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

PART I—B

Jammu and Kashmir Government—Notifications.

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

NOTIFICATION

Jammu, the 13th December, 2024

SO-574.— Whereas, on 06.07.2024, the Police Station, Yaripora, received a docket to the effect that a reliable information was received about the hiding of some unknown terrorists in village Chinigam, Frisal. Subsequently, a Joint Cordon and Search Operation was launched by the Police/Security Forces. During the search, the hiding terrorists fired indiscriminately upon the Search Party, with their illegal

arms/ammunition, with the intention to kill them, resulting in serious injuries to one Army personal, who was shifted to hospital for treatment. The fire was retaliated by the Police/Security Forces, triggering an encounter ; and

2. Whereas, based on the above, a Case FIR No. 53/2024 U/S 109 BNS, 7/27 Arms Act and Section 13,16,18 and 20 of ULA (P) Act, came to be registered in the Police Station, Yaripora, and the investigation of the case was set into motion. During the investigation, the injured Army personal identified as Spy. Jingal Pravin Prabakar, succumbed to his injuries, and accordingly, Section 103 BNS and Section 19, 23 and 39 of ULA (P) Act were added in the case ; and

3. Whereas, during the investigation, the dead bodies of four terrorists who were later on identified as Yawar Bashir Dar S/o Bashir Ahmad Dar R/o Redwani, Qaimoh, Zahid Ahmad Dar S/o Gh. Mohd Dar R/o Desend, Behibagh, Tawheed Ahmad Rather S/o Ab. Satar Rather R/o Awdoora, Kulgam and Shakeel Ahmad Wani S/o Mohd Sharief Wani R/o Khuri Batapora, Manzgam were recovered from the place of encounter, besides, the arms/ammunition viz. 03 AK-56 rifles, 10 magazines, 211 rounds, 07 empty cartridges, 01 Pistol with magazine, 12 rounds, 01 tear smoke grenade were also recovered from the place of occurrence ; and

4. Whereas, during the investigation, 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, it was found that on the date of occurrence the killed terrorists were hiding in the residential house of one Mushtaq Ahmad Bhat S/o Mohammad Akbar Bhat R/o Chinigam, Frisal. Subsequently, the said accused was arrested in the case and during the investigation, 01 Chinese hand grenade, 30 rounds and 08 empty cartridges and other incriminatory material were recovered from a hideout constructed by the accused viz. Mushtaq Ahmad Bhat, in his residential house ; and

6. Whereas, the investigation conducted by the investigating agency has *prima facie* established that the accused viz. Mushtaq Ahmad Bhat, was working for the terrorists viz. Yawar Bashir Dar, Zahid Ahmad Dar,

Tawheed Ahmad Rather and Shakeel Ahmad Wani, and was providing logistic support to them, besides, under a well knit criminal conspiracy constructed a hideout in his residential house and was voluntarily harbouring the said terrorists in the said hideout for carrying out terrorist/unlawful activities in the area ; and

7. Whereas, the accused terrorists viz. Yawar Bashir Dar, Zahid Ahmad Dar, Tawheed Ahmad Rather and Shakeel Ahmad Wani, have been killed in the said encounters with the Security Forces and the proceedings under the law would abate against them ; and

8. 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 :—

S. No.	Name of the accused	Offence
1	Mushtaq Ahmad Bhat S/o Mohammad Akbar Bhat R/o Chinigam, Frisal, Kulgam.	13, 18, 19, 39 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 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 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. Mushtaq Ahmad Bhat, for the commission of offences

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punishable under Section 13,18,19,39 of ULA (P) Act, arising out of FIR No. 53/2024 of Police Station, Yaripora.

By order of the Government of Jammu and Kashmir.

Sd/-

CHANDRAKER BHARTI, IAS,
Principal Secretary to the Government.
