

JAMMU AND KASHMIR OFFICIAL GAZETTE

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

Notification

Jammu, the 3rd January, 2022.

SO-3.ô Whereas, on 13-7-2021, Kupwara Police received a docket from 3/8 Gorkha Rifles to the effect that on a reliable intelligence input Gorkha Rifle intercepted a vehicle for checking at Army Check Post Toll and during checking Army recovered an amount of Rs. 9,77,340/- from the vehicle driven by accused identified as Waseem Akram S/o Ab. Rashid R/o Jabdi; and

- 2. Whereas, a case FIR No. 76/2021 under sections 121-A IPC, 4Money Laundering Act, came to registered in Police Station, Karnah and investigation of the case was set into motion. Subsequently, during investigation, Section 121-A IPC, 4 Money Laundering Act were dropped and Sections 13, 39, 40 ULA (P) Act,121-IPC were added in the case; and
- 3. Whereas, during the course of investigation, site plan of place of occurrence and seizure memos were prepared and statements of witnesses acquinted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during investigation, accused Waseem Akram disclosed that in the year 1997 his uncle Mumtaz Abasi S/o Mangta Abasi R/o Jabdi had crossed LoC for obtaining illegal arms and has not returned back and is presently lanching Commander of LeT outfit in Pakistan. He further disclosed that he was in constant touch with his uncle who send an amount of Rs. 10 lacs (Indian currency) to him through some unknown person which he received from Batmaloo area. The accused purchased some items out of said amount and on his way to Karnah was arrested by Army 3/8 Gorkha Rifles along with rest of amount of Rs. 9,77,340/- at Check Post; and
- 5. Whereas, during investigation, it was established that the accused Waseem Akram was in constant touch with a PoK based LeT terrorist Mumtaz Abasi and was working as Over Ground Worker (OGW) for the terrorists of said outfit, besides after receiving fund form Pakistan was distributing the same among terrorists of the outfit for carrying out the terrorist activities and to wage war against the Government of India; and
- 6. Whereas, on the basis of investigation, statements of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused person for the commission of offences punishable under section as shown against his name of Unlawful Activities (Prevention) Act and IPC:ô

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- 7. 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 a *prima facie* case is made out against the above accused person under aforemntioned provisions of IPC; and
- 8. 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 person for his prosecution under the provisions of Unlawful Activities (Prevention) Act, 1967 also.

Now, therefore, in exercise of powers conferred by Sub-Section (2) of Section 45 ULA (P) Act, 1967 and Section 196 Cr. PC., the Government hereby accord sanction for launching prosecution against the above accused person for the commission of offences punishable under Sections 13, 39, 40 of Unlawful Activities (Prevention) Act, 1967, and section 121 IPC in the case FIR No. 76/2021 of Police Station, Karnah.

By order of the Government of Jammu and Kashmir.

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Principal Secretary to the Government, Home Department.