

2 The J&K Official Gazette, 30th May, 2024/9th Jyai., 1946. [No.9-c
Batapora. During the search, the terrorists hiding in the residential house
of one Bashir Ahmad Ganie S/o Gh. Hassan Ganie R/o Brinty, Batpora,
fired indiscriminately upon the Search Party,with their illegal
arms/ammunition, with the intention to kill them resulting in injuries to
some police personnel and 04 civilians on the spot, among which 02
civilians succumbed to their injuries. The fire was retaliated and during
the ensuing gunfight two terrorists identified as Bashir Ahmad Wani @
Bashir Lashkari R/o Soaf Shali, Kokernag and Abu Maaz R/o Pakistani,
were killed on the spot. During the encounter some miscreants pelted
stones upon the Police/Security Forces, in order to facilitate the holed up
terrorists to manage their escape from the encounter site; and

2.Whereas, based on the above, a case FIR No.92/2017 under
Sections302, 307, 148, 149, 332, 336 RPC, 7/27 Arms Act, was
registered in the Police Station, Achabal, and the investigation of the
case was set into motion. Subsequently, during the investigation,the
offences under Sections 13, 16, 18, 19, 20, 23, 38 and 39 of ULA (P) Act
were added in the case ; and

3. During the investigation, the dead bodies of killed terrorists viz.
Bashir Ahmad Wani @ Bashir Lashkari and Abu Maaz, were recovered
from the place of encounter and arms/ammunition viz. 02 AK-47 rifles,
02 Magazines. 01 Pistol and 48 Rounds were also recovered from the
encounter site ; and

4.Whereas, during the course of investigation,the site plan of the
place of occurrence and the seizure memos were prepared and the
statements of witnesses acquainted with the facts and circumstances of
the case were recorded under the relevant provisions of law; and

5.Whereas, during the investigation, 16 persons were found involved
in stone pelting upon the Police/Security Forces. Subsequently, the
accused were arrested in the case and the charge sheet against them
would be file in the Court of competent jurisdiction for the commission
of offences punishable under Sections 148, 149, 332, 336 RPC; and

No.9-c] The J&K Official Gazette, 30th May, 2024/9th Jyai., 1946. 3
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6. Whereas , during the investigation, it was found that the encounter took place in a joint house of Bashir Ahmad Ganie and his son namely Khursheed Ahmad Ganie, who are separately residing in the said house. On the date of occurrence, the accused viz. Khursheed Ahmad Ganie, provided shelter to the terrorists viz. Bashir Ahmad Wani @ Bashir Lashkari and Abu Maaz, in his share. Subsequently, the accused was arrested in the case. During investigation, the person viz. Basir Ahmad Ganie, was not found involved in the case and accordingly was dropped from the case and was given benefits under Section 169 Cr. PC ; and

7. Whereas, during the investigation. it was established that the accused viz. Khursheed Ahmad Ganie, was working as Over Ground Worker (OGW) for the terrorists of LeT, a banned outfit particularly the killed terrorists viz.Bashir Ahmad Wani@ Bashir Lashkari and Abu Maaz, and was providing logistic support to them, besides, on the date of occurrence voluntarily harboured the said terrorists in his residential house for carrying out the terrorist activities in the area ; and

8. Whereas, the accused terrorists viz. Bashir Ahmad Wani @ Bashir Lashkari and Abu Maaz, have been killed in the said encounter with the Security Forces and the proceedings under the law would abate against them ; ands

9. Whereas, on the basis of investigation, the statements of witnesses recorded and the other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused for the commission ofoffences punishable under sections of the Unlawful Activities (Prevention) Act, 1967,as shown against hisname:ô

S.No.	Name of the accused	Offence
1.	Khursheed Ahmad Ganie S/o Bashir Ahmad Gaie R/o Brinty, Batpora, Anantnag.	13, 19, 39 ULA (P) Act.

10. Whereas, the Authority appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention)

4 The J&K Official Gazette, 30th May, 2024/9th Jyai., 1946. [No.9-c
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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 *prima facie*is made out against the above accused ; and

11. 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 his prosecution under the provisions of law.

Now, therefore,in exercise of the powers conferred bySub-Section
(2) of Section 45 of the Unlawful Activities (Prevention)Act, 1967, the
Government hereby accord sanction for launching prosecution against
the accused viz. Khursheed Ahmad Ganie, for the commission of
offences punishable underSections13, 19 and 39of ULA (P) Act, arising
out of FIR No. 92/2017 of Police Station, Achabal.

By order of the Government of Jammu and Kashmir.

(Sd/-) CHANDRAKER BHARTI,IAS,

Principal Secretary to the Government, Home Department.