



सत्यमेव जयते

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 136] Jammu, Fri., the 16th Feb., 2024/27th Magha, 1945. [No. 46-n

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 16th February, 2024.

SO-113.— Whereas, on 31-03-2022, the Police Station, Gandhi Nagar, received a docket to the effect that one Mohd Shareef Shah S/o Abdul Ghani Shah R/o Syedpora, Larnoo, Kokernag, is coming from Kashmir to Jammu, to hand over hawala money to one Jatinder @ Babu

Singh (Ex-MLA/Ex-Minister) R/o Kathua, for the purpose of financing Jammu based separatist and secessionist groups/parties to carry out subversive activities against the sovereignty, integrity and security of India. Subsequently, a Naka was established near the Tawi Bridge, Bikram Chowk, and during the checking, the said person viz. Mohd Shareef Shah, was apprehended and on frisking, an amount of Rs. 6.9 lakhs (Indian Currency) was found in his possession concealed in a black coloured bag ; and

2. Whereas, based on the above, a case FIR No. 73/2022 under Sections 13, 17 and 18 of ULA (P) Act, was registered in the Police Station, Gandhi Nagar and the investigation of the case was set into motion. Subsequently, during the investigation, Sections 16, 20, 21, 38, 39 and 40 of ULA(P) Act were added in the case ; and

3. Whereas, during the course of investigation, the site plan of place of occurrence and the seizure memos were prepared and the statements of the 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. Mohd Shareef Shah, was found in contact with a accused viz. Jatinder Singh @ Babu Singh R/o Ward No. 1, Shaheedi Chowk, Kathua, and was associate and designated Secretary of Babu Singh's outfit "Nature Mankind Friendly Global Party". The accused viz. Jatinder Singh @ Babu Singh, was in contact with PaK based terrorist of HM, a banned outfit, namely Mohd Hussain Khateeb S/o Abdul Hai Khateeb R/o Masjid Mohalla, Bhaderwah A/P Pakistan ; and

5. Whereas, during the investigation, it was found that the accused viz. Mohd Sharief Shah, received an amount of Rs. 6.9 lakhs (Indian Currency) from one Umar, on the directions of accused viz. Jatinder Singh @ Babu Singh, from a Masjid at Chanapora, Srinagar, arranged by terrorist viz. Mohd Hussain Khateeb, Tariq Ahmad Malla and Farooq Ahmad Naikoo, for carrying out terrorist activities in the Jammu area ; and

6. Whereas, during the investigation, nine other persons identified as Fayaz Ahmad Bhat S/o Ali Mohd Bhat R/o Bopat, Beerwah, Kifayat Rizvi S/o Sadiq Rizvi R/o Shariefabad, HMT, Srinagar A/P Pakistan, Mubashir Mushtaq Fafoo S/o Late Mushtaq Ahmad Fafoo

R/o Khawaja-Bagh A/p Kralhar near Railway Station, Baramulla, Mohd Rafiq Najar S/o Jamaldin Najar R/o Nambla, Uri, Baramulla, Aijaz Ahmad Sayam S/o Gh. Mohideen R/o Khodi, Surigam, Lolab, Kupwara, Farooq Ahmad Naikoo S/o Gh Hassan Naikoo R/o Khawajasahib, Old Town, Baramulla, Tariq Ahmad Malla @ Tariq Murtaza S/o Abdul Khaliq Malla R/o Bundzow, Pulwama, Syed Ashiq Elahi S/o Syed Mohammad Shafi Elahi R/o Surasyar, Chadoora, Budgam and Mohammad Arshad S/o Mohammad Asgar R/o Madina Basti, Malerkotla, Punjab, were found involved in the commission of crime ; and

7. Whereas, during the investigation, the accused viz. Mohd Shareef Shah, Jatinder Singh @ Babu Singh, Fayaz Ahmad Bhat, Mubashir Mushtaq Fafoo, Mohd Rafiq Nazar, Aijaz Ahmad Sayam, Farooq Ahmad Naikoo, Syed Ashiq Elahi and Mohammad Arshad, were arrested in the case and the accused viz. Mohd Hussain Khateeb, Kifayat Rizvi and Tariq Ahmad Malla, are absconding and proceedings under Section 299 Cr.PC have been initiated against them ; and

8. Whereas, during the investigation, it was established that the accused viz. Fayaz Ahmad Bhat, Syed Ashiq Elahi and Mohd Shareef Shah, received huge amount from some unknown persons and distributed the same among the families of killed terrorists on the directions of terrorists viz. Kifayat Rizvi and Mohd Hussain Khateeb. The accused viz. Mubashir Mushtaq Fafoo, recived an amount of Rs. 79.73 lakhs from the accused namely Mohd Rafiq Nazar, on the directions of accused viz. Farooq Ahmad Naikoo, who was coordinating the movement of terror fund from Dubai through accused viz. Mubashir Mushtaq Fafoo, Mohd Rafiq Najar and Aijaz Ahmad Sayam, under the instructions of HM terrorist namely Tariq Ahmad Malla @ Tariq Murtuza of Pulwama based in Pakistan, in order to promote terrorist activities in the J&K, besides, the accused viz. Mohammad Arshad, procured and provided, a Dubai based SIM Card to the accused viz. Farooq Ahmad Naikoo, for communication with the accused ; and

