

## 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 6th September, 2022.

S.O.-428.ô Whereas, on 11-03-2022, the Police Station, Pulwama, received a docket to the effect that an information was received regarding presence of some unknown terrorists in Village Wahibugh. Subsequently, a Joint Codon and Search Operation was launched in the area. During the search, one person while seeing the Search Party tried to fire upon the party but was chased down on the spot and identified as Rouf Ahmad Mir S/o Mohammad Yousuf Mir R/o Khalsa, Parigam. During his personal search, the Police recovered 01 Pistol with 02 Magazines, 26 rounds and 03 hand grenades from his possession; and

2. Whereas, based on the above, a Case FIR No. 51/2022 under sections 307 IPC, 7/25 Arms Act, 18 and 23 of ULA (P) Act, was registered in the Police Station, Pulwama, and the investigation of the

- 3. Whereas, during the course of investigation, the site plan of the place of occurence 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. Rouf Ahmad Mir, was found in contact with three persons namely, Rayees Ahmad Sheikh S/o Gh. Nabi Sheikh R/o Khanpora, Newa, Yawer Ahmad Ganie S/o Ab. Rashid Ganie R/o Gudoora, Pulwama and Naseer Ahmad Malik @ Molvi S/o Ab. Hamid Malik R/o Wasoora. Subsequently, all the three accused were arrested in the case; and
- 5. Whereas, during the further investigation, two more persons namely, Imtiyaz Ahmad Rather S/o Mohammad Shaban Rather R/o Chewa, Kallan and Bilal Ahmad Sherjogri S/o Ab. Salam Sherjogri R/o Zadoora, were found in contact with the accused viz. Rouf Ahmad Mir and another terrorist of the JeM banned outfit namely Aqib Mushtaq Bhat S/o Mushtaq Ahmad Bhat R/o Karimabad. Subsequently, both the accused viz. Imtiyaz Ahmad Rather and Bilal Ahmad Sherjogri were also arrested in the case; and
- 6. Whereas, during the investigation, it was established that the accused viz. Rouf Ahmad Mir and Aqib Mushtaq Bhat, were members of JeM banned outfit and the other accused namely, Rayees Ahmad Sheikh, Yawer Ahmad Ganie, Naseer Ahmad Malik, Imtiyaz Ahmad Rather and Bilal Ahmad Sherjogri, were working as Over Ground Workers (OGWs) for the terrorists of JeM banned outfit particularly terrorists namely Rouf Ahmad Mir and Aqib Mushtaq Bhat, and were providing logistic support to them, besides, under a well knit criminal conspiracy were facilitating the terrorists for transportation of their arms/ammunition from one place to another for carrying out the terrorist activities in the area; and
- 7. Whereas, the accused terrorist namely Aqib Mushtaq Bhat, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him; and

- 8. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established a *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
- S. Name of accused Offence No.
- $\hat{0} \ \hat{0} \$ 
  - 1. Rouf Ahmad Mir S/o Mohammad 18, 20, 23 of Yousuf Mir R/o Khalsa, Parigam. ULA (P) Act
- 2. Rayees Ahmad Sheikh S/o Gh. Nabi Sheikh R/o Khanpora, Nowa.
- 3. Yawer Rashid Ganie S/o Ab. Rashid 18, 39 of Ganie R/o Gudoora, Pulwama. ULA (P) Act
- 4. Naseer Ahmad Malik @ Molvi S/o Ab. Hamid Malik R/o Wasoora.
- 5. Imtiyaz Ahmad Rather S/o Mohammad Shaban Rather R/o Chewa, Kallan.
- 6. Bilal Ahmad Sherjogri S/o Ab. Salam Sherjogri R/o Zadora.
- 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.

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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. Rouf Ahmad Mir, Rayees Ahmad Sheikh, Yawer Rashid Ganie, Naseer Ahmad Malik @ Molvi, Imtiyaz Ahmad Rather and Bilal Ahmad Sherjogri, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against each Para (8) above, arising out of FIR No. 51/2022 of Police Station, Pulwama.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.