

THE JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government-Notifications.

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

Notification

Srinagar, the 29th October, 2022.

S.O.-560.ô Whereas, on 31-05-2008, the Police Station, Zainapora received a docket to the effect that Hurriyat activists identified as Syed Ali Shah Geelani S/o Syed Peer Mohammad Geelani R/o Dooru, Sopore A/P Rehmatabad, Hyderpora, Mohammad Yousuf Ganie @ Falahi S/o Gh. Mohammad Ganie R/o Molu, Chitragam, Shakeel Ahmad Itoo S/o Gh. Nabi Itoo R/o Manihal, Shopian and Tariq Amin Shah S/o Mohammad Amin Shah R/o Baba Mohalla, Shopian, assembled a mob in Village Manihal and raised anti-national slogans, provoked the general public against the sovereignty and territorial integrity of the Union of India; and

- 2. Whereas, based on the above, a case FIR No. 32/2008 under Sections 121-A RPC, 13 of ULA (P) Act, was registered in Police Station, Zainapora and investigation of the case was set into motion. Subsequently, during the investigation, the Section 121-A RPC was dropped from the case; and
- 3. Whereas, during the course of the investigation, the site plan of place of the occurrence and the seizure memos were prepared and the statement 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, the accused viz. Mohammad Yousuf Ganie @ Falahi, Shakeel Ahmad Itoo and Tariq Amin Shah, were arrested in the case and it was found that the accused were affiliated with the Hurriyat Conference (G) Group; and
- 5. Whereas, during the investigation, it was established that on the date of occurrence, the accused viz. Syed Ali Shah Geelani, Mohammad Yousuf Ganie @ Falahi, Shakeel Ahmad Itoo and Tariq Amin Shah, assembled a gathering at Manihal and delivered a speech and raised anti-national slogans against the Government of India, besides, instigated the general public against the sovereignty and territorial integrity of the Union of India; and
- 6. Whereas, the accused Hurriyat Chairman, namely Syed Ali Shah Geelani, has expired and the proceedings under the law would abate against him; and
- 7. Whereas, on the basis of investigation, and other evidence collected, the Investigating Officer has established, *prima facie* involvement of below mentioned accused in the commission of the offences punishable under section of the Unlawful Activities (Prevention) Act, 1967, as shown against their name :ô

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- 3. Tariq Amin Shah S/o Mohammad 13 of Amin Shah R/o Baba Mohalla, ULA (P) Act. Shopian
- 8. 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* is made out against the above accused; and
- 9. 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 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. Mohammad Yousuf Ganie @ Falahi, Shakeel Ahmad Itoo and Tariq Amin Shah, for the commission of offences punishable under Sections 13 of ULA (P) Act, arising out FIR No. 32/2015 of Police Station, Zainapora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.