

EXTRAORDINARY

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**THE
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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

Jammu, the 25th March, 2022.

S.O.-122.& 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 The J&K Official Gazette, the 25th Mar., 2022/4th Chai., 1944. [No. 52-m
Ahmad R/o Khrew and is providing every kind of logistic support/ shelter
to the terrorists, besides, harbouring them to carry out terrorist activities
in the area ; and

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

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as shown against his name of the Unlawful Activities (Prevention) Act, 1967 :

S. No.	Name of the accused	Offence
1	2	3
1.	Adil Nabi Shah S/o Gh. Nabi Shah R/o Larkipora, Padgampora.	17, 18, 19, 39 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 *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.