

EXTRAORDINARY

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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 17th November, 2022.

SO-610. Whereas, on 25-12-2021, an information was received by the Police Station, Tral, regarding the presence of some unknown terrorists in the residential house of one Ab. Rashid Sheikh S/o Abdul Ahad Sheikh R/o Hardumir, Tral. Subsequently, a Joint Cordon and Search Operation was launched by the Police/Secuirty Forces in the area and during the search, the hiding terrorists fired indiscriminately upon the Search Party, with their illegal arms/ammunition, with the intention to kill them. The fire was retaliated, triggering an encounter ; and

2 The J&K Official Gazette, 17th Nov., 2022/26th Kart., 1944. [No. 33-c
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2. Whereas, based on the above, a Case Fir No. 155/2021 under Section 307 IPC, 7/27 Arms Act, 18, 19, 38, 39 of ULA (P) Act, was registered in Police Station, Tral and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 23 of ULA (P) Act, was added in the case ; and

3. Whereas, during the investigation, two dead bodies were recovered from the place of encounter who were later on identified as the terrorists of Ansar Gazwat-ul-Hind outfit namely Nadeem Nazir Bhat S/o Nazir Ahmad Bhat R/o Koil, Shikargah, Tral and Rahi Rasool Bhat @ Adil S/o Gh. Rasool Bhat R/o Dadsara, Tral. During the search, arms/ammunition viz. 02 AK-47 rifles, 06 magazines and 368 rounds were also recovered from the encounter site ; and

4. Whereas, during the course of investigation, the site plan of place of the occurrence and the 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

5. Whereas, during the investigation, the accused viz. Ab. Rashid Sheikh, was arrested in the case and it was found that the accused with the assistance of another person namely, Mohsin Ahmad Guroo S/o Ghulam Mohammad Guroo R/o Hardumir, Tral, constructed a hide out in the residential house of accused viz. Ab. Rashid Sheikh, for providing shelter to the terrorists in order to promote terrorist activities in the area. Subsequently, during the investigation, the accused viz. Mohsin Ahmad Guroo, was also arrested in the case ; and

6. Whereas, during the investigation, it was established that the accused viz. Ab. Rashid Sheikh and Mohsin Ahmad Guroo, were working as Over Ground Workers (OGWs) for the terrorists of Ansar Guzwat-ul-Hind outfit particularly the killed terrorists namely Nadeem Nazir Bhat and Rahi Rasool Bhat @ Adil, and under a well knit criminal conspiracy were providing logistic support to them, besides, on the directions of terrorist constructed a hideout in the residential house of accused viz. Ab. Rashid Sheikh, who voluntarily harboured the terrorists in the said hideout for carrying out the terrorist activities in the area ; and

7. Whereas, the accused terrorists viz. Nadeem Nazir Bhat and Rahi Rasool Bhat @ Adil, have been killed in the said encounter with the Security Forces and the proceedings under the law would abate against them ; and

8. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established, *prima facie*, involvement of below mentioned accused in the commission of the offences punishable under Section of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :óó

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 has come to the conclusion that *prima facie* case is made out against the above accused ; and

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. Ab. Rashid Sheikh and Mohsin Ahmad Guroo, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against the accused at Para (8) above, arising out of FIR No. 155/2021 of Police Station, Tral.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.