

### THE

## JAMMU AND KASHMIR OFFICIAL GAZETTE

### PART I—B

Jammu and Kashmir Government-Notifications.

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

### Notification

Srinagar, the 21st October, 2022.

SO-543.ô Whereas, on 02-05-2022, the Police Station, Ganderbal received a docket to the effect that on a reliable information a Joint Naka was established by the Police/Security Forces at Rabitar near bridge and during the checking, the Naka Party intercepted a vehicle (Scorpio) for checking. The driver of the vehicle tried to escape but was chased down on the spot and identified as Lateef Ahmad Kambay S/o Gh. Mohammad Kambay R/o Wakura, Ganderbal. During the checking the Police recovered 01 AK-47 Magazine and 47 Rounds from the possession of the accused; and

- 2. Whereas, based on the above, a Case FIR No. 110/2022 under Sections 353 IPC, 7/25 Arms Act, 13, 38 and 39 of ULA (P) Act, came to be registered in the Police Station, Ganderbal and the investigation of the case was taken up. Subsequently, during the investigation, The Section 353 IPC was dropped and the Sections 18 and 23 of ULA (P) Act and Section 207 M. V. Act, were added in the case; and
- 3. Whereas, during the investigation, the site plan of place of occurrence and the seizure memos of recovered arms/ammunition 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. Lateef Ahmad Kambay was found in contact with two terrorists of LeT banned outfit namely Adil Parray S/o Habibullah Parray R/o Baderkund, Ganderbal and Lateef Ahmad Rather S/o Habibullah Rather R/o Budgam, who provided 02 Magazines with ammunition to the accused for further transportation of the same to Maternity Hospital, Soura. Subsequently, during the investigation, 01 Magazine and 35 Rounds were also recovered at the instances of the accused viz. Lateef Ahmad Kambay; and
- 5. Whereas, during the further investigation, it was established that the accused viz. Lateef Ahmad Kambay, was working as Over Ground Worker (OGW) for the terrorists of LeT banned outfit particularly the terrorists namely Adil Parray and Lateef Ahmad Rather, and under a well knit criminal conspiracy procured ammunition from them for carrying out the terrorist activities in the area; and
- 6. Whereas, the accused terrorists namely, Adil Parray and Lateef Ahmad Rather, have been killed in the different encounters with the Security Forces and the proceedings under the law would abate against them; and
- 7. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has establihed, *prima facie*, involvement of below mentioned accused in the commission of the offence punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against his name :ô
- - Kambay R/o Ganie Mohalla, Wakoora, ULA (P) Act.

#### Ganderbal.

- 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 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
- 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. Lateef Ahmad Kambay, for the commission of offences punishable under Sections 13, 18, 23 and 39 of ULA (P) Act, arising out of FIR No. 110/2022 of Police Station, Ganderbal.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.