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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 Government-Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Jammu, the 15th January, 2022.

SO-18.66Whereas, on 03-10-2020, Srinagar Police, received reliable information that propagandist material is being uploaded and circulated through media in Kashmir on a website URL https// kashmirfight.wordpress.com and list of Political activists, Media persons, Public figures and posters of Lashkar-i-Islam are being uploaded on the said website with intention to create fear psychosis among them. The

2. Whereas, a Case FIR No. 82/2020 under Section 506 IPC, 13 ULA (P) Act was registered in Police Station, Kothibagh and investigation of the case was taken up. Subsequently, during investigation Sections 34,120-B, 121, 121-A, 124-A, 201, 468 IPC and 18, 20, 38, 39 ULA (P) Act were added in the case ; and

3. Whereas, during further investigation, incriminating material uploaded on the URL blog kashmirfight were seized/retrieved in the case 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, four accused persons namely Sheikh Sajad Ahmad @ Sajad Gul S/o Dr. Gh. Mohammad R/o Rose Avenue Colony, HMT, Srinagar A/P Pakistan, Tabish Akbar Rehmani S/o Mohammad Akbar R/o Arihal Pulwama A/P Madina Enclave, Rawalpora, Sanat Nagar, Mohammad Akbar Sofi S/o Ab. Rehman R/o Arihal Pulwama A/P Post Office Lane-10 Rajbagh and Peerzada Raqif Makhdoomi S/o Parvaiz Ahmad R/o Fazalhaq Colony, Batpora, Hazratbal were found involved in connection with the case ; and

5. Whereas, during investigation three accused persons Tabish Akbar, Mohammad Akbar Sofi and Peerzada Raqif Parvaiz were arrested in the case and during investigation, it was revealed that accused persons were in constant touch with some PoK based handlers including LeT PoK based terrorist Sheikh Sajad Ahmad and were using the website as an intimidating machinery and made false accusations, uploaded incriminating material and distorted facts against innocent civilians to generate targets for terrorists which led to their killings ; and

6. Whereas, on the basis of investigation, statements of witnesses recorded and other evidence collected, it was *prima facie* established that accused persons Sheikh Sajad Ahmad, Tabish Akbar Rehmani, Mohammad Akbar Sofi and Peerzada Raqif Parvaiz were involved for the commission of offences punishable under the provisions of ULA (P) Act and IPC ; and

7. Whereas, accused Sheikh Sajad Ahmad is absconding and proceedings under Section 299 Cr. PC. have been proposed to be initiated against him ; and

8. Whereas, the Government 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 above accused persons under Sections 13, 18, 20, 38 ULA (P) Act and under Section 121, 121-A, 124-A IPC ; and

9. Whereas, the Government 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 above accused persons under the aforementioned provisions of IPC ; and

10. Whereas, on further perusal 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 persons for their prosecution under the provisions of Unlawful Activities (Prevention) Act, 1967 also.

Now therefore, in exercise of powers conferred by Sub-Section 02 of Section 45 ULA (P) Act, 1967 and Section 196 Cr. PC., the Government hereby accords sanction for launching prosecution against the above accused persons for the commission of offences punishable under Sections 13, 18, 20, 38 of Unlawful Activities (Prevention) Act, 1967, and Sections 121, 121-A, 124-A IPC in the case FIR No. 82/2020 of Police Station, Kothibagh.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government, Home Department.