

EXTRAORDINARY

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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT, J&K.

Notification

Srinagar, the 30th July, 2024.

SO-376. Whereas, on 13-09-2018, a reliable information was received by the Police Station Devsar, to the effect that three persons

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for the said terrorists in order to promote terrorist activities in the area;
and

6. Whereas, during the investigation, it was established that the accused viz. Mubarak Ahmad Thokar, Saif Gulzar, Adil Ahmad Thokar and Mohammad Rafiq Sheikh, were working as Over Ground Workers (OGWs) for the terrorists of LeT, a banned outfit viz. Muzaffer Ahmad Bhat, Abu Maviya, Shakoor Ahmad Dar and Waleed @ Chota Abu Maviya @ Maviya Sani, and were providing logistic support to them, besides were voluntarily harbouring the said terrorists for carrying out the terrorists activities in the area ; and

7. Whereas, the accused terrorists viz. Muzaffer Ahmad Bhat, Abu Maviya and Shakoor Ahmad Dar, have been killed in the different encounters with the Security Forces and the proceedings under the law would abate against them; and

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

S.No.	Name of the accused	Offence
1.	Mubarak Ahmad Thokar S/o Abdul Rashid Thoker R/o Sopat, Devsar, Kulgam.	13, 19, 39 of ULA (P) Act
2.	Saif Gulzar S/o Gulzar Ahmad Gamie R/o Sopat, Devsar, Kulgam.	
3.	Adil Ahmad Thoker S/o Mohammad Amin Thokar R/o Sopat, Devsar, Kulgam.	
4.	Mohammad Rafiq Sheikh S/o Mohammad Ismail Sheikh R/o Sopat, Devsar Kulgam.	
5.	Waleed @ Chota Abu Maviya @ Maviya Sani R/o Pakistan..	13, 20, 38 of ULA (P) Act.

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9. Whereas.during the investigation, the accused viz. Saif Gulzar, has been found juvenile and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act ; and

10. Whereas, the accused terrorist viz. Waleed @ Chotu Abu Maviya @ Maviya Sani, is absconding and proceedings under Section 299 Cr. PC have been proposed to be initiated against him ; and

11. 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 *prima facie*caseis made out against the above accused ; and

12. 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 his prosecution under the provisions of law.

Now, therefore,in exercise of the powers conferred bySub-Section (2) of Section 45 of the Unlawful Activities (Prevention)Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Mubarak Ahmad Thoker, Adil Ahmad Thoker, Mohammad Rafiq Sheikh and Waleed @ Chota Abu Maviya @ Maviya Sani, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against the each accused at Para (8) above, arising out of FIR No. 57/2018 of Police Station, Devsar

By order of the Government of Jammu and Kashmir.

(Sd/-) CHANDRAKER BHARTI,IAS,

Principal Secretary to the Government,

Home Department.