

REGD. NO. JKô 33



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Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT 66 HOME DEPARTMENT

Notification

Jammu, the 20th December, 2018.

SRO-583.66Whereas, brief facts of the case are that P/S, Lalpora received an extract from Police Post, Khurhama vide DD No. 21 dated 09-05-2017 to the effect the ASI, Ab. Khaliq, No. 37/KP along with other police personnel were on patrolling duty at Village Khurhama. Meanwhile one person mamely Mohd Ashraf Pir S/o Saif-u-Din R/o Takya, Khurhama had assembled a mob and was presenting a sermon against the State of J&K and India and was chanting slogans against the sovereignty of India and was instigating youth of the area to commit illegal activities etc. ; and

2. Whereas, in this connection, a case FIR No. 28/2017, under section 13 of the Unlawful Activities Prevention Act, 1967, came to be registered in Police Station, Lalpora ; and

2 The J&K Govt. Gazette, 20th Dec., 2018/29th Agra., 1940. [No. 38-a
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3. Whereas, during the course of investigation, investigating officer visited the spot, drafted the site plan, recorded statements of witnesses under the relevant provisions of Law, and placed on record ; and

4. Whereas, as per the evidence gathered by the investigating agency *prima facie* case is made out against the accused person for the commission of offence under section 13 UAPA and investigation of the case was closed as challan ; 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 offence punishable under section 13 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 his 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 Mohd Ashraf Pir S/o Saif-u-Din R/o Takya, Khurhama for the commission of offence punishable under section 13 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 28/2017 of Police Station, Lalpora.

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.