

EXTRAORDINARY

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

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**PART I—B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIATô HOME DEPARTMENT

Notification

Srinagar, the 24th May, 2022.

SO-252.ôôWhereas, on 23-11-2021, Police Station, Bijbehara, received a written docket to the effect that a joint Naka, was established by Police/Security Forces at Arwani, Blibehara. During the Naka checking, a vehicle without a registration number was stopped and two persons including the driver were asked to come out of the vehicle. As these persons were coming out of the vehicle, a pistol along with

2 The J&K Official Gazette, 24th May, 2022/3rd Jyai., 1944. [No. 7-g  
a magazine fell on the ground from the possession of the driver. As  
the incharge Naka Party tried to grab the pistol, the driver pushed him  
and managed to escape from the spot along with his vehicle. The Pistol  
with the magazine and 13 rounds were seized from the place of  
occurrence and the other person who was later on identified as  
Mohammad Shafi Thoker S/o Ab. Ahad Thoker R/o Awneera, Shopian  
was apprehended on the spot ; and

2. Whereas, based on the above, a Case FIR No. 283/2021 under  
section 120-B IPC, 7/25 Arms Act, was registered in Police Station,  
Bijbehara and the investigation of the case was set into motion.  
Subsequently, during the investigation, section 120-B IPC was dropped  
and sections 18, 20, 23, 38, 39 of ULA (P) were added in the  
case ; and

3. Whereas, during the course of the 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 ; and

4. Whereas, during the investigation, the escaped accused was  
identified as Zahid Ahmad Nalla S/o Gh. Mohammad Nalla R/o Arwani,  
Bijbehara, who was subsequently arrested in connection with the case  
and the vehicle was also seized. During the investigation, the arrested  
person viz. Mohammad Shafi Thoker was not found involved in the  
case and accordingly was dropped from the case by giving the benefit  
of section 169 Cr. PC ; and

5. Whereas, during the investigation, it was established that the  
accused viz. Zahid Ahmad Nalla was working as Over Ground Worker  
(OGW) for the terrorists of LeT banned outfit, particularly the terrorist  
namely, Azad Ahmad Malik @ Dada S/o Nazir Ahamed Malik R/o Arwani  
and was providing logistic support to him, besides, was facilitating  
transportation of arms/ammunition for the terrorists from one place to  
another in order to promote terror activities in the area ; and

6. Whereas, the terrorist namely, Azad Ahmad Malik @ Dada has  
been killed in an encounter with the security forces and proceedings  
under the law would abate against him ; and

7. 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 his name :ô

S. No.	Name of accused	Offence
1.	Zahid Ahmad Nalla S/o Ghulam Mohammad Nalla R/o Arwani, Bijbehara.	18, 23, 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 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 the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Zahid Ahmad Nalla for the commission of offences punishable under sections 18, 23 and 39 of the ULA (P) Act, arising out of FIR No. 283/2021 of Police Station, Bijbehara.

By order of the Government of Jammu and Kashmir.

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