



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

NOTIFICATION

Srinagar, the 19th Sep, 2018

SRO417 . - Whereas, on 02.05.2017, Police Post, Behibagh, Kulgam through a reliable source came to know that a missing person namely Faisal Rashid Rather S/O Ab. Rashid Rather R/o Yamrach has joined the banned terrorist (H.M) organization with the intention to disrupt the peace and to wage a war against the sovereignty of India etc.; and

2. Whereas, in this connection, a case FIR No. 41/2017 under section 13 of the Unlawful Activities (Prevention) Act, 1967 came to be registered in Police Station, Yaripora; and

3. Whereas, during the course of investigation, statements of witnesses were recorded under the relevant sections of law; and

4. Whereas, investigation conducted revealed that the accused Faisal Rashid Rather S/o Ab. Rashid Rather R/o Yamrach has joined terror outfit (HM) with the aim to threaten the security and sovereignty of the state and is absconding and evading arrest. Investigation conducted, prima facie, established the commission of offence punishable u/s 13 ULA(P) Act on part of the said accused person and 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 prosecution sanction against the said accused person for commission of offence punishable under section 13 of the Unlawful Activities (Prevention) Act, 1967; and

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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.

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 below mentioned accused person namely Faisal Rashid Rather S/o Ab. Rashid Rather R/o Yamrach for the commission of offence punishable under section 13 of the Unlawful Activities (Prevention) Act, 1967, arising out of FIR No. 41/2017 of Police Station, Yarlpora.

By Order of the Government of Jammu and Kashmir.

Sd/-

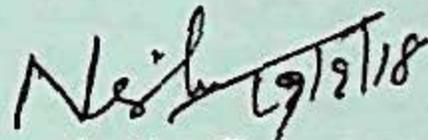
Principal Secretary to the Government
Home Department

No.Home/Pros/42/2018

Dated: 19.09.2018

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/San-25/S/ 2018/43103 dated 18/06/2018. 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.