

EXTRAORDINARY

REGD. NO. JK-33



**THE
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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Jammu, the 13th April, 2022.

SO-171.—Whereas, on 28-04-2017, a tip-off was received by Police Station, Anantnag to the effect that a group of terrorists of banned HM outfit equipped with illegal arms/ammunition entered in J&K Bank, Branch T.P, Anantnag and fired upon the Police/CRPF guard with intention to kill them and to snatch their weapons ; and

2. Whereas, upon this information, Case FIR No. 77/2017 under sections 307,392,511 IPC, 7/27 Arms Act, 20 ULA(P) Act, came to be

registered in Police Station, Anantnag and investigation of the case was taken up. Subsequently, during investigation, section 7/25 Arms Act and sections 16, 18, 23, 38, 39 ULA(P) Act were added in the case ; and

3. Whereas, during investigation, it was found that scuffle had taken place between the terrorists and security forces and during scuffle Police/ Security forces apprehended one attacker identified as Muneeb Ahmad Malla S/o Gh. Hassan Malla R/o Reshipora, Shopian and two others managed to escape from the spot alongwith the pistol of arrested accused, one ; and

4. Whereas, during the course of the investigation, site plan of the place of occurrence and seizure memos 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, two other accused were also identified as Owais Ahmad Lone S/o Mohammad Ashraf Lone R/o Hawoora, Mishpora (terrorist of HM banned outfit) and Rouf Ahmad Wagay S/o Mohammad Yousuf Wagay R/o Frisal, Kulgam. Subsequently, accused Rouf Ahmad Wagay was arrested in connection with the case and during investigation 01 Pistol with magazine and 06 rounds and other incriminatory material was recovered from his possession ; and

6. Whereas, during investigation, it was established that accused viz. Muneeb Ahmad Malla and Rouf Ahmad Wagay were working as Over Ground Workers (OGWs) for the terrorists of HM banned outfit and on the directions to terrorist Owais Ahmad Lone attacked upon the guard of J&K Bank Branch, T.P, Anantnag in order to snatch their arms/ammunition ; and

7. Whereas, accused terrorist Owais Ahmad Lone has been killed in an encounter with the security forces and proceedings under law would abate against him ; and

8. 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 :—

S.No.	Name of accused	Offence
1.	Muneeb Ahmad Malla S/o Gh. Hassan Mall R/o Reshipora, Shopian	16, 18, 23, 39 ULA(P) Act
2.	Rouf Ahmad Wagay S/o Mohammad Yousuf Wagay R/o Frisal, Kulgam.	

9. 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 accused ; and

10. 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 their prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Muneeb Ahmad Malla and Rouf Ahmad Wagay for the commission of offences punishable under sections 16, 18, 23 and 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 77/2017 of Police Station, Anantnag.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner (Additional Chief Secretary),
Home Department.