

EXTRAORDINARY

REGD. NO. JK-33



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PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Jammu, the 13th April, 2022.

SO-174.—Whereas, on 04-03-2019, Police Station, Handwara received information through a reliable source that the office of Jamaat-i-Islami, Jammu and Kashmir an unlawful association, existing within the territorial jurisdiction of the Police Station, Handwara is being used by some members of the said association to propagate anti-national and separatists sentiments prejudicial to the integrity and security of the country ; and

2. Whereas, upon the information, a case FIR No. 31/2019 U/Ss 10, 13 ULA (P) Act, came to be registered in Police Station, Handwara and investigation of the case was taken up ; and

3. Whereas, during course of investigation, site plane was prepared and statements of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

4. Whereas, during the investigation, it was established that the accused viz. Mohammad Ismail Lone has been found to have been associated with Jamaat-i-Islami, Jammu and Kashmir an unlawful association, even after the association was declared unlawful by the Central Government and continue advocating the secession of the Jammu and Kashmir from the Union of India and propagating anti-national and separatists sentiments prejudicial to the integrity and security of the country ; and

5. Whereas, on the basis of investigation, statements of witnesses recorded and other evidence collected, the Investigating Officer has established *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections as shown against his name Unlawful Activities (Prevention) Act, 1967 :—

S. No.	Name of the accused	Offence
1.	Mohammad Ismail Lone S/o Gh. Mohiudin Lone R/o Tumpora Magam, Handwara.	10, 13 ULA (P) Act

6. Whereas, the Authority appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that a *prima facie* case is made out against the above accused ; and

7. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the accused for his 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 Government hereby accord sanction for launching prosecution against the above accused viz. Mohammad Ismail Lone for the commission of offences punishable under Sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967, in the case FIR No. 31/2019 of Police Station, Handwara.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,

Financial Commissioner/
(Additional Chief Secretary),
Home Department.