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## JAMMU AND KASHMIR OFFICIAL GAZETTE

#### PART I—B

Jammu and Kashmir Government—Notifications.

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### GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

#### Notification

Jammu, the 6th April, 2022.

SO-155.óóWhereas, on 30-10-2018, Police Station, Dooru received a written docket that one Nisar Ahmad Khanday S/o Gh. Qadir R/o Dudwagan went missing and it came to learn that he has joined the terrorist ranks of JeM banned outfit on 12-10-2018; and

- 2. Whereas, upon the information, a Case FIR No. 95/2018 under section 38 ULA (P) Act, came to be registered in Police Station, Dooru and investigation of the case was taken up. Subsequently, during investigation, sections 19, 20, 23, 39 ULA (P) Act were added in the case; and
- 3. Whereas, during the course of investigation, site plan was prepared, 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, three persons identified viz. Muzafar Ahmad Malik S/o Gh Qadir Malik, Mohammad Iqbal Malik S/o Mohammad Sultan Malik residents of Dudwagan and Zahid Ahmad Tantray S/o Mohammad Sultan R/o Ringmandoo were found involved in the case. Accordingly all the above accused were arrested in connection with the case on 10-7-2021 and 18-11-2021 and during investigation, Police recovered 20 AK rounds on the disclosure of accused Zahid Ahmad Tantray; and
- 5. Whereas, during investigation, it was established that accused Muzaffar Ahmad Malik, Mohammad Iqbal Malik and Zahid Ahmad Tantary were working as Over Ground Workers (OGWs) for the above terrorist and were providing shelter/logistic support to him, besides, the accused were voluntarily harbouring the said terrorist for carrying out the terrorist activities in the area and providing safe passage to terrorists of HM banned outfit; 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 for the commission of offences punishable under section as shown against each of the Unlawful Activities (Prevention) Act, 1967:ô

ULA (P) Act

R/o Dudwagan.

- Muzaffar Ahmad Malik S/o Gh. Qadir
  R/o Dudwagan.
  ULA (P) Act
- Mohammad Iqbal Malik S/o Mohammad Sultan R/o Dudwagan.
- 4. Zahid Ahmad Tantray S/o Mohammad 19, 23, 39 Sultan R/o Ringmandoo, Dooru. ULA (P) Act
- 7. Whereas, accused Nisar Ahmad Khanday is absconding being active terrorist and proceedings under section 299 Cr. PC. are proposed to be initiated against him; and
- 8. 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 the conclusion that *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 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 accused for prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by subsection (2) of section 45 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz Nisar Ahmad Khanday, Muzaffar Ahmad Malik, Mohammad Iqbal Malik and Zahid Ahmad Tantray for the commission of offences punishable under relevant sections of the Unlawful Activities (Prevention) Act, 1967, indicated against each at Para (6) above, arising out of FIR No. 95/2018 of Police Station, Dooru.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner (Additional Chief Secretary), Home Department.