



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

NOTIFICATION
Srinagar, the 26th July, 2019

SRO:- 477 Whereas, on 31.10.2018 P/S Kupwara received an information through reliable sources to the effect that one person namely Hilal Ahmad Wani S/o Mushtaq Ahmad Wani R/o Madmadow Kalaroos is instigating the youth against sovereignty and integrity of the country; and

2. Whereas, a case FIR No. 311/2018 U/S 13 ULA(P) Act, 1967 was registered at Police Station Kupwara and investigation was taken up; and

3. Whereas, during the course of investigation, statement of witnesses acquainted with facts and circumstances of case were recorded under relevant provisions of law, besides statement of material witnesses were also recorded under Sec. 164-A Cr.PC. Statement of witnesses so recorded would reveal that the accused Hilal Ahmad Wani S/o Mushtaq Ahmad Wani R/o Madmadow Kalaroos has been found involved in inciting the youth for unlawful activities. Accordingly the accused was arrested and from whose possession a poster of HM outfit with incriminating material viz. destabilizing the institutions of the Government and threatening with death to the common youth especially SPO's of J&K Police, if they would not resign from Govt. Service, was recovered, the said poster was seized as piece of evidence and placed on record. The contents of the seized poster are self-speaking that the accused incites, abates, advices and advocates unlawful activities. Evidence collected prima facie establishes a case u/s 13 UAPA against accused person and accordingly the investigation of case has been concluded as proved against the accused Hilal Ahmad Wani S/o Mushtaq Ahmad Wani R/o Madmadow Kalaroos; and

4. 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;
and

5. 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.

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 Hilal Ahmad Wani S/o Mushtaq Ahmad Wani R/o Madmadow Kalaroos for the commission of offences punishable U/S 13 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.311/2018 of Police Station, Kupwara.

By order of Government of Jammu and Kashmir.

Sd/-

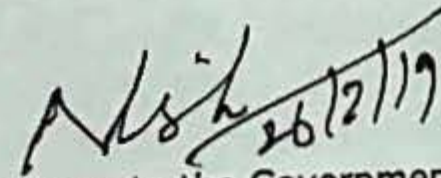
Principal Secretary to the Government
Home Department

Dated: 26.07.2019

No. Home/Pros/44/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-139/S/2018/18809-11 dated 22/03/2019. 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