

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

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PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

Notification

Jammu, the 1st April, 2022.

S.O.-147.ô Whereas, on 07-11-2019, Police Station, Dangiwacha received a docket to the effect that joint Naka was established by Police/Security forces at Gund Malraj, Chatloora, Rafiabad and during Naka four suspicious persons tried to flee but were chased down on spot and identified as Rameez Ahmad Malla S/o Ab. Majeed Malla, Reyaz Khaliq Parray S/o Ab. Khaliq Parray, Waseem Manzoor Gazi S/o Manzoor Ahmad Gazi and Ikhlaq Imtiyaz Sheikh S/o Imtiyaz Ahmad Sheikh residents of Watergam. During their personal search Police recovered 1 Pistol, 1 Pistol Magazine,

- 2. Whereas, upon this information, a case FIR No. 161/2019 under section 7/25 Arms Act, 18, 39 of ULA(P) Act, 1967, was registered in Police Station, Dangiwacha and investigation of the case was taken up. Subsequently, during investigation section 23 of ULA(P) Act, was added in the case; and
- 3. Whereas, during the course of investigation, site plan of place of occurrence and seizure memos were prepared and statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during investigation, it was established that the accused were working as Over Ground Workers (OGWs) for the terrorists of HM banned outfit and under well knit criminal conspiracy procured arms/ammunition to commit terrorist act and were involved in transportation of arms/ammunition to the terrorists from one place to another; and
- 5. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer has *prima facie* involvement of the below mentioned accused in the commission of offences punishable under section as shown against each of the Unlawful Activities (Prevention) Act, 1967:ô
- Rameez Ahmad Malla S/o Ab. Majeed
 Malla R/o Watergam.
 18, 23, 39 of
 ULA (P) Act.
- 2. Reyaz Khaliq Parray S/o Ab. Khaliq Parray R/o Watergam.
- Waseem Manzoor Gazi S/o Manzoor Ahmad Gazi R/o Watergam.
- 4. Ikhlaq Imtiyaz Sheikh S/o Imtiyaz Ahmad Sheikh R/o Watergam.
- 6. Whereas, accused namely Ikhlaq Imtiyaz Sheikh has been found juvenile during the investigation 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

No. 53-g] The J&K Official Gazette, 1st April, 2022/11th Chai., 1944. 3

- 7. Whereas, the Authority appointed by the Government under subsection (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; 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 prosecution under the aforesaid provisions of law.

Now, therefore, in the exercise of the 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. Rameez Ahmad Malla, Reyaz Khaliq Parray and Waseem Manzoor Gazi for the commission of offences punishable under sections 18, 23 and 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 161/2019 of Police Station, Dangiwacha.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Financial Commissioner (Additional Chief Secretary), Home Department.