



Government of Jammu and Kashmir
Civil Secretariat Home Department
Srinagar/Jammu.

NOTIFICATION
Srinagar, the 11th July 2019

SRO:-444 Whereas on 01-03-2019 Police Station Budgam received an information through reliable sources to the effect that in the JeI (Jamaat-e-Islami) Office at Wadipora Budgam some members of said Organization are still continuing their unlawful activities after knowing that JeI has been banned by Govt. of India, thereby causing threat to the sovereignty and security of the Country and State;and

2. Whereas, case FIR No. 42/2019 U/S 10,11,13ULA(P) Act was registered at P/S Budgam and investigation was taken up;and

3. Whereas, during the course of investigation, site plan of the place of occurrence was prepared. The office premises of JeI at Wadipora Budgam was searched and during search incriminating material was recovered and seizure memo was also prepared. The Office of JeI(Jamaat-e-Islami) at Wadipora Budgam was sealed by the Executive Magistrate Ist. Class Budgam and photography was also conducted. Statement of witnesses acquainted with facts and circumstances of case were recorded under relevant provisions of law and placed on record. Investigation conducted also revealed that three Bank Accounts are being run by JeI activists in J&K Bank Ompora detailed as under:-

1. Account No. 0483010250000034 in the name of Markazi Noor Wadipora Budgam.

2. Account No. 0483040100064033 in the name of Masjid Noor through Ghulam Mohammad Bhat.

3. Account No. 0483010250000033 in the name of Baitul Maal jeI Wadipora Budgam. These accounts were found to be maintained by accused 1. Ghulam Mohammad Bhat S/o Abdul Gani Bhat R/o Gotapora Soibugh. 2. Syed Nazir Ahmad S/O Syed Ghulam Ali R/o Soibugh 3. Ghulam Mohammad Wani S/o Ghulam Ahmad R/o Check Soibugh 4. Mohammad Yousuf Malik S/o Abdul Gaffar R/o Dharmuna Soibugh 5. Abdul Hameed Ganaie @ Dr. Hameed Fayaz S/o Mohammad Yaseen Ganaie R/o Nadigam, Shopian A/P Zabarwan Colony Hyderpora all JeI members. These JeI members also collect and disburse money collected from general public for various JeI

related activities in valley especially in district Budgam. During further investigation incriminating material was also recovered from the house of accused Abdul Hameed Ganaie @ Dr. Hameed Fayaz S/O Mohammad Yaseen Ganaie R/O Nadigam Shopian A/P Zabarwan Colony Hyderpora Budgam and seizure memo was prepared. Other allied documents viz Bank Statements, CDRs etc. having bearing on the subject matter were also collected and placed on record; and

4. Whereas, investigation conducted revealed that the above mentioned five accused persons are involved in various subversive activities related to banned organization JeI. Evidence collected has prima facie established offences punishable u/s 10,11,13 UAP Act against accused 1. Ghulam Mohammad Bhat S/o Abdul Gani Bhat R/o Gotapora Soibugh 2. Syed Nazir Ahmad S/o Syed Ghulam Ali R/o Soibugh 3. Ghulam Mohammad Wani S/O Ghulam Ahmad R/O Check Soibugh 4. Mohammad Yousuf Malik S/o Abdul Gaffar R/o Dharmuna Soibugh 5. Abdul Hameed Ganaie @ Dr. Hameed Fayaz S/o Mohammad Yaseen Ganaie R/o Nadigam, Shopian A/P Zabarwan Colony Hyderpora and investigation of the case has been concluded as proved against them.

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; 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.

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. Ghulam Mohammad Bhat S/o Abdul Gani Bhat R/o Gotapora Soibugh 2. Syed Nazir Ahmad S/o Syed Ghulam Ali R/o Soibugh 3. Ghulam Mohammad Wani S/O Ghulam Ahmad R/O Check Soibugh 4. Mohammad Yousuf Malik S/o Abdul Gaffar R/o Dharmuna Soibugh 5. Abdul Hameed Ganaie @ Dr.

Hameed Fayaz S/o Mohammad Yaseen Ganaie R/o Nadigam, Shopian A/P Zabarwan Colony Hyderpora for the commission of offences punishable U/S 10,11 & 13 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.42/2019 of P/S Budgam.

By order of Government of Jammu and Kashmir.

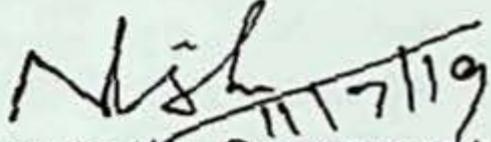
Sd/-
Principal Secretary to the Government
Home Department

Dated: 11.07.2019

No. Home/Pros/95/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-32/S/2019/39641-43 dated 02/07/2019. 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.


11/7/19
Under Secretary to the Government
Home Department