

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATO HOME DEPARTMENT

Notification

Jammu, the 28th January, 2022.

SO641.ô Whereas, on 09-8-2021, Poonch Police received reliable information that two persons Mohammad Alyas S/o Noor Mohammad and Mohammad Shakeel S/o Mohammad Munshi Gujjar Rs/oKanga Behrooti after developing contacts with Pakistan based agency ISI had kept illegal arms/ammunition/ narcotics and huge money in their residential house with a criminal intention to disturb the peace and public

- 2. Whereas, a Case FIR No. 305/2021 120-B, 212,216, 121, 122, 123 IPS, 17,18, 19, 20, 21, 40 ULA (P) Act came to be registered in Police Station Mendhar and investigation of the case was taken up.Subsequently, during investigation Sections 212, 216 IPS, 19,21 ULA(P) Act were dropped from the case; and
- 3. Whereas, during investigation, both the accused persons Mohammad Alyas and Mohammad Shakeel were arrested in connection with the case and during their questioning Police recovered an amount of Rs. 6,05,000/- and Rs. 19,76,500/- with 08 Posters of Jammu Kashmir Ganznavi Force (JKGF) outfit respectively from their residential houses which were concealed by them after procuring from two PoK based LeT handlers namely Mohammad Ismail S/o Sahib Din Gujjar and Mohammad Razak Rø/O Kanga Behrooti A/P Nakyal Pakistan while their meeting near the LoC with the above terrorists; and
- 4. Whereas, during investigation, five other accused persons Mohammad Parvaiz S/o Qudrat Ullah R/o Dharati Mohammad Parvaiz S/o Mohammad Sagheer R/o Chapperdhara, Mohammad Rehman S/o Maqbool Hussain R/o Dabrote Mangakote, Rashad Ali S/o Mohammad Rashid R/o Gorsai and Mohammad Farooq S/o Talib Hussain R/o Kotian Mendhar were found involved in the case. Subsequently, all the above accused persons were arrested in connection with the case and during investigation, an amount of Rs. 96,130/- along with 53 posters of JKGF outfit were recovered from their possession; and
- 5. Whereas, during the course of investigation, seizure memos of recovered amount were prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 6. Whereas, during further investigation, it was established that the above accused persons were in constant touch with above two PoK based LeT handlers Mohammad Ismail and Mohammad Razak and under well knit criminal conspiracy were trying to revive terrorism in the area by creating a new gang/organization having name and style Jammu Kashmir Gaznavi Force (JKGF) in District Poonch with a use of hefty amount received from PoK banned handler for carrying out

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 persons for the commission of offences punishable under Sections as shown against each of Unlawful Activities (Prevention) Act and IPC:ô

- Mohammad Alyas S/o Noor Mohammad 17, 18, 20, 40
 R/o Kanga Behrooti Balakote. ULA(P) Act
- Mohammad Shankeel S/o Mohammad 121,122,123
 Munshi Gujajr R/o Kanga Behrooti IPC
 Balakote
- 3. Mohammad Parvaiz S/o Qudrat Ullah R/o Dharati
- 4. Mohammad Parvaiz S/o Mohammad Sagheer R/o Chapperdhara.
- Mohammad Rehman S/o Maqbool Hussain R/o Dabrote Mangakote.
- 6. Rashad Ali S/o Mohammad Rashid R/o Gorsai.
- Mohammad Farooq S/o Talib Hussain R/o Kotian Mendhar.
- Mohammad Ismail S/o Sahib Din Gujjar R/o Kanga Behrooti A/P Nakyal Pakistan.
- Mohammad Razak S/o unknown R/o Kanga Behrooti A/P Nakyal Pakistan.
- 8. Whereas, accused persons Mohammad Ismail and Mohammad Razak being active terrorists are absconding against whom proceedings under Section 299 Cr.Pc. have been proposed to be initiated; and

- 9. Where, 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 persons under the aforementioned provisions of IPS; and
- 10. Whereas, on further perusal of 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;

Now therefore, in exercise of powers conferred by Sub-Section 02 of Section 45 ULA (P) Act 1967, the Government hereby accord sanction for launching prosecution against the accused persons for the commission of offences punishable under Sections 17, 18, 20, 40 of Unlawful Activities (Prevention) Act, 1967 and Sections 121, 122, 123 IPS in the case FIR No. 305/2021 of Police Station, Mendhar Poonch.

By order of the Government of Jammu and Kashmir.

(2)	Sd.)
Principal Secretary	to the Government,
	Home Department