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Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATóóHOME DEPARTMENT

Notification

Jammu, the 3rd December, 2018.

SRO-537.66Whereas, on 27-03-2018, P/S Kulgam came to know through reliable sources that since from some time in the jurisdiction of the Police Station, Kulgam, two persons namely Zahoor Ahmad Bhat S/o Gh. Ahmad Bhat R/o Tazipora, Mohammad Pora, Parvaiz Ahmad Pala S/o Mohd. Ayoub Pala R/o Matibugh, Yariporta and other unknown persons in conspiracy are harboring, aiding the active terrorists of the area which poses threat to the security forces and is against the sovereignty of India. Further the said persons are infusing the spirit of seceding from the Union of India in the minds of youths in order to motivate them to join militancy ranks etc. ; and

2. Whereas, in this connection, a Case FIR No. 62/2018 under sections 18, 18-B, 19, 38, 39 ULA(P) Act, 1967 and 7/25 Arms Act came to be registered in Police Station, Kulgam ; and

3. Whereas, during the course of investigation and as per the evidence collected, it has been found that the accused persons namely Zahoor Ahmad Bhat S/o Gh. Ahmad Bhat R/o Tazipora-Mohammad Pora and Parvaiz Ahmad Pala S/o Mohd Ayoub Pala R/o Matibugh-Yaripora have been found involved for the commission of offences under sections 18,18-B, 19,38,39 ULA(P) Act and 7/25 A Act ; and

4. Whereas, on the basis of evidence collected during the course of investigation and the Statement of witnesses recorded under sections 161 CrPC and 164-A CrPC as well as recovery of arms/ammunitions, *prima facie* case made out against the accused persons for the commission of aforementioned offences ; and

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 person for commission of offences punishable under sections 18, 18-B, 19, 38 and 39 of the Unlawful Activities (Prevention) Act, 1967 ; 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.

7. 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 below mentioned accused persons namely Zahoor Ahmad Bhat S/o Gh. Ahmad Bhat R/o Tazipora-Mohammad Pora and Parvaiz Ahmad Pala

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S/o Mohd Ayoub Pala R/o Matibugh-Yaripora for the commission of offence punishable under sections 18, 18-B, 19, 38 and 39 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 62/2018 of Police Station, Kulgam.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.