



THE

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PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Srinagar, the 11th of September, 2024.

SO—467.— Whereas on 23-03-2024, the Police Station, Nowgam, received a docket to the effect that a Joint Naka was established by Police/Security Forces at Madni-Khah Kenihama near Railway bridge.

During the checking, a vehicle (Alto) was intercepted and 04 persons boarded in the vehicle tried to escape but were chased down on the spot and identified as Mohammad Yaseen Bhat S/o Ghulam Qadir Bhat, Sheraz Ahmad Rather S/o Ab. Rashid Rather R's/o Ichnambal, Panthachowk, Imtiyaz Ahmad Bhat S/o Ab. Gani Bhat R/o Frestibal, Pampore and Gh. Hassan Khanday S/o Gh. Mohammad Khanday R/o Zaffron Colony, Panthachowk. During their personal search, the Police recovered 01 AK 56 rifle, 03 magazines, 75 AK rounds, 01 pistol with 02 magazines, 26 rounds and 06 hand grenades from their possession respectively; and

2. Whereas, on receipt of information Case FIR No. 31/2024 under Sections 120-B IPC, 7/25 Arms 18, 20, 23 and 39 of ULA (P) Act, was registered in the Police Station, Nowgam, and investigation, of the case was set into motion. Subsequently, during investigation, the offence under Section 120-B, IPC was dropped and Sections 13 and 38 of ULA (P) Act, were added in the case; and

3. Whereas during the course of the investigation, the statements of witnesses acquainted with the facts and circumstances of the case were recorded; and

4. Whereas during the investigation, it was found that the accused viz. Mohammad Yaseen Bhat, was in contact with a terrorist of JeM, a banned outfit, namely, Haris Sharief Rather S/o Sharief Ahmad Rather R/o Zaffron Colony, Pathachowk Srinagar and was working for him. The accused viz. Mohammad Yaseen Bhat, facilitated the contacts of other accused viz. Sheraz Ahmad Rather, Imtiyaz Ahmad Bhat and Gh. Hassan Khanday, with the said terrorist in order to promote terrorist activities in the area; and

5. Whereas during the investigation, it was found that the accused viz. Mohammad Yaseen Bhat, received a bag containing arms/ammunition from the terrorist viz. Haris Sharief Rather and after his elimination and distributed the said arms/ammunition among the accused viz. Sheraz Ahmad Rather, Imtiyaz Ahmad Bhat and Gh. Hassan Khanday, on the directions of an unknown person. The Identity/role of unknown person is yet to be ascertained and the investigation shall continue and supplementary charge sheet could be filed in the court of law; and

6. Whereas, the investigation conducted by the investigating agency has *prima facie* established that the accused namely Mohammad Yaseen Bhat, Sheraz Ahmad Rather, Imtiyaz Ahmad Bhat and Gh. Hassan Khanday, were working as Over Ground Workers (OGWs) for the terrorists of JeM, a banned outfit, particularly the terrorist namely Haris Sharief Rather, and were providing logistic support to him, besides, under a well knit criminal conspiracy procured arms/ammunition from the terrorists for carrying out the terrorist activities in the area; and

7. Whereas, the accused terrorist namely Haris Sharief Rather, has been killed in an encounter with the Security Forces and the proceeding under the law would abate against him; and

8. Whereas, on the strength of evidence collected and the statements of witnesses recorded, the Investigating Officer has established a *prima facie* case against 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 accused person	Offence
1	Mohammad Yaseen Bhat S/o Ghulam Qadir Bhat R/o Ichnambal, Panthachowk.	13,18,23,39 UA (P) Act
2	Sheraz Ahmad Rather S/o Ab. Rashid Rather R/o Ichnambal, Panthachowk.	
3	Imtiyaz Ahmad Bhat S/o Ab. Gani Bhat R/o Frestibal, Pampore.	
4	Gh. Hassan Khanday S/o Gh. Mohammad Khanday R/o Zaffron Colony, Panthachowk.	

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 *prima facie* case is made out against the above accused; and

10. 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 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Mohammad Yaseen Bhat, Sheraz Ahmad Rather, Imtiyaz Ahmad Bhat and Gh. Hassan Khanday, for the commission of offences punishable under Sections 13,18,23,39 of ULA (P) Act arising out of FIR No. 31/2024 of Police Station, Nowgam.

By order of the Government of Jammu and Kashmir.

(Sd/-)

CHANDRAKER BHARTI, IAS,
Principal Secretary to the Government,
Home Department.