THE
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

Notification

Srinagar, the 21st October, 2022.

S.O.-544.ô Whereas, on 05-05-2022, the Police Station, Kokernag received a docket to the effect that on a reliable information a Joint Naka was established by the Police/Security Forces at Padshahi Maidan, and during the checking a person while seeing the Naka Party tried to escape but was chased down on the spot and identified as Mohd Ishaq Shergujri S/o Abdul Ahad Shergujri R/o Nowgam, Verinag. During his personal search, the Police recovered 01 Pistol with magazine, 08 rounds and 01 Hand Grenade from his possession ; and

2. Whereas, based on the above, a Case FIR No. 76/2022 under Sections 7/25 Arms Act, 18, 20 and 38 of ULA (P) Act, came to be registered in the Police Station, Kokernag and the investigation of the case was taken up. Subsequently, during the investigation, Sections 23 and 39 of ULA (P) 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 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, one more person identified as Ishtiyaq Ahmad Malik S/o Gh. Rasool Malik R/o Shutroo, Larnoo, was found involved in the case.   Subsequently, the accused was arrested and it was found that the accused was working for the terrorists of HM banned outfit in order to promote terrorist activities in the area ; and

5. Whereas, during the investigation, it was established that the accused viz. Mohd Ishaq Shergujri, was member of HM banned outfit and the other accused viz. Ishtiyaq Ahmad Malik, was working as Over Ground Worker (OGW) for the terrorists of HM banned outfit particularly the terrorist viz. Mohd Ishaq Shergujri, and under a well knit criminal conspiracy was providing logistic support to the terrorists for carrying out the terrorist activities in the area ; and

6. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established, *prima facie,* involvement of below mentioned accused in the commission of the offence punishable under sections of Unlawful Activities (Prevention) Act, 1967, as shown against their names :ô

S. No.	Name of the accused	Offence
1.	Mohd Ishaq Shergujri S/o Abdul Ahad Shergujri R/o Nowgam, Verinag.	18, 20, 23, 38 of ULA (P) Act.
2.	Ishtiyaq Ahmad Malik S/o Gh. Rasool Malik R/o Shutroo, Larnoo.	18, 39 of ULA (P) Act.

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 Governement 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. Mohd Ishaq Shergujri and Ishtiyaq Ahmad Malik, for the commission of offences punishable under the relevant sections of ULA (P) Act, as indicating against each accused at Para (6) above, arising out FIR No. 76/2022 of Police Station, Kokernag.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.