

## THE

# JAMMU AND KASHMIR OFFICIAL GAZETTE

#### PART I—B

Jammu and Kashmir Government—Notifications.

### GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

#### Notification

Srinagar, the 26th July, 2022.

S.O.-351.ô Whereas, on 23-12-2021, the Police Station, Chadoora, received a docket to the effect that a specific information, regarding movement of some unknown terrorists in Village Mouchwa, affiliated with LeT banned outfit, laced with illegal arms/anununltlon to carry out some terrorist act. Subsequently, a Joint Cordon and Search Operation, was launched in the area and during Search Operation, two suspects while seeing the Search Party tried to escape but were chased down on the spot and identified as Imran Majeed Magray S/o Ab. Majeed Magray and Aqib

- 2. Whereas, based on the above, a Case FIR No. 208/2021 under Sections 18, 23, 38 of ULA (P) Act, was registered in the Police Station, Chadoora and the investigation of the case *was* taken up. Subsequently during the investigation Section 38 of ULA (P) Act was dropped and Section 39 of ULA (P) Act was added in the case; and
- 3. Whereas, during the course of investigation, the site plan of the place of occurrence and the seizure memos were prepared and the statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during the investigation, the accused viz. Imran Majeed Magray and Aqib Amin Rather, were found in contact with two Pakistani based terrorists of JeM banned outfit, namely Saifullah Daniyal and Mehmood Bhai @ Kashif Bhai @ Abu Rehan Rø/o Pakistan, who provided the arms/ammunition to the accused for carrying out the unlawful activities in the area; and
- 5. Whereas, during the investigation, it was established that the accused viz. Imran Majeed Magray and Aqib Amin Rather, were working as Over Ground Workers (OGWs) for the terrorists of JeM banned outfit particularly terrorists namely, Saifullah Daniyal and Mehmood Bhai @ Kashif Bhai @ Abu Rehan R/o Pakistan and were providing logistic support to them besides, under a well knit criminal conspiracy were facilitating the transportation of arms and ammunition for the above terrorists from one place to anotherfor carrying out the terrorists activities in the area; and
- 6. Whereas, the accused terrorists namely Saifullah Daniyal and Mehmood Bhai @ Kashif Bhai @ Abu Rehan R/o Pakistan were already killed in the different encounters with the Security Forces, due to which were not arraigned as accused in the instant case; and

7. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidences collected, the Investigating Officer, has established *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

- 2. Aqib Amin Rather S/o Mohd Amin Rather R/o Mouchwa, Chadoora.
- 8. Whereas, the Authority, appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1667, 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; and
- 9. 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 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. Imran Majeed Magray and Aqib Amin Rather, for the commission of offences punishable under Section 18, 23 and 39 of ULA (P) Act, arising out of FIR No. 208/2021 of Police Station, Chadoora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.