

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

ôôôó

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

Notification

Jammu, the 25th April, 2022.

SO-210.óóWhereas, on 09-11-2021, a tip-off was received by Police Station, Baramulla to the effect that some terrorists are hiding in the Hajibal forests. Accordingly, a joint cordon and search operation was launched by Police/Security Forces and during search, the terrorists hiding

- 2. Whereas, based on the above, case FIR No. 236/2021 under section 13 of ULA (P) Act, came to be registered in Police Station, Baramulla and investigation was taken up. Subsequently, during investigation sections 13, 18, 20 of ULA (P) Act were added in the case; and
- 3. Whereas, during 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, four persons viz. Javaid Ahmad Kanjwal S/o Ab. Ahad Kanjiwal R/o Mohalla Jalal Shaib, Baramulla, Suhail Aziz Mir S/o Ab. Aziz Mir R/o Suhail Colony, Baramulla, Owais Farooq Waza S/o Farooq Ahmad Waza R/o Mohalla Jamia, Baramulla and Imtiyaz Ahmad Dar S/o Ali Mohd Dar R/o Rakhnapora, Narpora, Shopian were found involved in the case. Subsequently, the accused were arrested in connection with the case; and
- 5. Whereas, during investigation, it was established that accused viz. Javaid Ahmad Kanjwal, Suhail Aziz Mir, Owais Farooq Waza and Imtiyaz Ahmad Dar under well knit criminal conspiracy prepared fake documents and obtained SIM cards on the documents and provided the same to the terrorists of LeT banned outfit Hilal Ahmad Sheikh S/o Ab. Hamid Sheikh R/o Sharkawara, Kreeri and Waheed Ahmad Reshi S/o Gh. Mohammad Reshi R/o Kharmoh, Kakpora to further terror activities in the area and to commit unlawful activities; and
- 6. Whereas, the terrorist Waheed Ahmad Reshi has been killed in an encounter with the security forces and proceedings under law would abate against him; and
- 7. 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

S. Name of accused Offence No.

- Javaid Ahmad Kanjwal S/o Ab. Ahad
 Kanjiwal R/o Mohalla Jalal Shaib,
 Baramulla.

 13, 18 of
 ULA (P) Act
- Suhail Aziz Mir S/o Ab. Aziz Mir R/o Suhail Colony, Baramulla.
- Owais Farooq Waza S/o Farooq Ahmad Waza R/o Mohalla Jamia, Baramulla.
- 4. Hilal Ahmad Sheikh S/o Ab. Hamid 13, 18, 20 of Sheikh R/o Sharkawara, Kreeri. ULA (P) Act
- 5. Imtiyaz Ahmad Dar S/o Ali Mohd 13, 18 of Dar R/o, Rakhnapora, Narpora, Shopian. ULA (P) Act
- 8. Whereas, accused Hilal Ahmnd Sheikh being active terrorist is absconding against whom proceedings under section 299 Cr. PC have been proposed to be initiated;
- 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 above 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 above-mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by subsection (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Javaid Ahmad Kanjwal, Suhail Aziz Mir, Owais Farooq Waza, Hilal Ahmad Sheikh and Imtiyaz Ahmad Dar for the commission of relevant offences of the Unlawful Activities (Prevention) Act, 1967, indicates against each at Para (7) above, arising out of FIR No. 236/2021 of Police Station, Baramulla.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner (Additional Chief Secretary), Home Department.