

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

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

PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Srinagar, the 18th October, 2022.

S.O.-529.ô Whereas, on 08-05-2020, the Police Station, Chadoora, received a docket to the effect that on reliable information about the movement of some unknown terrorists in the area, a Joint Naka was established by the Police/Security Forces at Kilkadal, Chadoora. During the Naka, Police intercepted a vehicle for checking and during the personel checking of driver and his accomplice, who were identified as Mohammad Lateef Koka S/o Gh. Rasool Koka R/o Zenipora and Younus Manzoor Waza S/o Manzoor Ahmad Waza R/o Wathoora, the Police recovered 20 posters of JeM banned outfit and an amount of Rs. 42000/from their possession respectively; and

- 2. Whereas, based on the above, a case FIR No. 71/2020 under Sections 18, 20, 38 of ULA (P) Act, was registered in the Police Station, Chadoora and the investigation, of the case was taken up Subsequently, during the investigation, the Sections 18, 20 and 38 of ULA (P) Act were dropped and Sections 13 and 39 of ULA (P) Act were added in the case; and
- 3. Whereas, during the course of investigation, the site plan of place of occurrence and the seizure memos were prepared and the statement 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. Mohammad Lateef Koka and Younus Manzoor Waza, were found in contact with the terrorist of JeM based outfit namely Mushtaq Ahmad @ RK R/o Sheikhpora, Wathoora, who directed both the accused to collect some incriminatory material from another terrorist of the outfit namely Javaid Ahmad @ Khama R/o Wanpora, for further distribution among the other terrorists of the outfit; and
- 5. Whereas, during the investigation, it was established that the accused viz. Mohammad Lateef Koka and Younus Manzoor Waza, were working as Over Ground Workers (OGWs) for the terrorists of JeM banned outfit particularly the terrorist viz. Mushtaq Ahmad @ RK and were providing logistic support to them for carrying out the terrorist activities in the area; and
- 6. 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 Activities (Prevention) Act, 1967, as showns against their name :ô
- - 2. Younus Manzoor Waza S/o Manzoor Ahmad Waza R/o Wathoora.

- 7. Whereas, the accused namely Younus Manzoor Waza, has been found juvenile during the investigation and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detension, prosecution, penalty or imprisonment shall be governed by the said Act; and
- 8. 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 relevent documents relating to the case and has come to the conclusion that *a prima facie* case is made out against the above accused; and
- 9. 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 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. Mohammad Lateef Koka, for the commission of offences punishable under Sections 13 and 39 of ULA (P) Act, arising out of FIR No. 71/2020 of Police Station, Chadoora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.