9. Whereas, the sanction for launching prosecution against the accused viz. Mohd Shareef Shah, Jatinder Singh @ Babu Singh, Mohd Hussain Khateeb, Fayaz Ahmad Bhat, Kifayat Rizvi, Mubashir Mushtaq Fafoo, Mohd Rafiq Najar, Aijaz Ahmad Sayam, Tariq Ahmad Malla

@ Tariq Murtuza, Farooq Ahmad Naikoo, Syed Ashiq Elahi and Mohammad Arshad, stands already accorded vide S.O No. 454 dated 22-09-2022, S.O No. 645 dated 01-12-2022, S.O No. 694 dated 16-12-2022 and S.O No. 75 dated 16-02-2023, respectively and the investigation in respect of some other accused was continued to ascertain their actual identity and to bring out their role/involvement in the case ; and

10. Whereas, during the further investigation, three other persons identified as Mohd Sharief Chechi S/o Ghulam Mohd Chechi R/o Hathlanga, Uri, Baramulla, Farooq Ahmad Jungal S/o Noor Wali R/o Nambala, Uri, Baramulla and Saif Din S/o Qasim Din R/o Jullo, Gandoh, Doda A/P Javid Nagar, Nikki Tawi, Jammu, were found involved in the commission of crime. Subsequently, the accused were arrested in the case and during the investigation, an amount of Rs. 2.30 lacs were seized at the instance of accused viz. Mohd Sharief Chechi ; and

11. Whereas, during the investigation, it was found that the accused viz. Mohd Sharief Chechi, procured 10 kgs of narcotics (Heroin) from across the LoC from three terrorists of HM, a banned outfit, namely Hamidullah Khuroo S/o Ghulam Rasool Khuroo R/o Jalalabad, Sopore A/P PoK/PaK, Farooq Ahmad Shawl S/o Late Haji Noor Din Shawl R/o Jaded, Baramulla A/P PoK/PaK and Javid Ahmad Chalkoo S/o Ali Joo R/o Hathlanga, Uri A/P PoK/PaK, on the directions of accused viz. Mohd Rafiq Najjar, and handed over the consignment to him, who later on handed over 08 kgs of narcotics (Heroin) to the accused viz. Farooq Ahmad Jungal, with the directions to sell the same ; and

12. Whereas, during the investigation, it was found that the accused viz. Farooq Ahmad Jungal and Saif Din, sold the narcotics (Heroin) against an amount of Rs. One Crore Seventy Five lacs and the accused viz. Farooq Ahmad Jungal, after receiving Rs. 1.75 Crore from the accused viz. Saif Din, handed over the amount to the accused viz. Mohd Rafiq Najjar, for further distribution among the terrorists ; and

13. Whereas, during the investigation, it was established that the accused viz. Hamidullah Khuroo, Farooq Ahmad Shawl and Javid Ahmad Chalkoo, are members of HM, a banned outfit, and the accused viz. Mohd Sharief Chechi, Farooq Ahmad Jungal and Saif Din, were working as Over Ground Workers (OGWs) for the terrorists and

facilitated the terrorists to sell the narcotics (Heroin) so that the money generated could be utilized for carrying out the terrorist activities in the Jammu and Kashmir ; and

14. Whereas, on the basis of the investigation, the statements of witnesses recorded and other evidence collected, the Investigating Officer, has established a *prima facie* involvement of the below mentioned accused for the commission of offences punishable under Sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their names :

S. No.	Name of the accused	Offence
1.	Mohd Sharief Chechi S/o Ghulam Mohd Chechi R/o Hathlanga, Uri, Baramulla.	17, 21, 39, 40 ULA(P) Act.
2.	Farooq Ahmad Jungal S/o Noor Wali R/o Nambla, Uri, Baramulla.	
3.	Saif Din S/o Qasim Din R/o Jullo, Gandoh, Doda A/P Javid Nagar, Nikki Tawi, Jammu.	
4.	Hamidullah Khuroo S/o Ghulam Rasool Khuroo R/o Jalalabad, Sopore A/P PoK/PaK.	17, 18, 38, 40 ULA(P) Act.
5.	Farooq Ahmad Shawl S/o Late Haji Noor Din Shawl R/o Jaded, Baramulla A/P PoK/PaK.	
6.	Javid Ahmad Chalkoo S/o Ali Joo R/o Hathlanga, Uri A/P PoK/PaK.	

15. Whereas, the accused terrorist viz. Hamidullah Khuroo, Farooq Ahmad Shawal and Javid Ahmad Chalkoo, are absconding and the proceedings under Section 299 Cr.PC have been proposed to be initiated against them ; and

16. 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 Dairy 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

17. Whereas, after perusing the Case Dairy 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, Mohd Sharief Chechi, Farooq Ahmad Jungal, Saif Din, Hamidullah Khuroo, Farooq Ahmad Shawl and Javid Ahmad Chalkoo, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against the each accused at Para (14) above, arising out of FIR No. 73/2022 of Police Station, Gandhi Nagar.

By order of the Government of Jammu and Kashmir.

(Sd/-) SANTOSH D. VAIDHYA, IAS,
Principal Secretary to the Government,
Home Department..