

EXTRAORDINARY

REGD. NO. JK-33



**THE
JAMMU AND KASHMIR OFFICIAL GAZETTE**

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separate compilation

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Jammu, the 13th April, 2022.

SO-172.—Whereas, on 05-02-2017, Police Station, Kupwara received information that two (02) terrorists of HM banned outfit got killed during an encounter with SFs at Sopore on 04-02-2017. Among these terrorists one terrorist was belonging to Trich Kandi, Drugmulla and his dead body was brought to Trich Kandi, Drugmulla for funeral and burial. During the funeral of the slain terrorists, 02 persons viz Mohammad

Yousf Ganie S/o Gh. Qadir Ganie R/o Trich Kandi and Gh. Mohammad Bhat S/o Mohammad Subhan R/o Trich Kandi, delivered provocative speeches against the unity and territorial integrity of India ; and

2. Whereas, upon the information, a case FIR No. 28/2017 U/S 13 ULA (P) Act, came to be registered in Police Station, Kupwara and investigation of the case was taken up ; and

3. Whereas, during the course of investigation, site plan was prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

4. Whereas, during investigation, it was established that the accused viz. Mohammad Yousf Ganie and Gh. Mohammad Bhat were leading the mob that had assembled for last rites of the terrorist and delivered anti-national slogans and provoked the youth to continue their struggle against the sovereignty and territorial integrity of India ; and

5. Whereas, on the basis of investigation, statements 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 section as shown against each of Unlawful Activities (Prevention) Act, 1967 :—

S. No.	Name of the accused	Offence
1.	Mohammad Yousf Ganie S/o Gh. Qadir Ganie R/o Trich Kandi.	13 ULA (P) Act
2.	Gh. Mohammad Bhat S/o Mohammad Subhan R/o Trich Kandi.	

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 accused persons; 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 (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the accused persons for their prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of 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 above accused viz. Mohammad Yousf Ganie and Gh. Mohammad Bhat for commission of offences punishable under Section 13 of the Unlawful Activities (Prevention) Act, 1967, in the case FIR No. 28/2017 of Police Station, Kupwara.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
(Additional Chief Secretary),
Home Department.