



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

NOTIFICATION

Srinagar, the 23rd October, 2019

SRO 634.-Whereas, on 04.08.2018 P/S Pantha Chowk received information through reliable sources to the effect that one person namely Mohd Asif Baba S/o Mushtaq Ahmad Baba R/o Gamander Pantha Chowk possessed arms/ammunition of militants operating in the area; and

2. Whereas, a case FIR No.61/2018 U/S 7/25 A. Act was registered at Police Station, Panthachowk and investigation taken up;and

3. Whereas, during the course of investigation,while searching the house of accused namely; Mohammad Asif Baba S/O Mushtaq Ahmad Baba R/O Gamander Panthachowk, Srinagar, two grenades, 5-AK rounds (live), 8-empty cartridges were recovered and besides, during his personal search, two mobile phones along with 2 SIM cards were also recovered from his possession. The accused confessed that he was working with terrorists and facilitated their transportation from one place to another. He also confessed that one more person namely; Nayeem Ahmad Khan S/O Gh. Ahmad Khan R/O Gamander Panthachowk Srinagar was also involved in these activities. On his confession, offences 18 ULA(P) Act, 120- B RPC was invoked in the instant case; and

4. Whereas, during the course of investigation, on the basis of statement of witnesses, the seizure memos and other evidence, the Investigating Officer established a prima-facie case against the accused persons namely Mohammad Asif Baba S/o Mushtaq Ahmad Baba R/o Gamander Panthachowk and Nayeem Ahmad Khan S/o Gh Ahmad Khan R/o Gamander Panthachowk Srinagar under sections 7/25 Arms Act, 120-B RPC and 18 Unlawful Activities (Prevention) Act, 1967;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 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 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 Mohammad Asif Baba S/o Mushtaq Ahmad Baba R/o Gamander Panthachowk and Nayeem Ahmad Khan S/o Gh. Ahmad Khan R/o Gamander Panthachowk for the commission of offences punishable U/S 18 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.61/2018 of P/S Panthachowk.

By order of Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government
Home Department

Dated: 23.10.2019

No. Home/Pros/122/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No. Legal/Sanc-162/S/2019/47921-23 dated 03/08/2019. 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.

Nish
23/10/19

Under Secretary to the Government
Home Department