

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

separate compilation.

PART I-B

Jammu and Kashmir Government-Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 8th October, 2022.

SO-487.66Whereas, on 04-04-2022, an information was received by Police Station, JIC, Jammu (SIA) along with a copy of an article titled õThe shackles of slavery will break,ö written by one Aala Fazili and published in the digital magazine (portal) õThe Kashmir Wallaö to the effect that the article so published was part of an ongoing operation to build and propagate the false narrative to sustain the secessionistcum-terrorist campaign within J&K and to disrupt the territorial integrity of Union of India, by seceding J&K with Pakistan ; and 2. Whereas, based on the above, a Case FIR No. 01/2022 under Sections 13, 18 of ULA (P) Act, Sections 120-B, 121, 124, 153-B IPC was registered in Police Station (JIC), Jammu and the investigation of the case was set into motion. Subsequently, during the investigation Sections 35 & 39 of the Foreign Contribution (Regulation) Act, 2010, were added and Sections 120-B & 124 IPC were dropped from the case ; 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 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 author of the article namely, Abdul Aala Fazili S/o Late Mohd Rafi Fazili R/o Humhama Chowk, Airport Road, Budgam and the Director and editor of the online portal õThe Kashmir Wallaö namely Peerzaada Fahad Shah S/o Peerzaada Nisar Shah, R/o Samboora, Pulwama A/P Dawood Colony, Aanchar, Soura Srinagar, were found part of an ongoing operation to build and propagate the false narrative to sustain the secessionist-cum-terrorist campaign within J&K and to disrupt the territorial integrity of Union of India, by seceding J&K with Pakistan and subsequently, the accused were arrested in the case ; and

5. Whereas, during the investigation, it was found that the accused viz. Abdul Aala Fazili and Peerzaada Fahad Shah, under an active conspiracy and Pakistanøs support, have resurrected a platform for reviving the narrative in support of the terrorists and separatist ecosystem. The said accused have been spreading the anti-India narrative by exploiting the digital platforms under a concealed and camouflaged setup, with the help of illicit funding received from hostile foreign agencies and prescribed terrorist organizations ; and

6. Whereas, during the investigation, it has been established that the accused viz. Abdul Aala Fazili and Peerzaada Fahad Shah, under a well knit criminal conspiracy, were involved in unlawful activities and advocacy of the commission of the terrorist act, abetting the waging of war against the Government of India ; and

7. Whereas, during investigation it was also established that the accused viz. Peerzaada Fahad Shah, is the Director and editor of the

8. Whereas, the investigation with respect to the other accused shall remain to continue to bring their role in the case who are the part of the conspiracy ; and

9. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established, *prima facie*, involvement of the below mentioned accused in the commission of the offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, Indian Penal Code and the Foreign Contribution (Regulation) Act, 2010, as shown against each :ô

S. Name of the accused Offence No.

1.	Abdul Aala Tazili 5/0 Late Molid Kali	13, 10 OLA(1)
	Fazili R/o Humhama Chowk, Airport	Act
	Road, Budgam.	121, 153B, IPC.
2.	Peerzaada Fahad Shah S/o Peerzaada Nisar Shah R/o Samboora, Pulwama	13, 18 of ULA (P) Act
	A/P Dawood Colony, Aanchar Soura,	121, 153B IPC
	Srinagar.	35 & 39 FCRA.

10. Whereas, the Government has independently examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the above accused under Sections 153-B & 121 Indian Penal Code ; and

11. Whereas, the Government has examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is also made out against the above accused viz. Peerzaada Fahad Shah, under Sections 35 & 39 of the Foreign Contribution (Regulation) Act, 2010 ; and

12. Whereas, the Authority, appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) 13. 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.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, and in pursuance of Section 196 of the Code of Criminal Procedure,1973, and Section 40 of Foreign Contribution (Regulation) Act, 2010, Government hereby accord sanction for launching prosecution against the accused viz. Aala Fazili and Peerzaada Fahad Shah for the commission of offences punishable under relevant sections, indicated against each at para (8), arising out of FIR No. 01/2022 of Police Station (JIC), Jammu.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Financial Commissioner/ Additional Chief Secretary.