



Government of Jammu and Kashmir
Civil Secretariat, Home Department
Srinagar

NOTIFICATION

Srinagar, the 11th Sept, 2018

SRO 395 .- Whereas, on 09-11-2017, Police Station, Kulgam reliably learnt that one Muneeb Hameed Bhat S/o Abdul Hamid Bhat R/o Nanibugh, Kulgam along with other suspected persons was working with banned outfit Lashkar-i-Toiba and is persuading youths of the District to join the terrorist organization. It has come to surface that he has also visited the neighbouring country Pakistan on valid passport to meet the separatist heads in Pakistan and is working for the banned organization. The said person is still in contact with separatist leaders in Pakistan for spreading terror in the State of Jammu and Kashmir and to secede the State of Jammu and Kashmir from the Union of India; and

2. Whereas, in this connection, case FIR No. 197/2017 U/S 13,18,19,38 and 39 of the Unlawful Activities (Prevention) Act, 1967 was registered in Police Station, Kulgam; and

3. Whereas, during the course of investigation, statements of witnesses were recorded under relevant provisions of law. The suspect was apprehended and during his personal search, one mobile phone of Panasonic brand alongwith two sim cards were recovered and seizure memo in this connection was accordingly prepared. The seized mobile was sent for examination and BBM messages were recovered from it through IT cell DPO Kulgam and the incriminating material was extracted from it ; and

4. Whereas, during the course of investigation, it was found that the accused has deliberately destroyed his passport and for which section 201 RPC was added in the case; and

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5. Whereas, investigation conducted has prima-facie established the commission of offences punishable u/s 13(2), 18, 19, 38 and 39 UAPA, 1967 and investigation of the case closed as challaned; and

6. Whereas, the authorities appointed by the State Government under Sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, have independently scrutinized the Case Diary (CD) file and all the other relevant documents relating to the case and have come to a definite conclusion that this is a fit case for accord of sanction for launching prosecution against the accused person in terms of the relevant provisions of the Unlawful Activities (Prevention) Act, 1967; and

7. 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.

8. 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 accused person namely, Muneeb Ahmad Bhat S/o Abdul Hameed Bhat R/o Nanibugh Kulgam for the commission of offences punishable under sections 13(2), 18, 19, 38 and 39 of the Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 197/2017 of Police Station, Kulgam.

By Order of the Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government
Home Department

No. Home/Pros/41/2018/

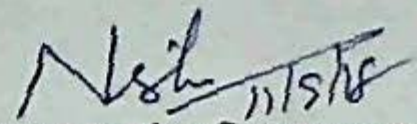
Dated: 11 .09.2018

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Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-20/S/2018/43346 dated 19/06/2018. The CD file in original is returned herewith, receipt of which may kindly be acknowledged.
2. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs. (w.7.s.c.)
3. Private Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.


Under Secretary to the Government
Home Department.