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## JAMMU AND KASHMIR OFFICIAL GAZETTE

## PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT, J&K

## Notification

Srinagar, the 6th October, 2022.

SO-475.66Whereas, on 18-05-2022, the Police Station, CIK, Kashmir, received a reliable information that one Zulafkar Ali Khatana S/o Mohammad Altaf Khatana R/o Kachawan, Kathnadi, Laroo, Kokernag, serving as Constable in 171/Bn of Central Reserve Police Force (CRPF),

- 2. Whereas, based on the above, a Case FIR No. 11/2022 under Sections 18, 38, 39 of ULA (P) Act, 121, 121-A IPC, 3 Official Secrets Act, 3 Enemy Agent Ordinance and Sections 7(a) 7(b) of Prevention of Corruption Act, was registered in Police Station, CIK (SIA), Kashmir and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 13 of ULA (P) Act was added and Sections 7(a) 7(b) of PC Act, was dropped from the case; and
- 3. Whereas, during the investigation, the accused viz. Zulafkar Ali Khatana, was arrested in the case and it was found that the accused was in contact with PoK based ISI agents/terrorists of JeM/LeT banned outfit namely @ Yousuf Bloach @ Zarar @ Qari Maviah @ Hafiz and @ Aziz Bhai, through the social media, who motivated the accused to work for them. The accused on the directions of these PoK based terrorists shared photographs of vital installation, IAF base Pathankot, Chhabua, Dibrugarh, Grid references of some Army Camps in Valley, video of convoy movement, restricted/confidential documents, sketches, Artillery positions in Gulmarg, names/pictures of J&K/Security personnel, Photos of Baltal and Zojila passes and copies of intelligence inputs which he had received by virtue of his duties as intelligence official, with the above terrorists; and
- 4. Whereas, during the course of investigation, the seizure memos were prepared and statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 5. Whereas, during investigation, it was established that the accused Zulafkar Ali Khatana, was associated with the terrorists of JeM/LeT banned outfit namely Yousuf Bloach @ Zarar, Aziz Bhai and Qari Maviah @ Hafiz, and was providing logistic support to them, besides, under a well knit criminal conspiracy shared vital information with the above terrorists/ISI agents, for carrying out the terrorist activities and to wage war against the Union of India; and

- 6. 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 for the commission of offences punishable under section as shown against his name of Unlawful Activities (Prevention) Act, 1967 and IPC:ô
- S. Name of the accused Offence No.

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- Zulafkar Ali Khatana S/o Mohammad Altaf Khatana R/o Kachawan, Kathnadi, Laroo, Kokernag.
- 13, 18, 38, 39 of ULA (P) Act, 121, 121-A IPC.
- 7. 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 *a prima facie* case is made out against the above accused; 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 above-mentioned accused for his prosecution under the provisions of law; and
- 9. Whereas, 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 under the aforementioned provision of the Indian Penal Code (IPC).

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 the Unlawful Activities (Prevention) Act, 1967, and Section 196 of the Code of Criminal Procedure, 1973, the Government hereby accord sanction for launching prosecution against the accused viz. Zulafkar Ali Khatana, for the commission of offences

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.