

JAMMU AND KASHMIR OFFICIAL GAZETTE

separate compilation.

Jammu and Kashmir Government-Notifications.

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

Notification

Jammu, the 22nd December, 2022.

SO-714.66Whereas, on 23-03-2018, the Police Station, Ganderbal, received a docket to the effect that a reliable information was received about the movement of some unknown terrorists in Shallabugh, Ganderbal area. Subsequently, a Joint Cordon and Search Operation was launched by the Police/Security Forces and during the checking, some incriminatory material was recovered from the residential house of one Nazir Ahmad Malik S/o Ab. Khaliq Malik R/o Lobar Mohalla, Pati Shallabugh, who was arrested on the spot ; and

2. Whereas, based on the above, a Case FIR No. 41/2018 under Section 212 RPC was registered in the Police Station, Ganderbal, and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 212 RPC was dropped and the Sections 13 and 39 of ULA (P) Act were added in the case ; and

3. Whereas, during the investigation, the site plan of place of the occurrence and the 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. Nazir Ahmad Malik, was working as Over Ground Worker (OGW) for the terrorists of HM banned outfit and on their directions was carrying out the unlawful activities in the area ; and

5. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established *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 his name :ô

S. Name of the accused Offence No.

1.Nazir Ahmad Malik S/o Ab. Khaliq13, 39 ofMalik R/o Lobar Mohalla, Patiof ULA (P) Act.Shallabugh.Shallabugh.

6. 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

7. 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

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. Nazir Ahmad Malik, for the commission of offences punishable under Sections 13 and 39 of ULA (P) Act, arising out of FIR No. 41/2018 of Police Station, Ganderbal.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.