



THE JAMMU AND 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 4th October, 2016.

SRO-320.—Whereas, on 26-11-2013, Police Station, Charar-i-Sharief, Budgam received a written complaint from one Mohammad Akbar Bhat, Sub-Inspector (Telecom.) to the effect that on 17-11-2013, while on way to attend Fajar Prayers, an unknown person handed-over him a letter bearing a stamp of District Commander of banned HM outfit, wherein a demand of Rs. 30,000/- was made from the complainant ; and

Whereas, in this connection, Case FIR No. 94/2013 under sections 506, 336, 427 RPC and section 13 of the Unlawful Activities (Prevention) Act, 1967 was registered at Police Station, Charar-i-Sharief, Budgam and investigation initiated ; and

Whereas, during the course of investigation, accused persons namely Myser Ahmad Mir S/o Gh. Hassan Mir R/o Lawaypora, Malwan and Nisar Ahmad Rather S/o Fateh Mohammad Rather R/o Ratherpora, Dalwan, Charar-i-Sharief were apprehended and upon their disclosure the stamp in question of HM outfit was recovered ; and

Whereas, during the course of investigation, on the basis of statements of witnesses, recorded under sections 161 and 164-A Cr. P C., the seizure memo and other evidence, the Investigating Officer has established a *prima facie* case against the accused persons under section 13 of the Unlawful Activities (Prevention) Act, 1967 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 persons ; 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 persons for their prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the accused persons namely Myser

Ahmad Mir S/o Gh. Hassan Mir R/o Lawaypora, Dalwan and Nisar Ahmad Rather S/o Fateh Mohammad Rather R/o Ratherpora, Dalwan, Charar-i-Sharief for the commission of offence punishable under section 13 of the Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 94/2013 of Police Station, Charar-i-Sharief, Budgam.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.
