

EXTRAORDINARY

REGD. NO. JK—33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

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

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Srinagar, the 18th July, 2016.

SRO-231.—Whereas, on 23-08-2005, Police Station, CIK received a reliable report to the effect that one Mohammad Yousuf Bara S/o Raj Mohammad R/o Dardkhud, Harwan, Srinagar is working with the militants. He is helping the foreign nationals/militants in arranging Airtel SIM Cards and food/shelter etc. and is providing them every possible assistance in waging war against the Union of India by carrying subversive

activities at the behest of PAK ISI agents with the intention to secede J&K from rest of the Country ; and

Whereas, in this connection, Case FIR No. 11/2005 under sections 120-B, 212, 468, 471 RPC, 13, 18, 19, 20 of the Unlawful Activities (Prevention) Act, 1967 and section 10 of the Criminal Law (Amendment) Act, 1983 was registered in Police Station, CIK against the accused, who was taken into custody and the investigation initiated ; and

Whereas, during the course of investigation, it was established that the said accused is active in Kashmir and is involved in different militancy related incidents and his intention is to separate J&K from the Union of India and he was also involved in providing SIM Cards to Doctor Faheem and other militants of Al- Badar outfit ; and

Whereas, during the course of investigation, on the basis of statement of witnesses, the seizure memo and other evidence, the Investigating Officer has established a *prima facie* case against the accused person under sections 13, 18, 19 and 20 of the Unlawful Activities (Prevention) Act, 1967 and section 10 of Criminal Law (Amendment) Act, 1983 apart from other offences ; and

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 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 accused person ; and

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 person for his prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of the powers conferred under sub-section (1) of section 45 of the Unlawful Activities (Prevention) Act, 1967, and section 17 of the Criminal Law (Amendment) Act, 1983, the State Government hereby accords sanction for launching prosecution against the accused person namely, Mohammad Yousuf Bara S/o Raj Mohammad R/o Dardkhud, Harwan, Srinagar for the commission of offences punishable under sections 13, 18, 19 and 20 of the Unlawful Activities (Prevention) Act, 1967 and section 10 of the Criminal Law (Amendment) Act, 1983 arising out of FIR No. 11/2005 of Police Station, CIK.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to Government,
Home Department.