

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government-Notifications.

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

Notification

Srinagar, the 3rd November, 2022.

SO-580.66Whereas, on 01-11-2000, the Police Station, Handwara received a docket to the effect that the Hurriyat Chairman, Syed Ali Shah Geelani along with Masrat Alam Bhat and Sheikh Ab. Aziz, visited the residence of one Aijaz Ahmad Wani S/o Sonaullah Wani R/o Chotipora, who was killed at Kakaw Gali, Karnah while trying to cross the LoC for obtaining illegal arms/ammunition. The accused provoked the general public, raised anti-national slogans against the Government of India, thereby threatened the sovereignty and territorial integrity of the Union of India; and

- 2. Whereas, based on the above, a Case FIR No, 141/2000 under Sections 188 RPC, 13 of ULA (P) Act, was registered in Police Station, Handwara and the investigation of the case was set into motion; and
- 3. Whereas, during the course of investigation, the site plan of the place of occurrence and 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, it was established that the accused viz. Syed Ali Shah Geelani, Masrat Alam Bhat and Sheikh Ab. Aziz, were members of the Hurriyat Conference and on the date of occurrence visited the residence of deceased viz. Aijaz Ahmad Wani, delivered a speech and raised anti-national slogans against Government of India, besides, instigated the general public against the sovereignty and territorial integrity of the Union of India; and
- 5. Whereas, the accused viz. Syed Ali Shah Geelani and Sheikh Ab. Aziz, have expired and the proceedings under the law would abate against them and the accused viz. Masrat Alam Bhat, is under trial prisoner facing prosecution in another case; and
- 6. 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 his name :ô
- S. Name of accused person Offence No.

- Masrat Alam Bhat S/o Ab. Hamid
 Bhat R/o Zaindar Mohalla, Srinagar.
- 7. 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

8. 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 his 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. Masrat Alam Bhat, for the commission of offences punishable under Section 13 of ULA (P) Act, arising out of FIR No. 141/2000 of Police Station, Handwara.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.