

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

NOTIFICATION

Jammu, the 7th January, 2020

SO 05 .-Whereas, 10-09-2019 Police Station Kralgund received information through reliable sources to the effect that one Aijaz Ahmad Bhat S/O Habibullah Bhat R/O Nehama Kralgund is affiliated with various terrorist organizations and is providing money/other assistance to the terrorists. The act of the said individual poses a potential threat to the security and integrity of the Union territory; and

2. Whereas, a case FIR No.90 of 2018 U/S 124-A RPC,18 and 39 of ULA (P) Act 1967 was registered at Police Station Kralgund and investigation was taken up; and

3. Whereas, during the course of investigation suspects namely Aijaz Ahmad Bhat and Ashiq Ahmad Ganie were apprehended and during questioning Aijaz Ahmad Bhat disclosed that he has received rupees 125000/- in Cash from Ashiq Ahmad Ganie S/O Abdul Rehman Ganie R/O Hangal Pawa Pahalgam which he has kept at his home and on 03-09-2018 during night hours some unknown militants came to his house at Nehama and he gave them one Lac Rupees (Rs. 100000/-) for carrying out terrorist activities. He further disclosed that and on 04-09-2018 at about 10:30 hrs, he received an amount of rupees One Lac 100000/= in his account No. 0622010250000112 of JK Bank Kralgund by some unknown person through JK Bank Sangam. He further disclosed that he and his associate Ashiq Ahmad Ganie are providing/collecting money for terrorists for carrying out terrorist activities. Accordingly the disclosure statement was prepared and placed on record. During the course of investigation, the Bank account subscriber detail as well as transaction statement of the bank account No. 0622010250000112 belonging to accused Aijaz Ahmad Bhat were collected and placed on file as piece of evidence; and

4. Whereas, investigation conducted further revealed that the cheque was belonging to one Ab Rashid Dar S/O Mohammad Sultan Dar R/O Dogripora Pulwama, which had been deposited in the account number 0622010250000112 of Aijaz Ahmad Bhat. Subsequently Ab. Rashid Dar S/O Mohammad Sultan Dar R/O Dogripora Pulwama on questioning revealed that on 04-09-2018 at



about 10:00 A.M one Sami-u-llah Dar S/O Mohammad Ramzan Dar R/O Dogripora Pulwama came to his house and demanded one Lakh Rupees and also threatened him of dire consequence through hands of active militant Reyaz Naikoo, if the amount is not paid. Due to fear of dire consequence Ab Rashid Dar had paid Rupees 100000/= through Cheque to said Sami-u-llah, accordingly the statement of Ab Rashid was recorded u/s 164-A Cr.PC and placed on file. The statement so recorded would inter alia reveal that accused Sami-u-llah Dar is working with HM Terrorist organization and has threatened Ab Rashid Dar, that if he did not pay the same amount he will have to face the same consequence as his brother has faced (his brother has been killed by unknown gunman three years ago), and under threat Ab Rashid Dar has paid One Lakh through Cheque to him.

5. Investigation further revealed that the money ultimately was collected by active militant Rayaz Naikoo for carrying out terrorist activities. Subsequently accused Sami-ullah Dar was arrested who disclosed that he had deposited the said cheque in account number of accused Aijaz Ahmad on the directions of accused Reyaz Naikoo. Accordingly disclosure statement of accused samiullah was prepared and placed on record. The statements recorded under Sec. 161/164-A Cr.PC would reveal that the accused persons namely 1. Aijaz Ahmad Bhat S/O Habibullah Bhat R/O Nehama Kralgund 2. Ashiq Ahmad Ganie S/O Abdul Rehman Ganie R/O Hangalpawa Tehsil Pahalgam Distt. Anantnag and 3. Sami-ul-llah Dar S/O Mohammad Ramzan R/O Dogripora Awantipora are involved in raising funds for carrying out terrorist activities with the connivance/instructions of active militant Reyaz Ahmad Naikoo S/O Assad-ullah Naikoo R/O Bagpora Awantipora;and

6. Whereas, during the course of investigation, on the basis of statement of witnesses, the seizure memos and other evidence, the Investigating Officer established a prima- facie case against the accused persons namely 1. Aijaz Ahmad Bhat S/O Habibullah Bhat R/O Nehama Kralgund 2. Ashiq Ahmad Ganie S/o Abdul Rehman Ganie R/O Hangalpawa Tehsil Pahalgam Distt. Anantnag 3. Same-ul-llah Dar S/O Mohammad Ramzan R/O Dogripora Awantipora and 4. Reyaz Ahmad Naikoo S/O Assadullah Naikoo R/O Bagpora Awantipora u/s 17,40 of the Unlawful Activities (Prevention) Act, 1967. Accused Reyaz Ahmad Naikoo is absconding against whom proceedings u/s 512 Cr.PC have been proposed; and

7. Whereas, the Authority appointed by the Government of Union Territory of Jammu and Kashmir 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

8. 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 Government of Union Territory of Jammu and Kashmir 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 Government of Union Territory of Jammu and Kashmir hereby accords sanction for launching prosecution against the accused persons namely 1. Aijaz Ahamd Bhat S/O Habibullah Bhat R/O Nehama Kralgund 2. Ashiq Ahmad Ganie S/O Abdul Rehman Ganie R/O Hangalpawa Tehsil Pahalgam Distt. Anantnag and 3. Sami-ul-llah Dar S/O Mohammad Ramzan R/O Dogripora Awantipora and 4. Reyaz Ahamd Naikoo S/O Assadullah Naikoo R/O Bagpora Awantipora for the commission of offences punishable u/s 17 & 40 Unlawful Activities (Prevention) Act, 1967 in case FIR No. 90/2018 of Police Station Kralgund.

By Order of the Lieutenant Governor.

Sd/-

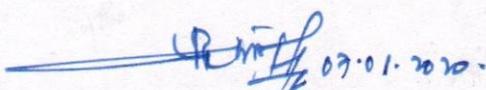
Principal Secretary to the Government
Home Department

No. Home/Pros/83/2019

Dated: 07.01.2020

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/San-165/S/2018/30240-42 dated 23/05/2019. 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.


Under Secretary to the Government
Home Department