

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Governmnt-Notification

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Jammu, the 29th March, 2022.

S.O.-139.ô Whereas, on 02-02-2016, Police Station, Bijbehara received an information through reliable sources to the effect that some unknown militants equiped with illegal arms/ammunition are hiding in Mohalla Kanipora Village Arwani with the intention to attack Security Forces to cause death and injury ; and

2. Whereas, upon the information, a case FIR No. 23/2016 under Sections 7/25 Arms Act, came to be registered in Police Station, Bijbehara and investigation of the case was set into motion. Subsequently, during investigation, Section 307 IPC and Sections 16, 19, ULA(P) Act were added in the case ;

3. Whereas, during investigation, cordon and search operation was launched in the area and during search terrorist hiding in the house of accused Reyaz Ahmad Malik S/o Gh. Mohammad Malik R/o Arwani lobbed grenad upon the search party, resulting in injuries to one SI of 90 Bn CRPF and the asccused terrorist managed to escape from the place of occurrence ; and

4. Whereas, during investigation, site plan of place of occurrence and seizure memo were prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ;and

5. Whereas, during investigation, accused house owner Reyaz Ahmad Malik was arrested in connection with the case and it was established that he had voluntarily harboured one terrorist namely Syed Mufeed Bashir @ Raqib S/o Bashir Ahmad R/o Zadoora in his house, who after lobbing grenade upon the Security Forces managed to escape from the spot; and

6. Whereas, the terrorist Syed Mufeed Bashir has been killed during encounter at Gondipora, Pulwama on 06-02-2016, against whom proceedings under law shall abate ; and

7. 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 offeces punishable under sections as shown against his name of the Unlawful Activities (prevention) Act, 1967 :ô

S	N	o.	Name of the accused												Offence											
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	1. Reyaz Ahmad Malik S/o Mohammad																19 ULA(P) Act									
Ramzan Malik R/o Arwani.																										

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 a conclusion that a *prima facie* case is made out against the accused ;

9. Whereas, after perusing the Case Diary File, the relevant ducuments and also taking into consideration views of the Authority appointed under Sub-Section (2) of the Section 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 accused viz Reyaz Ahmad Malik for the commission of offences punishable under Section 19 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 23/2016 of Police Station, Bijbehara.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. Goyal, IAS, Financial Commissionrt/ (Additional Chief Secretary), Home Department.