



GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT; HOME DEPARTMENT
SRINAGAR/JAMMU

NOTIFICATION

Jammu, the 13th April, 2019

SRO:- 245 Whereas, Police Station, Khanyar on 19-11-2015 received an information from reliable sources to the effect that one person namely Faizan Akhter Bhat is preparing flags of ISIS at his home. Besides, he has created a group of youth by using technology of internet on his personal mobile and is unfurling/erecting these flags at different places of Sringar particualrly Nowhatta Jamia Masjid, Eidgah etc as such, instigate/provoke public of Anti national activities and question the integrity of J&K with rest of india;and

2. Whereas, a case FIR No. 75/15 U/S 13 ULA (P) Act was registered at Police Station Khanyar and investigation taken up;and

3. Whereas, during the course of investigation site plan was prepared. Statement of witnesses familiar with the facts and circumstances of the case were recorded under relevant provisions of law and place on record. During investigation, accused Faizan Akhter Bhat S/o Akhter Hussain Bhat R/o Gousia Colony Khanyar was apprehended who disclosed that he is making ISIS Flags at his home and later on distributes them among other youths of the area for hoisting during procession. The accused further disclosed that some ISIS Flags are lying in his home. Subsequently, to his disclosure, ISIS flags were recovered from his home and necessary memos to this effect were prepared. During further investigation, suspects whose names were disclosed by the accused Faizan Akhter were apprehended for questioning, however, were given benefit of Sec.169 CrPC as no concrete evidence surfaced against them. On the strength of evidence collected during investigation, accused Faizan Akhter Bhat S/o Akhter Hussain Bhat R/o Gousia Colony Khanyar was found to have committed offences punishable u/s 13 UAP Act and accordingly investigation concluded as proved;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 for commission of offences punishable under Section 13 of the Unlawful Activities (Prevention) Act, 1967; 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.

6. 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 Faizan Akhter Bhat S/o Akhter Hussain Bhat R/o Gousia Colony Khanyar for commission of offences punishable u/s 13, of Unlawful Activities (Prevention) Act, 1967 in case FIR No.75/2015.

By Order of the Government of Jammu and Kashmir.

Sd/-

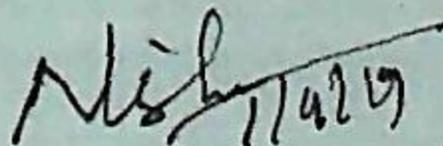
Principal Secretary to the Government
Home Department

No. Home/Pros/106/2018

Dated 04.04.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/San-43/S/2016/76113-15 dated 26.11.2018. 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. Private Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.



Under Secretary to the Government
Home Department