



**Government of Jammu and Kashmir
Civil Secretariat Home Department
Srinagar/Jammu**

NOTIFICATION

Jammu, the 31st, January, 2019

SRO: 91 Whereas, Police Station, M.R Gunj received a written report from HC Mohammad Mubarak PID No. 375/S of PP, Urdu Bazar stating therein that he along with other police officials were on patrolling duty on 17-12-2010 at Rajori Kadal in the morning and during patrolling, he reliably learnt that in the intervening night of 16/17-12-2010, some persons including 1. Farooq Ahmad Sodagar S/o Mohammad Ismail Sodagar R/O Saifdin Pora Rajori kadal 2. Afaq Ahmad Bhat @ Afaaq Peer S/o Ab Razaq R/O Syed Shaib Rajori Kadal 3. Ab Rashid Tanki @ Kak Molvi S/o Mohd Ismail R/O Tanki Mohalla Jamia Masjid were raising anti national slogans using loud speaker in Masjid Sharif, Rajouri Kadal, they were also instigating the general public to gather at Rajorikadal on the following day, i.e on 17-12-2010 so that an illegal procession can be taken out towards Jamia Masjid Srinagar; and

2. Whereas, a case FIR No.115/2010 u/s 13 Unlawful Activities (Prevention) Act, 1967 was registered and investigation was taken up;and

3. Whereas, during the course of investigation, the scene of occurrence was visited and site plan prepared. Statements of witnesses acquainted with the facts and circumstances of the case were recorded u/s 161,164-A Cr.Pc and placed on file. Investigation conducted and statements of independent witnesses recorded revealed the involvement of seven accused persons namely Farooq Ahmad Sodagar S/O Mohd Ismail Sodagar R/O Saif-ud-din Pora Rajori kadal, Afaq Ahmad Bhat @ Afaaq Peer S/O Mohd Abdullah Bhat R/O Syed Sahib Rajori kadal, Ab Rashid Tanki @ Kak Molivi S/O Mohd Ismail R/O Tanki Mohalla Jamia Masjid Srinagar, Nisar Ahmad Tanki S/O Mohd Sideeq Tanki R/O Central Jail Road Rainawari, Assadullah Wani S/O Habibullah Wani R/O Wanganpora Eidgah, Jahangir Ahmad Bhat S/O Ab Rahim Bhat R/O Wanganpora Eidgah, Mushatq Ahmad Bhat S/O Gh Mohd Bhat R/O Wanganpora Eidgah;and

4. Whereas, the commission of crime for raising anti-national slogans using loud speaker in Masjid Sharif Rajorikadal and instigating the general public to gather at Rajori kadal on the following day so that the procession can be taken out towards Jamia Masjid Srinagar amounts to threatening the Integrity and Sovereignty of the State/Country and is punishable under section 13 Unlawful Activities (Prevention) Act and accordingly the 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 sanction for launching prosecution against the accused persons; 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 accord sanction for launching prosecution against the accused namely 1. Farooq Ahmad Sodagar S/O Mohd Ismail Sodagar R/O Saif-ud-din Pora Rajori kadal 2. Afaq Ahmad Bhat @ Afaaq Peer S/O Mohd Abdullah Bhat R/O Syed Sahib Rajori kadal 3. Ab Rashid Tanki @ Kak Molivi S/O Mohd Ismail R/O Tanki Mohalla Jamia Masjid Sgr 4. Nisar Ahmad Tanki S/O Mohd Sideeq Tanki R/O Central Jail Road Rainawari 5. Assadullah Wani S/O Habibullah Wani R/O Wanganpora Eidgah 6. Jahangir Ahmad Bhat S/O Ab Rahim Bhat R/O Wanganpora Eidgah 7. Mushatq Ahmad Bhat S/O Gh Mohd Bhat R/O Wanganpora Eidgah for the commission of offences punishable U/S 13 Unlawful Activities (Prevention) Act arising out of FIR No. 115/2010 Police Station M.R Gunj Srinagar.

By Order of the Government of Jammu and Kashmir.

Sd/-

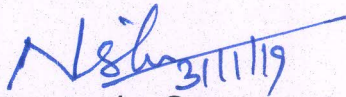
Principal Secretary to the Government
Home Department

Dated:- 31.01.2019

No. Home/Pros/ 30/2018

Copy to the:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/San-12/S/2018/33714-15 dated 18.05.2018 & No. Legal/San-12/S/2018/74957-58 dated 20.11.2018. 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. Pvt. Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.


Under Secretary to the Government
Home Department