



GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT; HOME DEPARTMENT
SRINAGAR/JAMMU

NOTIFICATION

Jammu, the 2nd April, 2019

SRO: 251 Whereas, Police Station Pantha Chowk Srinagar on 23.10.2018 received an information through reliable sources to the effect that one person namely Nayeem Ahmad Khan S/O Gh Ahmad Khan R/O Gamander Pantha Chowk has hatched a conspiracy with one Ab Qayoom Mir @ Umer S/O Gh Mohammad Mir R/O Batamaloo Srinagar (who has ex-filtrated to Pakistan in the year 1993 for acquiring illegal arms/ammunition training) and are getting money through different channels and the same amount is being provided to banned HM Terrorist Organization; and

2. Whereas, a case FIR No.85/2018 was registered at Police Station, Pantha Chowk and investigation was taken up;and

3. Whereas, during the course of investigation, a naka was established near Sofi Petrol Pump, Pantha Chowk and during search one person was apprehended by naka party tactfully and on questioning he disclosed his name as Nayeem Ahmad Khan S/o Ghulam Ahmad Khan R/o Gamander Pantha Chowk (Accused No. 1). During Personal search of the accused an amount of Rs. 50,000/- (fifty thousand), 02 mobile phones were recovered from his possession, to this effect necessary memos were prepared and placed on the record. Statement of the witnesses were recorded U/S 161 Cr.PC, besides statements of material witnesses were also recorded under Section 164-A Cr.PC. During questioning, the accused person Nayeem Ahmad disclosed that he is in contact with one HM Militant namely Junaid Ashraf Sehrai S/O Mohammad Ashraf R/O Tikipora Lolab A/P Jahangir Colony Baghat Barzulla Srinagar (Accused No. 08) through BBM Mobile Application and on the directions of said Junaid Ashraf Sheraie, he received the recovered amount from Showkat Ahmad Sofi S/O Habib Ullah Sofi R/O Bazar Batamaloo (Accused No. 02) and was supposed to hand over the same amount to Gh. Mohi-ud-din Mir S/O Gh. Mohammad R/O Malangpora Pulwama (Accused No. 03). The accused Nayeem Ahmad had already received Rupees five lacs (Rs.5, 00,000/-) from Accused No. 02 and

handed over the same amount to Accused No. (03). Accordingly, the disclosure memo was prepared and accused Nos. 02 & 03 were arrested. During the investigation, accused No. 03 disclosed that he had received Rs. 5, 00,000/- (Five lacs only) from Accused No. 01 and subsequently handed over the said amount to one HM Militant Saif-ul-Islam Mir @ Doctor Safi Ullah (Accused No. 09) through Tariq Ahmad Lone S/O Gh. Hassan Lone R/O Lonepora Newa Pulwama (Accused No.06) for further disbursement to HM outfit militant organization. During the course of further investigation it came to fore that accused No. 01 has obtained the amount in question from Ab. Rehman Mir S/O Gh. Mohammad Mir R/O Diyarwani Batamaloo Srinagar (Accused No. 04) & Ab. Majeed Mir S/O Gh. Ahmad Mir R/O Diyarwani Batamaloo (Accused No. 05) through accused No. 02 with intention to pay the amount in question to the banned HM militants Organization for carrying terrorist activities in valley. During the course of investigation an amount to the tune of Rs. 6, 78,000/- (Six lacs seventy eight thousand) were recovered from accused No. 04 on disclosure of accused No. 5, Rupees 50,000 (fifty thousand) from accused No. 1 and Rs. 70,000 (Seventy thousand) from accused No. 2 and subsequently seized in instant case and necessary disclosure/seizure memos were prepared. The seized amount is presently lying in Mal-Khana of PS, Pantha Chowk under the retention order of Divisional Commissioner Kashmir Zone vide order issued under No. Div.Com/RA-RTN/29/2018 Dated: 25.10.2018 and No. Div.Com/RA-RTN/29/2018 Dated 31.10.2018. The mobile phones recovered from the possession of accused No. 1,2,3,5 and 6 have also been seized in the instant case and sent to CFSL, Chandigarh for analysis/ opinion and opinion thereof is awaited. During the course of investigation, it surfaced that accused No. 04 & 05 had sold 10 marlas of land located at Bcmina Bakshi Abad near Tadoo ground on the directions of their brother Ab Qayoom Mir S/O Gh Ahmad Mir R/O Diyarwani Batamaloo (Accused No. 07) to get the sale amount delivered to him through a courier who as per the report of SHO PS Batamaloo has ex-filtrated to PoK/PaK in the year 1993 for obtaining illegal arms/ammunition training and is yet to be arrested. Accused No. 07,08 and 09 have not been arrested as they are active militants of HM outfit as per the record obtained from SHO PS Saddar Srinagar and SHO PS Pulwama respectively against whom proceedings under section 512 Cr.PC have been proposed. Pertinent to mention here that Accused No. 01 to 06 are presently on Judicial Custody up to 17.02.2019 vide Extension Order dated 11.01.2018 issued by Hon'ble Additional Sessions Judge Srinagar.

