Government of Jammu & Kashmir
Civil Secretariat, Home Department
Jammu/Srinagar

NOTIFICATION

Srinagar, the 19th October, 2012

SRO 350.- Whereas, on 09-07-2010, acting on the basis of reliable information, two OGWs of HM outfit namely Fareed Ahmed S/O Ghulam Nabi Naik R/O Lablatha Khari and intiaz Ahmed S/O Abdul Ahad Hajam R/O Chanjloo were apprehended by the Police during checking of vehicles while they were going towards chambalawass; and

Whereas, on personal search, an amount of Rs 20,000/- of Indian currency (Notes of 100 denomination), one mobile Phone FXDT-331 with battery, 02 SIM cards of BSNL and vodafone were recovered from Fareed Ahmed and Rs 450/-, One mobile phone model N-33 with battery, 02 SIM cards of Aircel/BSNL and letter of HM outfit were recovered from intiaz Ahmed; and

Whereas, in this connection, Case FIR No 117/2010 u/s 17, 20,21 and 40 of the Unlawful Activities (Prevention) Act, 1967 was registered in Police Station Banihal and investigation initiated; and

Whereas, during the course of investigation, on the basis of statement of witnesses, the seizure memos and other evidence, the Investigation Officer has established a prima facie case against the accused persons namely Fareed Ahmed S/O Ghulam Nabi Naik R/O Lablatha Khari and intiaz Ahmed S/O Abdul Ahad Hajam R/O Chanjloo u/s 17, 20, 21 and 40 of the Unlawful Activities (Prevention) Act, 1967; 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 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.

Now, therefore, in exercise of powers conferred by sub-section (1) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the accused persons namely Fareed Ahmed S/O Ghulam Nabi Naik R/O Lablatha Khari and Imitiaz Ahmed S/O Abdul Ahad Hajam R/O Chanjlo at present Nagabal, Banihal for commission of offence punishable u/s 17, 20, 21 and 40 of the Unlawful Activities (Prevention) Act, 1967 arising out of FIR No 117/2010 of Police Station Banihal.


Sd/-
Principal Secretary to the Government
Home Department.

Dated 19-10-2012

Copy to the:-

1. Director General of Police, J&K, Srinagar. This is with reference to his letter No Legal/San/13/J/2011/1828-29 dated 17-05-2012. 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. V. Government Order file (W. 3 s. c);
5. I/C Website, Home Department;

Under Secretary to the Government
Home Department