



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

NOTIFICATION

Srinagar, the 16th October, 2019

SRO 588 .-Whereas on 04-03-2019 Police Station Sopore received an information through reliable source to the effect that a large group of people has gathered at the funeral procession of one local militant namely Ishfaq Hameed Mir S/O Abdul Hameed Mir R/O Brath Kalla Sopore who got killed in an encounter and when his dead body was brought to his native village, the group of miscreants raised pro-freedom & pro-Pakistani slogans. They were also found waving the Pakistani Flags in their hands and abetting and inciting the people against the sovereignty of India, besides provoking the people against the security forces; and

2. Whereas, a case FIR No. 45/2019 U/S 10 & 13 ULA (P) Act 1967 was registered in P/S Sopore and investigation set into motion; and

3. Whereas, during investigation, the accused was apprehended and from his possession one Pakistani Flag was recovered. On questioning in presence of Executive Magistrate Sopore, the accused disclosed that he delivered provocative speech to the gathering and later on uploaded it on social media; and

4. Whereas, during the course of investigation, on the basis of statements of witnesses, the seizure memos and other evidence, the Investigating Officer established a prima-facie case against the accused person namely; Masi-ul-lah Dar S/o Ghulam Ahmad Dar R/o Maidanpora under Section 13 of the Unlawful Activities (Prevention) Act 1967. Section 10 ULA (P) Act, 1967 was dropped due to lack of evidence; and

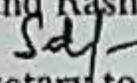
5. Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the said accused person; 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 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 persons namely Masi-ul-lah Dar S/o Ghulam Ahmad Dar R/o Maidanpora for the commission of offences punishable U/S 13 of Unlawful Activities (Prevention) Act, 1967, in case FIR No. 45/2019 of Police Station Sopore.

By order of the Government of Jammu and Kashmir.


Principal Secretary to the Government
Home Department

No. Home/Pros/135/2019

Dated: 16.10.2019

Copy to:-

1. Director General of Police, J&K Srinagar. This has reference to his letter No. Legal/San- Legal/San- 29/S/2019/47666-68 dated 02.08.2019. 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.


16.10.19.
Under Secretary to the Government
Home Department