THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government–Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATô HOME DEPARTMENT, J&K

Notification

Srinagar, the 10th August, 2022.

SO-367.ô Whereas, on 23-05-2019, the Police Station, Awantipora. received a docket to the effect that a specific information was received regarding presence of Self Styled Commander of Ansar-ul-Gazwatul Hind (AUGH), namely, Zakir Rashid Bhat @ Zakir Musa S/o Abdul Rashid Bhat R/o Noorpora, Tral, in the residential house of one Mudasir Ashraf Ganoo S/o Mohd Ashraf Ganoo R/o Dadsara, Tral. Subsequently, a Joint Cordon and Search Operation was launched by the Police/

Security Forces and during the search, the hiding terrorist fired indiscriminately upon the Search Party with his illegal arms/ammunition, with the intention to kill them. The fire was retaliated, which triggering an encounter ; and

2. Whereas, based on the above, a Case FIR No. 77/2019 under Sections 307 IPC, 7/27 Arms Act, 6, 18, 19, 20, 38 of ULA (P) Acts, was registered in the Police Station, Awantipora and the investigation of the case was taken up ; and

3.   Whereas, during the investigation, a dead body was recovered from the encounter site who was later on identified as Zakir Rashid Bhat @ Zakir Musa S/o Abdul Rashid Bhat R/o Noorpora, Tral, Self Styled Commander of Ansar-ul-Gazwatul Hind (AUGH) outfit. During the search, arms/ammunition viz. 01 AK-47 Rifle, 03 AK Magazines, 47 AK Rounds, 01 Chinese Pistol, 01 Pouch and 05 RPG Rounds were recovered from the encounter site ; and

4. Whereas, during the course of 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, the accused house owner namely Mudasir Ashraf Ganoo, was arrested in the case and it was established that the accused under a well knit criminal conspiracy voluntarily constructed a hideout in his residential house for hiding, of terrorist viz. Zakir Rashid Bhat @ Zakir Musa and on the date of encounter voluntarily harboured the said terrorist in the said hideout which was later on destroyed by the Police/Security Forces during the said encounter ; and

6. Whereas, the terrorist namely Zakir Rashid Bhat @ Zakir Musa, was killed in the said encounter and the proceedings under the law would abate against him ; and

7. Whereas, on the basis of the investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer, has established a *prima facie* involvement of the below

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mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against his name   :ô

S. No.	Name of accused	Offence
1.	Mudasir Ashraf Ganoo S/o Mohd Ashraf Ganoo R/o Dadsara, Tral.	18, 19 of 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 Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Mudasir Ashraf Ganoo, for the commission of offences punishable under Sections 18 and 19 of ULA (P) Act, arising out of FIR No. 77/2019 of Police Station, Awantipora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/
Additional Chief Secretary.