



GOVERNMENT OF JAMMU AND KASHMIR

**HOME DEPARTMENT**

Civil Secretariat, Jammu/Srinagar

**Notification,**

**Jammu, the 20 Nov, 2018**

**SRO523** .- Whereas, on 17-03-2017, Police Station Yaripora received an information from reliable sources that some miscreants have pasted HM outfit posters on the electric poles by virtue of which General Public was threatened not to take part in any election and boycott the same with an aim to threaten the security and sovereignty of the State etc.;

2. Whereas, in this connection, Case FIR No.21/2017 U/S 13 of the Unlawful Activities (Prevention) Act, 1967 came to be registered in Police Station, Yaripora Kulgam ; and

3. Whereas, on the basis of investigation carried and statement of witnesses recorded under sections 161,164-A Cr.PC, it has been established that two accused persons namely 1. Mudasir Ahmad Malla S/o Ghulam Mohi-ud-Din R/o Nowpora Kharpora and 2. Zahid Ahmad Rather S/o Ghulam Mohd Rather R/o Nowpora Kharpora were apprehended who disclosed that they pasted these incriminating posters of HM Outfit on electric poles and have kept some of these posters in the house of accused No. 1 and accordingly lead to the recovery of more posters from the house of the accused and recovery memo was prepared and placed on record; and



4. Whereas, investigation conducted has prima facie established the commission of offence punishable u/s 13 ULAP Act, against the above mentioned accused persons and investigation closed as challan; and

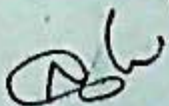
5. Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the said two accused persons for the commission of offences 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 their prosecution under the aforesaid provision 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 accused persons mentioned below for the commission of offences punishable under section 13 of the Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 21/2017 U/S 13 ULA (P) Act, in Police Station Yaripora.

1. Mudasir Ahmad Malla S/o Ghulam Mohi-ud-Din R/o Nowpora Kharpora.

2. Zahid Ahmad Rather S/o Ghulam Mohi-ud-Din R/o Nowpora Kharpora.





By Order of the Government of Jammu and Kashmir.

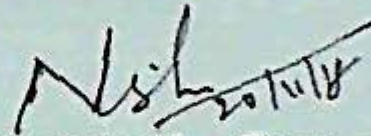
Sd/-  
Principal Secretary to the Government  
Home Department

No.Home/Pros/40/2018

Dated 2.11.2018

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/San-/24/ 2018/42697-98 dated 13/06/2018. 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