

EXTRAORDINARY

REGD. NO. JK6633



THE  
JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 135] Jammu, Fri., the 2nd Dec., 2022/11th Agra., 1944. [No. 35-g  
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, J&K.

Notification

Jammu, the 2nd December, 2022.

SO-649. Whereas, on 28-05-2022, an information was received by the Police Station, Bijbehara, regarding the presence of some unknown terrorists in the residential house of one Abdul Rashid Bhat S/o Assadullah Bhat R/o Sheetipora, Bijbehara. Subsequently, a Joint Cordon and Search Operation was launched by the Police/Security Forces and during the search, the hiding terrorists fired indiscriminately upon the Search Party, with the illegal arms/ammunition with the intention to kill them. The fire was retaliated, triggering an encounter ; and

2. Whereas, based on the above, a Case FIR No. 82/2022 under Sections 7/25 Arms Act, 16, 19, 20 of ULA(P) Act, was registered in

2        The J&K Official Gazette, 2nd Dec., 2022/11th Agra., 1944.    [ No. 35-g  
oo  
Police Station, Bijbehara and the investigation of the case was set into  
motion. Subsequently, during the investigation, the Section 7/25 Arms  
Act was dropped and the Section, 307 IPC, 7/27 Arms Act and  
the Sections 18, 23, 38 and 39 of ULA(P) Act were added in the  
case ; and

3. Whereas, during the investigation, two dead bodies were  
recovered from the encounter site, who were later on identified as the  
terrorists of HM banned outfit namely Ishfaq Ahmad Ganie S/o Farooq  
Ahmad Ganie R/o Shalgam, Srigufwara and Yawar Ayoub Dar S/o  
Mohammad Ayoub Dar R/o Dogripora, Awantipora. During the search,  
arms/ammunition viz. 02 AK-47 rifles, 03 Magazines and 20 rounds  
were also recovered from the place of encounter ; and

4. Whereas, during the 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.

5. Whereas, during the investigation, one Rayees Ahmad Bandroo  
Son-in-Law of Abdul Rashid Bhat (House Owner) R/o Sheetipora,  
Bijbehara, was found involved in the case. Subsequently, the accused  
was arrested and was found working for the killed terrorists. The  
accused viz. Rayees Ahmd Bandroo, on the date of occurrence provided  
shelter to the terrorists in the residential house of his father-in-law  
namely Abdul Rashid Bhat ; and

6. Whereas, during the invesitgation, it was established that the  
accused viz. Rayees Ahmad Bandroo, was working as Over Ground  
Worker (OGW) for the terrorists viz. Ishfaq Ahmad Ganie and Yawar  
Ayoub Dar, and under a well knit criminal conspiracy was providing  
logistic support to them, besides on the date of occurrence voluntarily  
harboured the killed terrorists in the residential house of his father-in-  
law for carrying out the terrorist activities in the area ; and

7. Whereas, the accused terrorists namely Ishfaq Ahmad Ganie  
and Yawar Ayoub Dar, have been killed in the said encounter with the  
Security Forces and the proceedings under the law would abate against  
him ; and

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

10. 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. Rayees Ahmad Bandroo, for the commission of offences punishable under Sections 18, 19 and 39 of ULA (P) Act, arising out of FIR No. 82/2022 of Police Station, Bijbehara..

By order of the Government of Jammu and Kashmir.

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