

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

ôôôó

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 20th August, 2020.

SO-260.óóWhereas, on 03-03-2020, Police Station, Bijbehara apprehended three suspected persons namely, Asif Nisar Malik S/o Nisar Ahmad Malik R/o Arwani, (2) Akib Hussain Waza S/o Mohammad Hussain Waza R/o Arwani and (3) Burhan-u-Din S/o Mohammad Amin Malik R/o Eidgah, Arwani at Padshahi Bagh, Bijbehara; and

- 2. Whereas, durng their personal search, Police Recovered 15 blank posters of HM outfit from Asif Nisar Malik, 12 posters from Akib Hussain Waza and 18 blank posters from Burhan-u-Din respectively; and
- 3. Whereas, a Case FIR No. 26/2020 under section 13 Unlawful Activities (Prevention) Act 1967, came to be registered in Police Station, Bijbehara and investigation was set into motion; and
- 4. Whereas, during the course of investigation site plan of occurrence and seizure memo of recovered blank posters was prepared, statement of witnesses acquainted with the facts and circumstances of the case were recorded under section 161 Cr. PC; and
- 5. Whereas, during the course of investigation it was revealed that the accused persons were working as OGWs for the terrorists active in the area and were in possesion of blank posters of HM outfit aiming subversive activities in the area; and
- 6. 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 persons in commission of offence punishable under section 13 Unlawful Activities (Prevention) Act, 1967:ô
- S. Name of the accused Offence No.

- Asif Nisar Malik S/o Nisar Ahmad
 R/o Arwani
 ULA(P) Act
- Akib Hussain Waza S/o Mohammad Hussain Waza R/o Arwani
- Burhan-u-Din S/o Mohammad Amin Malik R/o Eidgah Arwani
- 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 relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the above 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 his 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 accords sanction for launching prosecution against the above-mentioned accused for the commission of offences punishable under sections 13 ULA(P) Act, in case FIR No. 26/2020 of Police Station, Bijbehara.

By order of the Government of Jammu and Kashmir.

Principal Secretary to the Government, Home Department.