

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government-Notifications.

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

Notification

Srinagar, the 20th October, 2022.

SO.-541.ô Whereas, on 20-07-2011, the Police Station, Dooru received a docket to the effect that the Hurriyat Chairman, Syed Ali Shah Geelani delivered provocative speech at Verinag and instigated the general public against the sovereignty and territorial integrity of the India due to which the mob turned violent and pelted stones upon the Police Party with the intention to kill them, resulting in injuries to some Police personnel on the spot ; and

2. Whereas, based on the above, a Case FIR No. 66/2011 under Sections 307, 147, 148, 332, 336, 152, RPC and Section 13 of ULA (P) Act,

3. Whereas, during the course of investigation, the site plan of place of the occurrence and the seizure memos were prepared and the 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, four other accused identified as Jahangir Ahmad Wani S/o Javaid Ahmad Wani R/o Kokagund, Riyaz Ahmad Malik S/o Gh. Rasool Malik R/o Verinag, Sabzar Ahmad Sheikh S/o Abdul Aziz Sheikh R/o Agnoo, Dooru and Mohd Shaban Dar S/o Abdul Gani Dar R/o Rampora, Qaimoh, were found involved in the commission of offence. Subsequently, the accused were arrested in the case ; and

5. Whereas, during the investigation, it was established that on the date of occurrence, the accused viz. Syed Ali Shah Geelani, Jahangir Ahmad Wani, Riyaz Ahmad Malik, Sabzar Ahmad Sheikh and Mohd Shaban Dar, delivered provocative speech to the gathering at Verinag and raised antinational slogans, besides, instigated the general public against the sovereignty and territorial integrity of the Union of India ; and

6. Whereas, the accused viz. Syed Ali Shah Geelani, has expired and the proceedings under the law would abate against him ; and

7. Whereas, on the basis of the investigation, the statement 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 of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

S. No.	Name of accused Offence	
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1.	Jahangir Ahmad Wani S/o Javaid Ahmad 13 of	
	Wani R/o Kokagund.ULA (P) Act.	
2.	Riyaz Ahmad Malik S/o Gh. Rasool Malik R/o Verinag.	
3.	Sabzar Ahmad Sheikh S/o Abdul Aziz Sheikh R/o Agnoo, Dooru.	
4.	Mohd Shaban Dar S/o Abdul Gani Dar	

R/o Rampora, Qaimoh.

8. Whereas, the accused viz. Nisar Ahmad Najar, is absconding and the proceedings under Section 299 Cr. PC have been proposed to be initiated against him; and

9. 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

10. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authorlty 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 above-mentioned accused for their prosecution under the provisions of law.

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. Jahangir Ahmad Wani, Riyaz Ahmad Malik, Sabzar Ahmad Sheikh and Mohd Shaban Dar, for the commission of offence punishable under Section 13 of ULA (P) Act, arising out of FIR No. 66/2011 of Police Station, Dooru.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.