

## THE JAMMU AND KASHMIR OFFICIAL GAZETTE

## PART I—B

Jammu and Kashmir Government-Notifications.

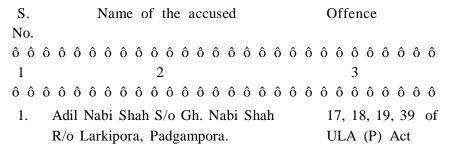
## GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

## Notification

Jammu, the 25th March, 2022.

S.O.-122.ô Whereas, on 30-07-2021, a tip-off was received by Police Station, Awantipora to the effect that one person namely Adil Nabi Shah S/o Gh. Nabi Shah R/o Larkipora, Padgampora is an Over Ground Worker (OGW) and is working for banned HM outfit by hatching criminal conspiracy with terrorists of HM outfit particularly is in close contact with active terrorist Musaib Mushtaq Bhat S/o Mushtaq

- 2. Whereas, upon this information, a Case FIR No.130/2021 18, 19, 38, 39 of ULA (P) Act, came to be registered in Police Station, Awantipora and investigation of the case was taken up. Subsequently, during investigation section 17 of ULA (P) Act was added in the case; and
- 3. Whereas, during the course of investigation, site plan of place of occurrence and seizure memos were prepared and statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 4. Whereas, during investigation, accused Adil Nabi Shah was arrested in connection with the case and during questioning he disclosed that he has concealed an amount of Rs. 2,50,000/- in his residential house which he received from terrorist Musaib Mushtaq for purchase of arms/ammunition. Subsequently, on his disclosure, the said amount along with some incriminating material was recovered from his residential house; and
- 5. Whereas, during investigation, it was established that the accused Musaib Mushtaq was member of HM banned outfit and accused Adil Nabi Shah was working as Over Ground Worker (OGW) for the said terrorist and was providing logistic support and information of security forces to the said terrorist, besides, under well kint criminal conspiracy was raising funds for said terrorist and also was voluntarily harbouring him for carrying out the terrorist activities in the area; and
- 6. Whereas, the accused terrorist Musaib Mushtaq has been killed in the encounter with the security forces and proceedings under law would abate against him; and
- 7. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of below mentioned accused person for the commission of offences punishable under section



- 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 *prima facie* case is made out against the above accused persons; 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 powers conferred by Sub-Section 02 of Section 45 of the ULA (P) Act 1967 the Government hereby accord sanction for launching prosecution against the above accused viz. Adil Nabi Shah for the commission of offences punishable under sections 17, 18, 19, 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 130/2021 of Police Station, Awantipora.

By order of the Government of Jammu and Kashmir.

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