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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT, J&K.

Notification

Jammu, the 8th December, 2022.

SO-661.— Whereas, on 08-11-2018, an information was received by the Police Station, Chadoora to the effect that some unknown miscreants have pasted intimidating posters of HM banned outfit in the area, calling upon the people not to participate in the upcoming Panchayat Elections ; and

2. Whereas, based on the above, a case FIR No. 163/2018 under Section 506 RPC, 13 of ULA (P) Act, was registered in the Police Station, Chadoora and the investigation of the case was set into motion ; and

3. Whereas, during the investigation, the site plan of place of occurrence and the seizure memos were prepared and the statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

4. Whereas, during the investigation, two persons identified as Ab. Salam Chopan S/o Gh. Mohd. Chopan and Bashir Ahmad Sofi S/o Ab. Aziz Sofi residents of Brarigund Chadoora, were found involved in the commission of the crime. Subsequently, the accused were arrested and it was found that on the date of occurrence, the accused viz. Ab. Salam Chopan and Bashir Ahmad Sofi received some posters of HM banned from an unknown person and pasted the same in the area, and calling upon the people not to participate in upcoming Panchayat Elections and create disaffection against the Union of India in order to spread terror among the general public ; and

5. Whereas, on the basis of the investigation, the statement of witnesses recorded and other evidence collected, the Investigating Officer, has established a *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of unlawful Activities (Prevention) Act, 1967, as shown against their name :—

S.No	Name of the Accused	Offence
1.	Ab. Salam Chopan S/o Gh. Mohd. Chopan R/o Brarigund, Chadoora.	13 of ULA (P) Act.
2.	Bashir Ahmad Sofi S/o Ab. Aziz Sofi R/o Brarigund, Chadoora.	

6. Whereas, the Authority, appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that a *prima facie* case is made out against the above accused; and

7. Whereas, after perusing the Case Dairy File, the relevant documents and also taking into consideration the views of the Authority appointed under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz. Ab. Salam Chopan and Bashir Ahmad Sofi, for the commission of offences punishable under Section 13 of ULA (P) Act, arising out of FIR No. 163/2018 of Police Station, Chadoora.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.