



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

NOTIFICATION

Srinagar, the 18th September, 2019

SRO:-536 Whereas, on 09-04-2016 Police Station Sumbal received an information through reliable sources to the effect that at Naidkhai Market, 01. Ghulam Din War S/O Habibullah 02.Ashiq Hussain Dar S/O Ab.Majeed residents of Naidkhai hoisted a Pakistani flag at Reliance tower and also raised Anti National Slogans; and

2. Whereas, a case FIR No.58 of 2016 u/s 13 UA(P) Act, 1967 was registered at Police Station sumbal and investigation was taken up;and

3. Whereas, during the course of investigation site plan of place of occurrence was prepared and from the place of occurrence one Pakistani Flag was recovered and seized as piece of evidence for which seizure memo was prepared. Statements of witnesses acquainted with facts and circumstances of the case were recorded U/S 161 Cr.PC, and statement of material witnesses were also recorded u/s 164-A Cr.PC. Statement of witnesses so recorded would inter alia reveal that accused Ghulam-u-Din War , Ashiq Hussain Dar and Reyaz Ahamd all residents of Naidkhai Sumbal hoisted a Pakistani flag on mobile tower and also raised Anti-National slogans thereby causing threat to the Integrity and Sovereignty of Country. Evidence collected has prima facie established commission of offences punishable u/s 13 UAP Act against accused 01. Ghulam-u- Din War S/O Habibullah R/O Naidkhai 02.Ashiq Hussain Dar S/O Ab.Majeed R/O Naidkhai 03. Reyaz Ahamd S/O Mohamamd Ahsan Hurra R/O Naidkhai Sumbal and accordingly investigation of case has been concluded as proved against them; 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 persons; 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 persons for their 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 01. Ghulam-u-Din War S/O Habibullah R/O Naidkhai 02. Ashiq Hussain Dar S/O Ab. Majeed R/O Naidkhai 03. Reyaz Ahamd Hurrah S/O Mohamamd Ahsan Hurra R/O Naidkhai Sumbal for commission of offences punishable u/s 13 Of Unlawful Activities (Prevention) Act, 1967, in case FIR No. 58/2016 of Police Station Sumbal.

By order of Government of Jammu and Kashmir.

Sd/-

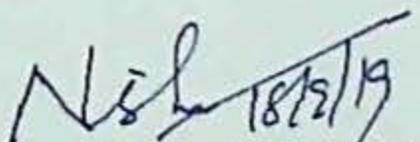
Principal Secretary to the Government
Home Department

Dated: 18.09.2019

No. Home/Pros/80/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-07/S/2019/32049-51 dated 28/05/2019. 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