

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

Jammu and Kashmir Government-Notifications.

GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT, J&K

Notification

Srinagar, the 10th August, 2022.

SO6368.ô Whereas, on 24-05-2019, the Police Station, Handwara, received a docket to the effect that on the said date the Imam of Jamia Masjid, Handwara, namely Tariq Ahmad Shah S/o Ab Rashid Shah R/o Drugmulla, Kupwara, during the Friday prayers delivered a anti national speech and instigated the general public against the sovereignty, security and integrity of the country, besides offered in-absentia funeral prayers of the killed terrorist Zakir Rashid Bhat @ Zakir Musa ; and

2. Whereas, based on the above, a Case FIR No. 109/2019 under Section 13 of ULA (P) Act, 1967, 153-A RPC, came to be registered in Police Station, Handwara and the investigation of the case was taken up. Subsequently, during the investigation Section 153-A RPC was dropped from the case ; and

3. Whereas, during the course of investigation, the site plan of the place of occurrence and the seizure memos were prepared and the statement of the witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and

4. Whereas, during the investigation, the accused Imam of Jamia Masjid, Handwara, namely Tariq Ahmad Shah, was arrested in the case and it was established that on 24-05-2019, the said accused, during the Friday prayers delivered anti national speech and instigated the youth of the area against the sovereignty, security and territorial integrity of the country, besides, offered in-absentia funeral prayers of the killed terrorist Zakir Rashid Bhat @ Zakir Musa ; and

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

S	.N	о.		Name of the accused														Offence									
ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	óô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô
1. Tariq Ahmad Shah S/o Ab. Rashid															1	13	of		UL	A	(F	')					
	Shah R/o Drugmulla, Kupwara.														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

Now, therefore, in exercise of the 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 accused viz. Tariq Ahmad Shah, for the commission of offence punishable under Section 13 of ULA(P) Act, arising out of FIR No. 109/2019 of Police Station, Handwara.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.