4. Whereas, based on the facts and circumstances that enumerated during the course of investigation prima facie a case u/s 120-B RPC 17,18,38,39,40 ULA(P) Act is made out against below mentioned accused persons and investigation of case concluded as proved:-

1. Nayeem Ahmad Khan S/O Gh. Ahmad Khan R/O Gamander Pantha Chowk Srinagar.
2. Showkat Ahmad Sofi S/O Habib Ullah Sofi R/O Bazar Batamaloo.
3. Gh. Mohi-ud-din Mir S/O Gh. Mohammad R/O Malangpora Pulwama.
4. Ab. Rehman Mir S/O Gh. Ahmad Mir R/O Diyarwani Batamaloo Srinagar.
5. Ab. Majeed Mir S/O Gh. Ahmad Mir R/O Diyarwani Batamaloo.
6. Tariq Ahmad Lone S/O Gh. Hassan Lone R/O Lonepora Newa Pulwama
7. Ab Qayoom Mir S/O Gh. Ahmad Mir R/O Diyarwani Batamaloo.
8. Junaid Ahmad Khan @ Sehraie S/O Mohammad Ashraf Sehraie R/O Tikipora Lolab Kupwara A/P Jahangir Colony Baghat Barzulla Srinagar (Active militant)
9. Saiful-Islam Mir @ Doctor S/O Mohammad Akram Mir R/O Malangpora Pulwama (Active militant).

5. 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 the 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 said accused persons for commission of offences punishable under Section 17,18,38,39 & 40 of the Unlawful Activities (Prevention) Act, 1967; and

6. 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 provisions of law.

7. Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the accused persons namely:-

1. Nayeem Ahmad Khan S/O Gh. Ahmad Khan R/O Gamander Pantha Chowk Srinagar.

2. Showkat Ahmad Sofi S/O Habib Ullah Sofi R/O Bazar Batamaloo.
3. Gh. Mohi-ud-din Mir S/O Gh. Mohammad R/O Malangpora Pulwama.
4. Ab. Rehman Mir S/O Gh. Ahmad Mir R/O Diyarwani Batamaloo Srinagar.
5. Ab. Majeed Mir S/O Gh. Ahmad Mir R/O Diyarwani Batamaloo.
6. Tariq Ahmad Lone S/O Gh. Hassan Lone R/O Lonepora Newa Pulwama
7. Ab Qayoom Mir S/O Gh. Ahmad Mir R/O Diyarwani Batamaloo.
8. Junaid Ahmad Khan @ Sehraie S/O Mohammad Ashraf Sehraie R/O Tikipora Lolab Kupwara A/P Jahangir Colony Baghat Barzulla Srinagar (Active militant)
9. Saiful-Islam Mir @ Doctor S/O Mohammad Akram Mir R/O Malangpora Pulwama (Active militant) for commission of offences punishable U/S 17,18,38,39 and 40 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 85/2018 of Police Station Pantha Chowk.

By Order of the Government of Jammu and Kashmir.

Sd/-

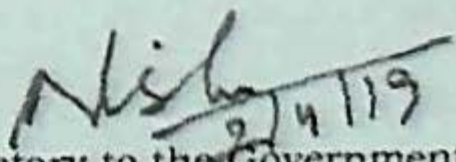
Principal Secretary to the Government
Home Department

No. Home/Pros/20/2019

Dated: 2.04.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.(S)Legal/San-143/S/2018/1095-97 dated 05/03/2019 & Legal/Sanc-143/S/2018/797-99 dated 21.02.2019. The CD file in original is returned herewith, receipt of which may kindly be acknowledged.
2. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs. (w.7.s.c.)
3. Private Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.


27/4/19
Under Secretary to the Government
Home Department