



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

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Vol. 135] Jammu, Fri., the 16th Dec., 2022/25th Agra., 1944. [No. 37-d

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

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PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Jammu, the 16th December, 2022.

SO-694.66Whereas, on 31-03-2022, the Police Station, Gandhi Nagar, 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. Subsequently, a Naka was established near the Tawi bridge, Bikram Chowk. During the checking, the said

2 The J&K Official Gazette, 16th Dec., 2022/25th Agra., 1944. [No.37-d
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, 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 Singh's outfit "Nature
Mankind Friendly Global Party". 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, during the investigation, two other 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 it
was established that he received huge amount from some unknown
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 activities in the Valley ; and

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7. Whereas, the sanction for launching prosecution against the accused viz. Mohd Shareef Shah, Jatinder Singh @ Babu Singh, Mohd Hussain Khateeb, Fayaz Ahmad Bhat and Kifayat Rizvi, stands already accorded vide SO No. 454 dated 22-09-2022 and SO No. 645 dated 01-12-2022, respectively 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

8. Whereas, during the further investigation, three other persons namely, Mubasir Mushtaq Fafoo S/o Late Mushtaq Ahmad Fafoo R/o Khawaja-Bagh A/P Kralhar near Railway Station, Baramulla, Mohd Rafique Najar S/o Jamaldin Najar R/o Nambla, Uri, Baramulla and Aijaz Ahmad Sayam S/o Gh. Mohideen R/o Khodi, Surigam, Lolab, Kupwara, were found involved in the commission of crime. Subsequently, the accused were arrested in the case ; and

9. Whereas, during the investigation, it was found that the accused viz. Mubashir Mushtaq Fafoo, received an amount of Rs. 89.95 lakhs from the accused namely Mohd Rafique Najar, on the directions of a terrorist of HM banned outfit namely Farooq Ahmad Naikoo, for further distribution among the individuals identified by the accused terrorist viz. Farooq Ahmad Naikoo, in order to promote terrorist activities in the J&K. The accused viz. Aijaz Ahmad Sayam, facilitated and coordinated in delivery of the said terror fund ; and

10. Whereas, during the investigation, it was established that the accused viz. Farooq Ahmad Naikoo, was coordinating the movement of terror fund from Dubai through the accused namely Mubashir Mushtaq Fafoo, Mohd Rafique Najar and Aijaz Ahmad Sayam under the instructions of HM terrorist Tariq @ Murtaza of Pulwama based in Pakistan ; and

11. Whereas, the investigation, in respect of other accused shall continue to ascertain their identify and to bring out their role/involvement in the case ; and

12. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established *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

S. No.	Name of the accused	Offence
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1. Mubasir Mushtaq Fafoo S/o
Late Mushtaq Ahmad Fafoo R/o
Khawaja-Bagh A/P Kralhar near
Railway Station, Baramulla. 13, 21, 40 of
ULA (P) Act.
2. Mohd Rafique Najar S/o Jamaldin
Najar R/o Nambla Uri, Baramulla.
- 3 Aijaz Ahmad Sayam S/o Gh.
Mohideen Sayam R/o Khodi,
Surigam, Lolab, Kupwara.

13. 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

14. 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. Mubasir Mushtaq Fafoo, Mohd Rafique Najar and Aijaz Ahmad Sayam, for the commission of offences punishable under Sections 13, 21 and 40 of ULA (P) Act, 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.