



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

NOTIFICATION

Jammu, the 28th January, 2019

SRO 85 .-Whereas, Police Station M.R. Gunj received an information on 13-07-2016 that at Chinkral Mohalla Habba Kadal two persons namely; Noor Mohammad Kalwal S/O Ghulam Rasool R/O Nowhatta and the other namely Abid Ahmad Beigh S/O Ghulam Mohammad R/O Chinkral Mohalla have assembled and are praising the killed militant Burhan Wani thereby disturbing the peace and tranquility of the area, by raising pro-freedom and anti-national slogans; and

2. Whereas, case FIR No. 60/2016 U/S 13 ULA (P) Act in Police Station M.R Gunj was registered and investigation initiated; and

3. Whereas, during the course of investigation, the site plan was prepared and statements of witnesses were recorded u/s 161, 164-A Cr.PC and placed on file. Investigation further revealed that the accused Noor Mohammad Kalwal S/O Ghulam Rasool R/O Nowhatta is affiliated with JKLF and the accused Abid Ahmad Beigh S/O Ghulam Mohammad R/O Chinkral Mohalla is a hardcore stone pelter and they had assembled to instigate the youth of the area for stone pelting and instigating people to raise slogans against the State and Country and secede the State of Jammu and Kashmir from the Union of India ; and

4. Whereas, investigation conducted has prima facie revealed involvement of the accused persons namely; 1. Noor Mohamad Kalwal S/O Ghulam Rasool R/O Nowhatta and 2. Abid Ahmad Beigh S/O Ghulam Mohammad R/O Chinkral Mohalla for the commission of offence punishable u/s 13 ULAP Act and accordingly the case has been concluded as proved against them; 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 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 accord sanction for launching prosecution against the accused namely 1. Noor Mohammad Kalwal S/O Ghulam Rasool R/O Nowhatta and 2. Abid Ahmad Beigh S/O Ghulam Mohammad R/O Chinkral Mohalla for the commission of offence punishable U/S 13 Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 60/2016 of Police Station M.R. Gunj, Srinagar.

By Order of the Government of Jammu and Kashmir.

Sd/-

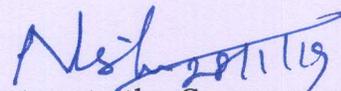
Principal Secretary to the Government
Home Department

No. Home/Pros/ 82/2018

Dated: ~~28~~ 01.2019

Copy to the:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/San-53/S/2018/67793-94 dated 10.10.2018 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