

REGD. NO. JKô 33



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### Jammu and Kashmir Government—Notifications.

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

Srinagar, the 6th October, 2022.

SO-479.66Whereas, on 11-04-2022, the Police Station, Bomai received a docket to the effect that a reliable information was received about the movement of some unknown terrorists in the area. Subsequently, a Joint Naka was established at Sonwani, Wadoora Bla Bridge. During the checking, three persons while seeing the Naka Party tried to escape but were chased down on the spot and identified as Ovais Hassan S/o Ghulam Hassan, Tufail Majeed @ Jahangir S/o Abdul Majeed Mir

2 The J&K Official Gazette, 6th Oct., 2022/14th Asv., 1944. [No. 27-k  
Rs/o Brath Kalan, Sopore and Shabir Ahmad Wagay S/o Nazir Ahmad  
Wagay R/o Pethbugh, Warpora. During their personal search, the Police  
recovered 03 Pistols, 03 Magazines, 22 Rounds, 01 hand grenade and  
an amount of Rs. 79,800/- from their possession respectively ; and

2. Whereas, based on the above, a Case FIR No. 16/2022 under  
Sections 7/25 Arms Act, 18, 23, 38 of ULA (P) Act was registered in  
Police Station, Bomai and the investigation of the case was set into  
motion. Subsequently, during the investigation Sections 18-B, 20 & 40  
of the ULA (P) Act were added in the case ; and

3. Whereas, during the course of investigation, the site plan of place  
of occurrence and 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. Ovais Hassan,  
Tufail Majeed @ Jehangir and Shabir Ahmad Wagay, were found in  
contact with a terrorist of LeT banned outfit namely Muhammad Rafi  
Lone S/o Ghulam Muhammad Lone R/o Nathipora, Bomai, who  
motivated the accused to work for the outfit and provided the arms/  
ammunition and cash in order to promote terrorist activities in the  
area ; and

5. Whereas, during the investigation, it was established that the  
accused viz. Ovais Hassan, Tufail Majeed @ Jehangir and Shabir Ahmad  
Wagay, were associated with the terrorist organization of LeT banned  
outfit and under a well knit criminal conspiracy procured arms/  
ammunition from the terrorist viz. Muhammad Rafi Lone, besides, were  
raising funds for the terrorists, for carrying out the terrorist activities  
in the area ; and

7. Whereas, the accused terrorist viz. Muhammad Rafi Lone, 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 *prima facie* involvement of the below mentioned accused  
for the commission of offences punishable under sections of the Unlawful

No. 27-k] The J&K Official Gazette, 6th Oct., 2022/14th Asv., 1944. 3  
Activities (Prevention) Act, 1967, as shown against their name :ô

S. No.	Name of the accused	Offences
1.	Ovais Hassan S/o Ghulam Hassan Mir R/o Brath Kalan, Sopore.	18, 23, 38, 40 of ULA (P) Act.
2.	Tufail Majeed @ Jahangir S/o Abdul Majeed Mir R/o Brath Kalan, Sopore.	
3.	Shabir Ahmad Wagay S/o Nazir Ahmad Wagay R/o Pethbugh, Warpora.	

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 a *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.

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. Ovais Hassan, Tufail Majeed @ Jahangir and Shabir Ahmad Wagay, for the commission of offences punishable under Sections 18, 23, 38 and 40 of ULA (P) Act, arising out of FIR No. 16/2022 of Police Station, Bomai.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/  
Additional Chief Secretary.