

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

separate compilation.

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 29th October, 2022.

SO-558.66Whereas, on 04-04-2017, the Police Station, Uri received a docket to the effect that an information was received regarding smuggling of arms/ammunition within the jurisdiction of Police Station, Uri. Subsequently, a Joint Naka was established by the Police/Security Forces at Madiyan, Kamalkote, and during the checking, three persons while seeing the Naka Party tried to escape but were chased down on 2. Whereas, based on the above, a Case FIR No. 15/2017 under Section 7/25 Arms Act, 120-B RPC, 18 and 18-B of ULA (P) Act, was registered in Police Station, Uri and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 18-B of ULA (P) Act was dropped and the Sections 23 and 39 of ULA (P) Act were added in the case ; and

3. Whereas, during the course of investigation, the site plan of the place of occurrence and 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, it was established that the accused viz. Hadaytullah Sheikh, Mohammad Latief Sheikh and Mohamamd Rafiq Jinjua, were working as Over Ground Workers (OGWs) for the terrorists and were providing logistic support to them, besides, under a well knit criminal conspiracy were facilitating the transportation of their arms/ammunition from one place to another for carrying out the terrorist activities in the area ; and

5. Whereas, the accused viz. Hadaytullah Sheikh, has expired and the proceedings under the law would abate against him ; 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 offences punishable under section of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

2. Mohammad Rafiq Jinjua S/o Aalam-Din Jinjua R/o Madiyan, Kamalkote.

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 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. Mohammad Latief Sheikh and Mohamamd Rafiq Jinjua, for the commission of offences punishable under Sections 18, 23 and 39 of ULA (P) Act, arising out of FIR No. 15/2017 of Police Station, Uri.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.