistic support to the terrorists, besides transporting arms/ammunition to the terrorists of LeT outfit in the Hajin area; and

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

S.No	Name of the accused	Offence
1	Mohammad Rafiq Rather @ Haji S/O Ab. Rehman Rather R/O Chandergair.	18,20,23 ULA (P) Act
2	Shafat Ahmad Dar S/O Gh. Nabi Dar R/O Chandergair.	18,23,39 ULA (P) Act

8. Whereas, the Authority appointed by the Government under Sub-section (2) of Section 45 of the ULA(P) 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 against the accused has been made out; and

9. Whereas after perusing the case diary, the relevant documents and also taking into consideration views of the Authority appointed under Sub-Section (2) of the Section of 45 ULA (P) Act 1967, the Government is of the view that there is sufficient material and evidence available against the accused for his prosecution under the aforesaid 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 accords sanction for launching prosecution against the above mentioned accused for the commission of offences punishable under section 18,20,23,39 ULA (P) Act, in the case FIR No. 31/2020 of Police Station Hajin.

By Order of the Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government
Home Department.

No. Home/Pros/ 142 /2020

Dated: 24.12.2020.

Copy to the:-

1. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
2. Director General of Police, Srinagar. The CD file in original is returned.
3. Secretary to the Government, Department of Law, Justice and Parliamentary Affairs.
4. Private Secretary to Principal Secretary to the Government, Home Department.
5. Stock file.

Special Secretary to the Government
Home Department