

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATô HOME DEPARTMENT

Notification

Jammu, the 29th January, 2022.

S.O.-43.ô Whereas, on 07-8-2021, Pulwama Police received reliable information that two persons Mohammad Shafi Sheikh S/o Bashir Ahmad and Sunail Yousuf S/o Mohammad Yousuf R α /o Sathergund were working as OGWs for terrorists active in the area and were providing logistic support and information about the movement of security forces to terrorists for carrying out the terrorist activities in the area ; and

2 The J&K Official Gazette, 29th Jan., 2022/9th Magha, 1943. [No. 44-i 2. Whereas, a case FIR No. 105/2021 under Sections 13, 39 ULA

(P) Act, came to be registered in Police Station, Kakapora and investigation of the case was taken up. Subsequently, During investigation Section 13 ULA (P) Act was dropped and Sections 18, 20, 23 ULA (P) Act were added in the case ; and

3. Whereas, during investigation, both the above accused persons were arrested in connection with the case and during questioing accused disclosed that they were in constant touch with active terrorist of LeT outfit Rayaz Ahmad Dar S/o Ab. Aziz R/o Sathergund and were working for him who provided some ammunition to the accused persons for carying out the terrorist activities in the area. Subsequently, 20 AK rounds were recovered on the disclosure of both the accused persons; and

4. Whereas, during investigation, it was established that the accused Rayaz Ahmad Dar is member of LeT outfit and accused persons Mohammad Shafi Sheikh and Sunail Yousuf were working as Over Ground Workers (OGWs) for the above terrorist and under well knit criminal conpiracy were providing shelter/logistic support to him, besides were providing information about the movement of secuirty forces for carrying out the terrorist activities in the area ; and

5. Whereas, on the basic of investigation, statements of witnesses recored and other evidence collected, the Investigating Officer has established prima facie involvement of the below mentioned accused persons for the commission of offences punishable under section as shown against each of Unlawful Activities (Prevention) Act, 1967:ô

S. No. Name of accused Offence $\hat{0} \ \hat{0} \$ 1 Mohammad Shafi Sheikh S/o Bashir 18, 23, 39 Ahmad Sheikh R/o Sathergund, Kakapora ULA(P) Act 2. Sunail Yousuf S/o Mohammad Yousuf Sheikh R/o Sathergund, Kakapora 18,20 3. Revaz Ahmad Dar S/o Ab. Aziz Dar ULA (P) Act.

6. Whereas, accused Reyaz Ahmad Dar being active terrorist is absconding against whom proceeding under Section 299 Cr. PC. has been proposed to be initiated ; and

R/o Sathergund, Kakapora.

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 a *prima facie* case is made out against the accused persons ; 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 Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the accused persons for their prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by Sub-Section (2) 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 18, 20, 23, 39 of Unlawful Activities (Prevention) Act, 1967, in the case FIR No. 105/2021 of Police Station, Kakapora.

By order of the Government of Jammu and Kashmir.

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