

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Separate paging is given to this part in order that it may be filed as a separate compilation.

PART I-B

Jammu and Kashmir Governmnt-Notification

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

Notification

Jammu, the 31st March, 2022.

S.O.-141.ô Whereas, on 19-08-2021, Police Station, Devsar received reliable information to the effect that some unknown terrorists armed with illegal weapons fired indiscriminately upon a person namely, Ghulam Hassan Lone S/o Mohammad Kamal Lone R/o Qasba Devsar,outside his residence, who sustained severe injuries and was taken to Hospital by his kins and locals for treatment; and

- 2. Whereas, upon the information, a case FIR No. 53/2021 under Section 307 IPC, 7/27 Arms Act, 13, 16, 19, 20 Unlawful Activities (Prevention) Act, came to be registered in Police Station, Devsar and investigation of the case was taken up. The injured Ghulam Hassan Lone succumbed to his injuries at Hospital and after completing legal formalities, the dead body of the deceased was handed over to his legal heirs for last rites. Subsequently, during investigation Sections 302, IPC, 18, 23, 39 ULA (P) Act, 4 Explosive Substances Act, were added and Section 19 ULA(P) Act, was dropped from the case; and
- 3. Whereas, during the course of 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
- 4. Whereas, during investigation, one Vikas Ahmad Wagay S/o Gh. Hassan Wagay R/o Qasba, Devsar was found involved in commission of offence. Subsequently, the accused was arrested and on his disclosure six other accused persons namely, Sajad Ahmad Mir S/o Gull Mohammad Mir R/o Qasba, Devsar, Abdul Rehman Naikoo S/o Mohammad Ahsan Naikoo R/o Qasba, Devsar, Abdul Rahman Magray S/o Mohammad Abdullah Magray R/o Qasba, Devsar, Nazir Ahmad Mir S/o Gh Ahmad Mir @ Ama Mir R/o Qasba, Devsar, Mohd Abass Ganie S/o Gull Mohammad Ganie R/o Zaipora, Agroo and Suhail Akram Malik S/o Mohd Akram Malik R/o Zaipora were arrested in connection with the case. During investigation, one Hand Grenade and 20 AK rounds were recovered on the instance of accused Suhail Akram Malik; and
- 5. Whereas, during investigation, it was established that the above accused persons were working as Over Ground Workers (OGWs) for the terrorists of LeT banned outfit namely Mudasir Jamal Wagay S/o Mohd Jamal Wagay R/o Malwa, Yawar Ahmad Bhat S/o Abdul Samad Bhat R/o Ponipora, Shakir Ahmad Najar S/o Gulzar Ahmad Najar R/o Ponipora and Uzair Ahmad Bhat S/o Mohd Maqbool Bhat R/o Mirhama and under well knit criminal conspiracy accused Suhail Akram Malik facilitated the commission of terrorist act; and
- 6. Whereas, terrorist namely Mudasir Jamal Wagay, Yawar Ahmad Bhat, Shakir Ahmad Najar and Uzair Ahmad Bhat have been killed in diffrent

- 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 offences punishable under Sections as shown against each of the Unlawful Activities (prevention) Act, 1967:ô
- S. No. Name of the accused Offence
- $\hat{0} \ \hat{0} \$
 - Vikas Ahmad Wagay S/o Gh. Hassan
 Wagay R/o Qasba Devsar.
 - 2. Sajad Ahmad Mir S/o Gull Mohammad Mir R/o Qasba Devsar.
 - Abdul Rahman Naikoo S/o Mohammad Ahsan Naikoo R/o Qasba Devsar.
 - 4. Abdul Rahman Magray S/o Mohammad Abdullah Magray R/o Qasba Devsar.
 - Nazir Ahmad Mir S/o Gh. Ahmad Mir @ Ama Mir R/o Qasba Devsar.
 - 6. Mohd Abass Ganie S/o Gull Mohammad Ganie R/o Zaipora, Agroo.
 - 7. Suhail Akram Malik S/o Mohd Akram 13, 16, 18, 23, 39 Malik R/o Zaipora. ULA(P) Act
- 8. Whereas, the Authority appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized 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; 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 the Section 45 of Unlawful Activities

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 accused viz Vikas Ahmad Wagay, Sajad Ahmad Mir, Abdul Rahman Naikoo, Abdul Rahman Magray, Nazir Ahmad Mir, Mohd Abass Ganie and Suhail Akram Malik for the commission of offences punishable under relevant sections of the Unlawful Activities (Prevention) Act, 1967, indicated against each accused at Para (7) above, arising out of FIR No. 53/2021 of Police Station, Devsar.

By order of the Government of Jammu and Kashmir.

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