

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I-B

Jammu and Kashmir Governmnt-Notification

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 14th February, 2022.

S.O.-62.ô Whereas, on 19-08-2021, Anantnag Police during joint naka checking at Darkhan intercepted one suspect for checking who tried to escape but was chased down on spot and identified as Sajad Ahmad Wagay S/o Muzaffar Ahmad Wagay R/o Sirhama Sriguwara. During his personal search, Police recovered 01 Pistol, 01 Pistol Magazine and 03 Pistol rounds from his possession; and

- 2. Whereas, a case FIR No. 73/2021 under Sections 7/25 Arms Act, 13 Unlawful Activities (Prevention) Act 1967, came to be registered in Police Station Srigufwara and investigation of the case was set into motion. Subsequently, during investigation Sections 20, 23, 39 ULA (P) Act were added in the case; and
- 3. Whereas, during the course of investigation, site plan of place of occurrence and seizure memos were prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during investigation, accused Sajad Ahmad Wagay disclosed that he was in constant touch with one active terrorist of Lashkar-Mustufa (off shoot of LeT outfit) namely Zahid Amin Rather S/o Mohammad Amin Rather R/o Sirhama who provided the said pistol with ammnition to the accused for carrying out the subversive activities in the area; and
- 5. Whereas, during further investigation, it was established that the accused Zahid Amin Rather was member of Lashkar-Mustufa outfit and accused Sajad Ahmad Wagay was working as Over Ground Worker (OGW) for the said terrorist and was providing shelter/logistic support to him for carrying out the terrorist activities in the area, besides was facilitating the said terrorist for transportation of arms/ammunition from one place to another; and
- 6. Whereas, accused terrorist Zahid Amin Rather has been killed in an encounter and proceedings under law shall abate against him; and
- 7. Whereas, on the basis of investigation, statements of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused person for the commission of offences punishable under sections as shown against his name of Unlawful Activities (Prevention) Act, 1967:ô
- - Sajad Ahmad Wagay S/o Muzaffar Ahmad 13, 23, 39
 Wagay R/o Sirhama Srigufwara. ULA(P) Act

No. 46-d] The J&K Official Gazette, 14th Feb., 2022/25th Magha, 1943. 3

- 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 person; 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 accused person for his prosecution under the provisions of Unlawful Activities (Prevention) Act, 1967.

Now, therefore, in exercise of powers conferred by Sub-Section (2) of Section 45 of Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the above mentioned accused person for the commission of offences punishable under Sections 13, 23, 39 ULA (P) Act, 1967, in the case FIR No. 73/2021 of Police Station, Srigufwara..

By order of the Government of Jammu and Kashmir.

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Principal Secretary to the Government, Home Department.