

EXTRAORDINARY

REGD. NO. JK6633



**THE
JAMMU AND KASHMIR OFFICIAL GAZETTE**

Vol. 137] Jammu, Thu., the 8th August, 2024/17th Srav., 1946. [No. 19-a
Separate paging is given to this part in order that it may be filed
as a separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Srinagar, the 08th August, 2024.

SO6386. Whereas, on 15-02-2024, a written docket was received at Police Station Lalpora to the effect that a naka was established by Police in collaboration with 162 Bn. CRPF and 28 RR Army at Gundimacher near bridge. During checking a person coming from Shalgund towards Sogam was noticed in suspicious circumstances, who while seeing naka party tried to flee from the spot but was tactfully apprehended. The said person was identified as Rafiq Ahmad Ganie S/o Gh. Ahmad R/o Sheikhpura, Lalpora. On being searched, 02 Hand

2 The J&K Official Gazette, 8th August, 2024/17th Srav., 1946. [No. 19-a Grenades, 01 Pistol with Magazine and 10 rounds and a mobile phone was recovered from his possession ; and

2. Whereas, on receipt of information, a Case FIR No. 03/2024 under Section 7/25 Arms Act, 13, 18, 23, 38 and 39 of ULA(P) Act, was registered in the Police Station, Lalpora, and the investigation of the case was set into motion ; and

3. Whereas, during the course of investigation, the statements of witnesses acquainted with the facts and circumstances of the case were recorded ; and

4. Whereas, during investigation, the accused namely Rafiq Ahmad Ganie, was formally arrested and it was found that the accused was working as OGW for terrorists of banned JeM outfit and was in close contact with PoK based terrorist namely Farooq Ahmad Shah S/o Ab. Rashid R/o Rang Warnow A/P PoK through virtual mode who arranged the recovered arms/ammunition to the accused for promotion of terrorism in the area ; and

5. Whereas, during the investigation, it was established that the accused namely Rafiq Ahmad Ganie, was working as Over Ground Worker (OGW) for the terrorists of banned JeM outfit particularly for Farooq Ahmad Shah and in furtherance of conspiracy to carry out the terrorist activities in the area ; and

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

S. No.	Name of the accused	Offence
1.	Rafiq Ahmad Ganie S/o Gh. Ahmad R/o Sheikhpura, Lalpora	13, 18, 23, 39 of ULA (P) Act.
2.	Farooq Ahmad Shah S/o Ab. Rashid R/o Rang Warnow A/P PoK	13, 18, 38 of ULA (P) Act.

7. Whereas, the accused namely Farooq Ahmad Shah being active terrorist is absconding and proceedings under section 299 Cr. P.C. are proposed to be initiated against him ; and

No. 19-a] The J&K Official Gazette, 8th August, 2024/17th Srav., 1946. 3
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8. 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* case is made out against the above accused ; and

9. 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 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. Rafiq Ahmad Ganie and Farooq Ahmad Shah for the commission of offences punishable under Section as shown against each at Para (6) above of ULA (P) Act, arising out of FIR No. 03/2024 of Police Station, Lalpora.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI, IAS,
Principal Secretary to the Government.