

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government-Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 28th July, 2022.

S.O.-353.ô Whereas, on 10-08-2021, the Police Station, CIK, Srinagar, received a reliable information that in the year 2019-2020, Hawala money has been deposited/transferred by two Pakistani Nationals namely Faizan Ishtiyaq Kharadi and Mohammad Farooq Ab. Aziz, into the account of one Hamaad Farooq S/o Farooq Ahmad Tramboo R/o Kagazgari Mohalla, Nowshara, Srinagar and the said money has been withdrawn and passed to the kith and kin of killed/active terrorists, Stone Pelters and secessionists for carrying out the terrorist/unlawful activities ; and

2. Whereas, based on the above, a Case FIR No. 09/2021 under sections 13, 17, 18, 39, 40 of ULA (P) Act, was registered in the Police Station, CIK, Srinagar and the investigation of the case was taken up ; and

3. Whereas, during the course of the investigation, the site plan of the place of 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, it was found that in the year 2019 and 2020 an amount of Rs. 01 lac was transferred in the account of accused viz. Hamaad Farooq Tramboo, by two persons namely Faizan Ishtiyaq Kharadi and Mohammad Farooq Ab. Aziz, from Muscat, Oman and Riyadh, Saudia Arabia and through LM Exchange Muscat respectively, for further distribution among the terrorist and families of the killed terrorists, which was withdrawn by the accused for distribution amongst the NOK¢ of deceased/active terrorists and other similar minded people. Subsequently, the accused viz. Hamaad Farooq Tramboo has been arrested in the case ; and

5. Whereas, during the investigation, it was established that the accused viz. Hamaad Farooq Tramboo, was working as Over Ground Worker (OGW) for the terrorists and under a well knit criminal conspiracy after receiving the funds from the accused namely Faizan lshtiyaq Kharadi and Mohammad Farooq Ab. Aziz, was distributing the same among the terrorists and families of killed terrorists for promoting terror activities in the valley ; and

6. Whereas, the investigation, in respect of accused viz. Faizan lshtiyaq Kharadi and Mohammad Farooq Ab. Aziz, shall continue to ascertain their identity and to bring out their role/involvement in the case ; and

7. Whereas, on the basis of the investigation, the statement 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 name:ô

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 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 Unlawful Aclivities (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. Hamaad Farooq Tramboo. for the commission of offences punishable under Sections 13, 17, 18, 39 and 40 of ULA (P) Act, arising out of FIR No. 09/2021 of Police Station, CIK, Srinagar.

By order of the Government of Jammu and Kashmir.

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