

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government-Notifications.

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

Notification

Jammu, the 1st December, 2022.

S.O.-645.ô Whereas, on 31-03-2022, the Police Station, Gandhinagar, received a docket to the effect that an information was received that one Mohd Shareef Shah S/o Abdul Ghani Shah R/o Syedpora, Larnoo, Kokernag is coming from Kashmir to Jammu, hand over hawala money to one Jatinder @ Babu Singh (Ex-MLA/Ex-Minister) R/o Kathua, for the purpose of financing Jammu based separatists and secessionist groups/parties to carry out subversive activities against the sovereignty, integrity and security of India.

- 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, Gandhinagar and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 16, 20, 21, 39 and 40 of ULA(P) Act, were added in the case; and
- 3. Whereas, during the investigation, the site plan of place of occurrence and 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. Mohd Shareef Shah, was found in contact with accused viz. Jatinder Singh @ Babu Singh R/o Ward No. 1, Shaheedi Chowk, Kathua, and was associate and designated Secretary of Babu Singhøs outfit ::Nature Mankind Friendly Global Partyøø. The accused viz. Jatinder Singh @ Babu Singh, was in contact with PaK based terrorist of HM 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 Shareef Shah, procured an amount of Rs. 6.9 lakhs (Indian Currency) from one Umar, on the directions of accused Jatinder Singh @ Babu Singh, at Chanapora Masjid, which was arranged by terrorist viz. Mohd Hussain Khateeb, for carrying out the terrorist activities in the Jammu area; and
- 6. Whereas, the sanction for launching prsecution against the accused viz. Mohd Shareef Shah, Jatinder Singh @ Babu Singh and Mohd Hussain Khateeb, stands already accorded vide S.O-454 dated 22-09-2022 and the investigation in respect of some other accused was continued to ascertain their actual identify and to bring out their role/involvement in the case; and
- 7. Whereas, during the further investigation, two another persons identified as Fayaz Ahmad Bhat S/o Ali Mohd Bhat R/o Bopat, Beerwah

- and Kifayat Rizvi S/o Sadiq Rizvi R/o Shariefabad, HMT, Srinagar A/P Pakistan, were found involved in the commission of crime. Subsequently, the accused viz. Fayaz Ahmad Bhat, was arrested in the case; and
- 8. Whereas, during the investigation, it was established that the accused viz. Fayaz Ahmad Bhat, received huge amount from some nnknowns persons and distributed the same among the families of killed terrorists on the directions of PoK based terrorist namely Kifayat Rizvi, in order to promote terrorists acitivities in the valley; and
- 9. 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
- Kifayat Rizvi S/o Sadiq Rizvi
 R/o Shariefabad, HMT, Srinagar A/P
 Pakistan
 13, 17, 18, 20 of ULA (P) Act.
- 10. Whereas, the accused viz. Kifayat Rizvi, is absconding and the proceedings under section 299 Cr. P. C. have been proposed to be initiated against him; and
- 11. 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
- 12. 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, The Government hereby accord sanction for launching prosecution against the accused viz. Fayaz Ahmad Bhat and Kifayat Rizvi, for the commission of offences punishable under the relevant Sections of ULA(P) Act, as indicated against each accused at Para (9) above, arising out of FIR No. 73/2022 of Police Station, Gandhi Nagar.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.