

EXTRAORDINARY

REGD. NO. JK6633



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Separate paging is given to this part in order that it may be filed
as a separate compilation.

PART I—B

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT & HOME DEPARTMENT

Notification

Jammu, the 2nd February, 2022.

S.O.-45. Whereas, on 15-6-2020, Pulwama Police received reliable information that one Sheikh Rouf S/o Gh. Qadir Sheikh R/o Wasoorra who went missing from his home on 27-05-2020 had joined the HM banned outfit to harm the unity and integrity of India ; and

2. Whereas, a Case FIR No. 50/2020 Under Sections 13, 16, 18, 20 ULA (P) Act, came to be registered in Police Station Litter and investigation was set into motion. Subsequently, during investigation

2 The J&K Official Gazette, 2nd Feb., 2022/13th Magha, 1943. [No. 44k
sections 13, 16, 18, ULA (P) Act were dropped and section 38 ULA
(P) Act was added in the case ; and

3. Whereas, during investigation, statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

4. Whereas, during investigation, accused Sheikh Rouf was arrested by security forces during an encounter on 29-01-2021 at Lelhar Kakapora alongwith arms/ammunition for which case FIR No. 05/2021 stands registered in Police Station Kakapora. Accordingly, his custody was changed in this case and during investigation, it was established that the accused Sheikh Rouf went missing from his home since 27-05-2020 and joined the HM banned outfit to harm the integrity and sovereignty of the nation ; and

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

S. No.	Name of accused	Offence
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1	Sheikh Ab. Rouf S/o Gh.Qadir Sheikh R/o Wasoora.	20, 38 ULA(P) Act

6. Whereas, the Authority appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act,1967 has indepently 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 ; and

7. 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 his prosecution under the provisions of law.

Now therefore, in exercise of 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 above mentioned accused for the commission of offences punishable Under Sections 20, 38, ULA (P) Act, in the case FIR No. 50/2020 of Police Station, Litter.

(Sd.)

Principal Secretary to the Government,
Home Department.