



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

NOTIFICATION

Srinagar, the 11th ~~Sept~~ ^{October}, 2019

SRO:- 580 Whereas, on 09.06.2019 Police Station, Kulgam received an information from reliable sources that within the jurisdiction of P/S Kulgam, the OGW's of outfit HM particularly Zakir Hussain Gadda S/o Mohd. Yaqoob Gadda R/o Wanpora (presently at Tokerpora Qaimoh) and Anayat Rashid Bhat S/O Ab. Rashid Bhat R/o Tarigam are working for the said outfit. Besides they are transporting terrorists from one place to another. Moreover, they are conspiring within terrorists to carry out unlawful activities. Further the two are using social media as platform to spread terrorism and spread hatred towards India State among one and all. They paste the banner/posters of HM outfit at different places in order to create fear psychosis among common people; and

2. Whereas, a case FIR No. 99/2018 U/S 506 RPC 13,18.19 and 39 UA(P)Act, 1967 was registered at of P/S Kulgam and investigation taken up; and

3. Whereas, during the course of investigation accused No. 1 Zakir Hussain Gadda S/o Mohd Yaqoob Gadda R/o Wanpora presently Thokarpora Qaimoh was apprehended and from his personal search one poster of HM outfit and a Pakistani flag was recovered and recovery/seizure memo prepared and placed on record. The accused disclosed that he and accused No. 2 Anayat Rashid Bhat S/o Ab. Rashid Bhat R/O Tarigam are OGWs of HM outfit and are the close associate of Tawseef Ahmad Sheikh (now killed) and used to paste the posters of HM outfit in the jurisdiction of Police Station Kulgam to harras and instigate the youth to join militancy and commit subversive activities. Accordingly the disclosure memo was prepared

and accused No. 2 who was handed over by his father to Police disclosed that he is an OGW of HM outfit and on his disclosure five number of posters of HM outfit was recovered and recovery memo was prepared and placed on record. Further the accused No. 2 revealed that the accused No.3 Towseef has installed BBM application on his mobile phone Joinee which was seized and examined which revealed that in the list there are many names of active militants stored in it, and the said phone has been sent to FSL Chandigarh for examination and opinion thereof is awaited. During further course of investigation statement of witnesses were recorded under relevant sections of law and placed on file. Investigation concluded has prima facie revealed that involvement of accused persons namely 1. Zakir Hussian Gadda S/o Mohd Yaqoob Gadda R/o Wanpora 2. Anayat Rashid Bhat S/o Ab. Rashid Bhat R/o Tarigam and 3. Tawseef Ahmad Sheikh S/o Ab. Salam Sheikh R/o Rampora Qaimoh for the commission of crime punishable u/s 506 RPC 13, 18, 19, 39 UAPA and investigation concluded as proved; and

4. 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

5. 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. Zakir Hussain Gadda S/O Mohd. Yaqoob Gadda R/O Wanpora 2. Anayat Rashid Bhat S/O Ab. Rashid Bhat R/O Tarigam for the commission of offences punishable u/s 13,18, 19 & 39 of Unlawful Activities (Prevention) Act, 1967 in case FIR No. 99/2018 of Police Station Kulgam.

By order of Government of Jammu and Kashmir.

Sd/-

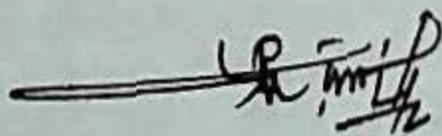
Principal Secretary to the Government
Home Department

No. Home/Pros/73/2018

Dated: 11.05.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-50/S/2018/68559-61-58 dated 13/09/2018 and No. Legal/Sanc/50/S/2018/27721-22 dated 11.05.2019. 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.


11.05.19.
Under Secretary to the Government
Home Department