

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

Jammu, the 10th November, 2022.

S.O.-586.ô Whereas, on 20-04-2018, the Police Station, Dooru received a docket to the effect that a person identified as Zubair Ahmad Wani S/o Mohd Afzal Wani R/o Ara, Dehruna, Dooru, went missing from his home on 19-04-2018, and joined the terrorist ranks of HM banned outfit for carrying out the terrorist activities in the area; and

- 2 The J&K Official Gazette, 10th Nov., 2022/19th Kart., 1944. [No. 32-a
- 2. Whereas, based on the above, a Case FIR No. 34/2018 under Section 38 of ULA (P) Act, was registered in Police Station, Dooru and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 39 of ULA (P) Act was 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, two other persons namely, Ashiq Hussain Malik S/o Ab. Gani Malik and Manzoor Ahmad Malik S/o Ab. Gani Malik Rs/o Gundnawrooz, Dooru, were found involved in the case. Subsequently, both the accused were arrested and were found in contact with the terrorists of HM banned outfit in order to promote terrorist activities in the area; and
- 5. Whereas, during investigation, it was established that the accused viz. Zubair Ahmad Wani, was a member of HM banned outfit and the other accused namely Ashiq Hussain Malik and Manzoor Ahmad Malik, were working as Over Ground Workers (OGWs) for the terrorists of HM banned outfit particularly the terrorist viz. Zubair Ahmad Wani, and were providing logistic support to him, 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 offences punishable under section of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

S.No. Name of accused person Offence $\hat{0}$ $\hat{0}$

- Zubair Ahmad Wani S/o Mohd Afzal 38 of ULA (P) Act. Wani R/o Ara, Dehruna, Dooru.
- 2. Ashiq Hussain Malik S/o Ab. Gani Malik 39 of ULA (P) Act. R/o Gundnawrooz, Dooru.
- 3. Manzoor Ahmad Malik S/o Ab. Gani Malik R/o Gundnawrooz, Dooru.

- 7. Wheeas, the accused viz. Zubair Ahmad Wani, being the active terrorist is absconding and the proceedings under Section 299 Cr. PC have been proposed to be initiated against him; 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 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 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. Zubair Ahmad Wani, Ashiq Hussain Malik and Manzoor Ahmad Malik, for the commission of offences punishable under the relevant sections of ULA (P) Act, as indicated against each at Para (6) above, arising out of FIR No. 34/2018 of Police Station, Dooru.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.