

EXTRAORDINARY

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THE

# JAMMU AND KASHMIR OFFICIAL GAZETTE

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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.

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIATô HOME DEPARTMENT, J&K

Notification

Jammu, the 24th November, 2022.

SO-631.ôôWhereas, on 19-06-2022, the Police Station, Kralgund, received a docket to the effect that a Joint Naka was established by the Police/Security Forces at Wanigam crossing, (NHW) and during the checking, three persons while seeing the Naka Party tried to escape but were chased down on the spot and identified as Nazir Ahmad Bhat @ Nazim S/o Gh. Mohammad Bhat, Aadil Gull Wani S/o Gh. Mohammad

[illegible]

2. Whereas, based on the above, a Case FIR No. 40/2022 under Sections 7/25 Arms Act, 13, 18 and 38 of ULA (P) Act, was registered in the Police Station, Kralgund and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 18-B, 20 and 23 of ULA (P) Act were added in the case ; and

3. Whereas, during the investigation, the site plan of place of the occurrence and the seizure memos were prepared and the statements 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 accused viz. Nazir Ahmad Bhat @ Nazim, Siraj-ud-Din Khan and Aadil Gull Wani, were found in contact with the terrorists of Al-Badr banned outfit namely Ab. Gani Khawaja S/o Mohammad Mukhtar Khawaja R/o Kralgund and Yousuf Baloch R/o PoK. The accused terrorist viz. Ab. Gani Khawaja, instigated and motivated the accused viz. Nazir Ahmad Bhat @ Nazim, Siraj-ud-Din Khan and Aadil Gull Wani, to join the terrorist ranks and the accused PoK terrorist provided the arms/ammunition to the above accused through one Rahid Mushtaq Ganie S/o Mushtaq Ahmad Ganie R/o Amargrah, Sopore, in order to promote terrorist activities in the area. Subsequently, the accused viz. Rahid Mushtaq Ganie, was also arrested in the case ; and

5. Whereas, during the investigation, it was established that the accused viz. Nazir Ahmad Bhat @ Nazim, Siraj-ud-Din Khan, Aadil Gull Wani, Ab. Gani Khawaja, Yousuf Baloch and Rahid Mushtaq Ganie, were members of Al-Badr banned outfit. The accused viz. Ab. Gani Khawaja and Yousuf Baloch, under a well knit criminal conspiracy motivated and facilitated the joining of accused viz. Nazir Ahmad Bhat @ Nazim, Siraj-ud-Din Khan, Aadil Gull Wani, with the Al-Badr outfit and provided arms/ammunition to them through the accused viz. Rahid Mushtaq Ganie, for carrying out the terrorist activities in the area ; and

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6. Whereas, the accused terrorist viz. Ab. Gani Khawaja, has been killed in an encounter with the Security Forces and the proceedings under the law would abate against him. The investigation, in respect of PoK terrorist namely Yousuf Baloch, shall continue to ascertain his actual identity and to bring out his role/involvement in the case ; 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 their name :ô

S. No.	Name of the accused	Offence
1.	Nazir Ahmad Bhat @ Nazim S/o Gh. Mohammad Bhat R/o Khaipora.	13, 18, 20, 23, 38 of ULA (P) Act.
2.	Aadil Gull Wani S/o Gh. Mohammad Wani R/o Khaipora.	
3.	Siraj-ud-Din Khan S/o Bashir Ahmad Khan R/o Khaipora.	
4.	Rahid Mushtaq Ganie S/o Mushtaq Ahmad Ganie R/o Amargrah, Sopore.	13, 18, 20, 38 of ULA (P) Act.

8. Whereas, the accused viz. Rahid Mushtaq Ganie, has been found juvenile during the investigation, and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said Act ; 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.

By order of the Government of Jammu and Kashmir.

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