

EXTRAORDINARY

REGD. NO. JK-33



**THE
JAMMU AND KASHMIR OFFICIAL GAZETTE**

Vol. 135] Jammu, Tue., the 19th July, 2022/28th Asad., 1944. [No. 15-d

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

Notification

Srinagar, the 19th July, 2022.

S.O.-343.—Whereas, on 24-01-2022, the Police Station, Bijbehara, received a written docket to the effect that joint Naka was established by Police/Security Forces at Nilandrus near Geology and Mining Store, Bijbehara. During checking a person while seeing the Naka Party tried to escape but was chased down on the spot and identified as Shakir Bashir

Bhat S/o Bsshir Ahmad Bhat R/o Bandipora, Bijbehara. During his personal search the Police recovered 15 AK rounds from his possession ; and

2. Whereas, based on the above, a case FIR No. 12/2022, under section 7/25 Arms Act, and 18, 39 of ULA(P) Act, came to be registered in Police Station, Bijbehara and the investigation of the case was taken up. Subsequently, during the investigation, Sections 3/4 ESA, 23, 20 and 38 of ULA (P) Act, were added in the case ; and

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

4. Whereas, during the investigation, on the disclosure of accused viz. Shakir Bashir Bhat, a Hand Grenade was also recovered from his residential house. The accused was found in contact with a terrorist of HM banned outfit namely, Rayees Ahmad Bhat S/o Abdul Hamid Bhat R/o Shahabad Beeri, who provided a hand grenade and AK ammunition to the accused viz. Shakir Bashir Bhat in order to promote terrorist activity in the area ; and

5. Whereas, during investigation, it was established that the accused viz. Shakir Bashir Bhat was working as Over Ground Worker (OGW) for the terrorists of HM banned outfit particularly terrorist viz. Rayees Ahmad Bhat and was providing logistic support to them besides under well knit criminal conspiracy procured a hand grenade and AK ammunition for the said terrorist for carrying out the terrorist activities in the area ; and

6. Whereas, the accused terrorist namely, Rayees Ahmad Bhat has been killed in an encounter with the Security Forces and proceedings under the law would abate against him ; and

7. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer has established a *prima facie* involvement of 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 accused	Offence
1.	Shakir Bashir Bhat S/o Bsshir Ahmad Bhat R/o Bandipora, Bijbehara.	18, 23, 39 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 their 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. Shakir Bashir Bhat for the commission of offences punishable under Sections 18, 23 and 39 of ULA (P) Act, arising out of FIR No. 12/2022 of Police Station, Bijbehara.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.