



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

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Separate paging is given to this part in order that it may be filed
as a separate compilation.

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PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Jammu, the 10th December, 2022.

SO—670.— Whereas, on 30-06-2022, the Police Station, Sadder, received a docket to the effect that a Joint Naka was established by the Police/Security Forces at Sanat Nagar Chowk, Srinagar and during the checking a person while seeing the Naka Party tried to escape but was chased down on the spot and identified as Naveed Shafi Wani S/o Mohammad Shafi Wani R/o Shar-i-Shali, Khrew. During his personal

search, the Police recovered 01 Pistol with Magazine and 11 Rounds from his possession ; and

2. Whereas, based on the above, a case FIR No. 71/2022 under Sections 7/25 Arms Act, 23 and 38 of ULA (P) Act, was registered in the Police Station, Sadder and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 18, 20, 39 and 40 of ULA (P) Act were added in the case ; and

3. Whereas, during the investigation the site plan of the place of occurrence and the seizure memos were prepared and the statements of the 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. Naveed Shafi Wani and two other persons namely, Faizan Rashid Teli S/o Ab. Rashid Teli R/o Kadlabal, Pampore and Mudasir Ahmad Malla S/o Gh. Mohammad Malla R/o Bandzoo, Pulwama, were found in contact with two Terrorists of HM banned outfit namely Lateef Ahmad Rather @ Tiger @ Zakaria Ismail S/o Late Habibullah Rather R/o Badipora, Chadoora and Irfan Malik S/o Gh. Rasool Malik R/o Arabal, Nikas, Pulwama, who provided the Arms/Ammunition to the accused in order to promote Terrorist Activities in the area. The accused Faizan Rashid Teli was arrested in the case and the accused Mudasir Ahmad Malla, was already arrested by Pulwama Police in case FIR No. 65/2022 of Police Station Litter. Subsequently, his custody was changed in the instant case. During investigation, 02 Pistols with Magazines, 01 Grenade, 01 Pistol 30 Bore with 03 Magazines and 08 Detonators were also recovered at the instances of accused viz. Naveed Shafi Wani and Faizan Rashid Teli, respectively ; and

5. Whereas, during the investigation, it was found that the accused viz. Mudasir Ahmad Malla, received an amount of Rs. 1,22000/- fom the Terrorist namely Irfan Ahmad Malik and on his directions transferred an amount of Rs. 1,20000/- in the account of accused viz. Naveed Shafi Wani, for further distribution among the other Terrorists of the said outfit ; and

6. Whereas, during the investigation it was established that the accused viz. Naveed Shafi Wani, Faizan Rashid Teli and Mudasir Amad Malla, were working as Over Ground Workers (OGWs) for the Terrorist

of HM banned outfit particularly the Terrorists viz. Lateef Ahmad Rather @ Tiger @ Zakaria Ismail and Irfan Ahmad Malik and under a well knit criminal conspiracy, were providing Logistic support to them. The accused viz. Naveed Shafi Wani and Faizan Rashid Teli, procured Arms/Ammunition from the said Terrorists, besides, the accused viz. Naveed Shafi Wani and Mudasir Ahmad Malla, were raising funds for the Terrorists for carrying out the Terrorist Activities in the area ; and

7. Whereas, the accused Terrorists namely Lateef Ahmad Rather @ Tiger @ Zakaria Ismail and Irfan Ahmad Malik, have been killed in the different encounters with the Security Forces and the proceedings under Law would abate against them ; and

8. Whereas, on the basis of the investigation, the statement of the witnesses recorded and other evidence collected, the Investigating Officer, has established a *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their names :

S. No.	Name of the accused	Offence
1.	Naveed Shafi Wani S/o Mohammad Shafi Wani R/o Shar-i-Khali, Khrew.	18, 23, 39, 40 of ULA (P) Act.
2.	Faizan Rashid Teli S/o Ab. Rashid Teli R/o Kadlabal, Pampore.	18, 23, 39 of ULA (P) Act.
3.	Mudasir Ahmad Malla S/o Gh. Mohammad Malla R/o Bandzoo, Pulwama.	18, 39, 40 of ULA (P) Act.

9. 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

10. Whereas, after perusing the Case Dairy 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. Naveed Shafi Wani, Faizan Rashid Teli and Mudassir Ahmad Malla, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against each accused at Para (8) above, arising out of FIR No. 71/2022 of Police Station, Sadder.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.