

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 13th May, 2022.

S.O.-241.ô Whereas, on 28-05-2020, at tip-off was received by Police Station, Kheerbawani, to the effect that few posters containing photographs of the terrorists has been pasted at various places at Village Tulmullah, Ganderbal, which created panic and fear psychosis amongst the public in the area; and

- 2. Whereas, based on the above, a Case FIR No. 16/2020 under section 153-A IPC, came to be registered in Police Station, Kheerbhawani and investigation was taken up. Subsequently, during investigation Section 153-A IPC was dropped and Section 13 ULA(P) Act was added in the case; and
- 3. Whereas, during investigation, the police party rushed on spot, where one accused viz. Zameer Ahmad Wagay S/o Gulzar Ahmad Wagay R/o Tulmullah, Ganderbal, while seeing the police party escaped from the spot alongwith some posters. During investigation, some posters were seized on spot. Subsequently, the accused was arrested in connection with the case; and
- 4. Whereas, during the course of investigation, the 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
- 5. Whereas, during the investigation, it was established that the accused viz. Zameer Ahmad Wagay was pasting the posters containing the photographs of terrorists on the shutters/electric poles and walls of Village Tulmullah, Ganderbal, which created panic and fear phychosis amongst the General public of the area; and
- 6. Whereas, on the basis of investigation, 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 his name of the Unlawful Activities (Prevention) Act, 1967:ô
- S. Name of the accused Offence No.
- $\hat{0} \ \hat{0} \$
- Zameer Ahmad Wagay S/o Gulzar Ahmad 13
 Wagay R/o Tulmullah, Ganderbal ULA (P) Act
- 7. 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
- 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 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 his prosecution under the provision of law.

Now, therefore, in exercise of the powers conferred by sub-section 02 of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Zameer Ahmad Wagay for the commission of offences punishable under Section 13 of Unlawful Activities (Prevention) Act, arising out of FIR No. 16/2020 of Police Station, Kheerbhawani

By order of the Government of Jammu and Kashmir.

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