



**THE
JAMMU & KASHMIR GOVERNMENT 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—Notification.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Srinagar, the 25th September, 2017.

SRO-402.—Whereas, on 05-05-2011, Police Station, Kulgam received an information to the effect that some persons including one Javid Ahmad Shah S/o Ab. Kabir R/o Razloo Kound, Kulgam and Nazir Ahmad Wagay S/o Gh. Mohammad R/o Mohammad Pora, Kulgam at the instance of banned HM outfit are providing financial assistance/aid to terrorists for carrying out terrorist activities and are presently in Pahloo area near Brazloo Bridge for the reception/distribution of Hawala Money ; and

Whereas, in this connection, Case FIR No. 79/2011, under section 17 of the Unlawful Activities (Prevention) Act, 1967 was registered in Police Station, Kulgam and investigation initiated ; and

Whereas, during the course of investigation, Javid Ahmad Shah was apprehended near Brazloo Bridge and an amount of Rs. 45,500/- Indian Currency, along with letter pad of HM outfit was recovered from his possession. The accused during interrogation revealed that he has received the said amount from one Nazir Ahmad Wagay S/o Gh. Mohammad Wagay R/o Mohammadpora, Kulgam, on the instructions of one Nazir Ahmad Lone S/o Mohammad Maqbool Lone R/o Razloo Kound, Kulgam, who is an active militant and presently based in PoK ; and

Whereas, during the course of investigation, the accused further disclosed that he is involved in such type of activities for a long time and received/distributed several such consignments. The accused also disclosed that in addition to this amount, an amount of Rs. 2,05,500/- as terrorist fund was also received by him, which he had hidden in a field near his residential house at Razloo Kound, Kulgam ; and

Whereas, on the disclosure of accused the said amount was also recovered at his instance. The accused further disclosed that he has also handed over Rs. 67,000/- to one Manzoor Ahmad Lone S/o Mohd. Maqbool R/o Razloo Kound, Kulgam who is the real brother of active militant Nazir Ahmad Lone, based in PoK. The said Manzoor Ahmad Lone was also arrested and on his disclosure, an amount of Rs. 67,000/- was recovered from his house, which he had hidden in a pillow cover ; and

Whereas, during the course of investigation, the amount recovered in the instant case was retained under the orders of designated authority as per section 25 of Unlawful Activities (Prevention) Act, 1967. It also came to surface that some of the Hawala Money (Terrorist Fund) was being received by accused Javid Ahmad Shah through Nazir Ahmad Wagay S/o Gh. Mohd. R/o Mohammadpora, Kulgam and Mohd. Ayoub Dar @ Hakmatyar S/o Mohammad Yousuf R/o Kulgam. The same was actually to be handed over to one Gh. Qadir @ Qadira S/o Shabir Mohammad Malik R/o Asstan Marg, Tehsil Gool, Ramban (District Commander of HM outfit in District Ramban) ; and

Whereas, during further course of investigation, on the basis of statements of witnesses, the seizure memo and other evidence, the Investigating Officer has established a *prima facie* case against the accused persons under section 17 of the Unlawful Activities (Prevention) Act, 1967 apart from other offences ; and

Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized the Case Diary file and all other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the accused persons ; and

Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there is sufficient material and evidence available against the accused persons for their prosecution under the aforesaid provision of law.

Now, therefore, in exercise of powers conferred by sub-section (1) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the below mentioned accused persons for the commission of offence punishable under section 17 of the Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 79/2011 of P/S, Kulgam :—

1. Javid Ahmad Shah S/o Ab. Kabeer R/o Razloo Kound, Tehsil and District Kulgam.
2. Manzoor Ahmad Lone S/o Mohammad Maqbool R/o Razloo Kound, Tehsil and District Kulgam.
3. Nazir Ahmad Wagay S/o Gh. Mohammad R/o Mohammadpora, Tehsil and District Kulgam.
4. Nazir Ahmad Lone S/o Mohammad Maqbool Lone R/o Razloo Kound, Tehsil and District Kulgam.

4 The J&K Govt. Gazette, 25th Sept., 2017/3rd Asv., 1939. [No. 25-k

5. Fayaz Ahmad Wagay S/o Gh. Mohammad R/o Mohammadpora, Tehsil and District Kulgam.
6. Gh. Qadir @ Qadira S/o Shabir Mohammad Malik R/o Asstan Marg, Tehsil Gool, District Ramban.
7. Mohammad Ayoub Dar @ Hakmatyar S/o Mohammad Yousuf R/o Kulgam.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.