NOTIFICATION

Srinagar, the 4th October, 2012

SRO 321 - Whereas, on 01-02-2009, Police Station Chanderkote, Ramban received a reliable information to the effect that at the behest of one POK based dreaded militant namely Abu Farar, some officials of Baghilar Hydro Electric Project (BHEP) are planning to sabotage the Baghilar project for spreading terror among the general public; and

Whereas, in this connection, Case FIR No 09/2009 u/s 120-B RPC, 17,18,19,20 and 21 of the Unlawful Activities (Prevention) Act, 1967, 2/3 E&IMCO and 3EAO was registered in Police Station Chanderkote, Ramban and investigation was initiated; and

Whereas, during the course of investigation, some suspects were apprehended but were subsequently released u/s 169 Cr. P.C as their involvement in the commission of offence was not established. However, involvement of some POK based militants was established; and

Whereas, during the course of further investigation, two persons namely Ghulam Ali code Muzamil S/O Ghulam Qadir Guijar R/O Kwana Kheri, Tehsil Banihal, Shiraz Ahmed Code Shakir S/O Mohammad Abdullah Wani R/O Darpura, Shopian who had gone to Pakistan for training of Arms/Ammunition and came back, along with one Mst Faizal D/O Hyder Zaman R/O Changa, Mensera of POK, wife of Shiraz Ahmed, were arrested from Railway Station, Jammu on 12-03-2012; and

Whereas, on the basis of confessional statements of these two persons, statement of witnesses recorded u/s 161 Cr. P.C and other evidence, the Investigation officer has established a prima facie case against them under sections 17,18,19,20 and 21 of the Unlawful Activities (Prevention) Act, 1967, apart from other offences; and

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 accused persons; and

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 for their prosecution under the aforesaid provisions of law.


Sd/-
Principal Secretary to the Government
Home Department

No Home/Pros/2012/28/11287 Dated 04-10-2012
Copy to the:-

1. Director General of Police, J&K, Srinagar. This is with reference to his letter No Legal/San/10/II/2012/3255 dated 13-09-2012. The CD file is returned herewith, receipt of which may kindly be acknowledged;
2. Secretary to Government, Department of Law, Justice and Parliamentary Affairs (W. 7.s.c);
3. Pvt. Secretary to Principal Secretary to the Government, Home Department;
4. Government Order file (W. 3 s. c);
5. I/C Website, Home Department;

Addl. Secretary to the Government
Home Department