

REGD. NO. JK6633



Vol. 135] Jammu, Thu., the 23rd June, 2022/2nd Asad., 1944. [No. 12-b  
Separate paging is given to this part in order that it may be filed  
as a separate compilation.

### Jammu and Kashmir Government—Notifications.

Srinagar, the 23rd of June, 2022.

S.O.6308.6 Whereas, on 19-12-2021, a tip-off was received by the Police Station, Harwan, regarding the hiding of unknown terrorists in the area of Darbagh, Harwan, planning to carry out terrorist act in the area. Subsequently, a joint cordon and Search Operation was launched by the Police/Security Forces in the said area. During the Search Operation, the hiding terrorists fired indiscriminately upon the Search Party with their illegally acquired arms/ammunition with the intention to kill them. The fire was retaliated, by the Search Party, triggering an encounter ; and

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2. Whereas, based on the above, a Case FIR No. 95/2021 under Sections 307 IPC, 7/27 Arms Act, 13, 16, 18 of ULA (P) Act, was registered in the Police Station, Harwan and the investigation of the case was taken up. Subsequently, during the investigation, Sections 19 and 20 of ULA (P) Act, were added in the case ; and

3. Whereas, during the course of the investigation, the dead body of one terrorist of LeT banned outfit, later identified, as Abu Khalid @ Saifullah R/o Karachi, Pakistan, was recovered from the encounter site alongwith arms/ammunition viz. 01 AK-56 rifle with 03 Magazines, 27 AK rounds and 01 Hand Grenade and two terrorists managed their escape from the encounter site ; and

4. Whereas, during the course of the 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, one Ashiq Hussain Bhat S/o Ab. Rehman Bhat R/o Darbagh, Harwan, was arrested in the case and it was found that on 19-12-2021, the accused voluntarily harboured three terrorists of LeT banned outfit namely, Abu Khalid @ Saifullah, Mohammad Saleem Parray S/o Gh. Mohammad Parray R/o Hajin and Qari Abaan @ Hamza R/o PAK, in his residential house and during the encounter terrorist viz. Abu Khalid @ Saifullah, got killed and two other terrorists viz. Mohammad Saleem Parray and Qari Abaan @ Hamza managed their escape from the encounter site ; and

6. Whereas, the accused terrorist viz. Abu Khalid @ Saifullah, was killed on 19-12-2022 and other two terrorists viz. Mohammad Saleem Parray and Qari Abaan @ Hamza, have been killed in the different encounters and the proceedings under the law would abate against all the killed terrorists ; and

7. Whereas, on the basis of the investigation, the 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 sections of

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the Unlawful Activities (Prevention) Act, 1967, as shown against his name :ô

S.No.	Name of the accused	Offence
1.	Ashiq Hussain Bhat S/o Ab. Rehman Bhat R/o Darbagh, Harwan	19 ULA (P) Act

8. 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

9. 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 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Ashiq Hussain Bhat for the commission of offence punishable under Sections 19 of ULA(P) Act, arising out of FIR No. 95/2021 of Police Station, Harwan.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/Additional Chief Secretary.