

## JAMMU AND KASHMIR OFFICIAL GAZETTE

Separate paging is given to this part in order that it may be filed as a separate compilation.

Jammu and Kashmir Government-Notifications.

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

Notification

Jammu, the 25th November, 2022.

SO-637.66Whereas, on 26-09-2011, the Police Station, Zainapora, received a docket to the effect that a Naka was established at Safnagri crossing and during checking of a Motorcyclist identified as Shakeel Ahmad Thoker S/o Ghulam Qadir Thoker R/o Meemander, Shopian, the Police recovered 16 Posters of Hurriyat Conference from his possession containingg photograph of the Hurriyat Chairman, Syed Ali Shah Geelani, and threat to the general public to boycott Panchayat Elections ; and

2. Whereas, based on the above, a Case FIR No. 94/2011 under Sections 121 RPC, 13 of ULA (P) Act and Section 132-B of PR Act, was registered in the Police Station, Zainapora and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 121 RPC and 132 PR Act, were 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 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. Shakeel Ahmad Thoker, was working for the Hurriyat and procured posters of the association containing threat to the general public to boycott the Panchayat Elections, to past the same in the area, thereby threatened the sovereignty and territorial integrity of the Union of India ; and

5. Whereas, the accused viz. Syed Ali Shah Geelani, has expired and the proceedings under the law would abate against him ; 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 the accused Offence No.

1. Shakeel Ahmad Thoker S/o Ghulam13 of ULA (P) Act.Qadir Thoker R/o Meemander,<br/>Shopian.Shopian.

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 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. Shakeel Ahamd Thoker, for the commission of offence punishable under Section 13 of ULA (P) Act, arising out of FIR No. 94/2011 of Police Station, Zainapora.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.