

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-638.66Whereas, on 05-08-2016, an information was received by the Police Station, Shopian, to the effect that an unruly mob pelted stones on the Goodwill Army School, Shirmal, resulting in damage to the school building and raised anti-national slogans against the Union of India ; and

2. Whereas, based on the above, a Case FIR No. 234/2016 under Sections 147, 148, 149, 188, 336, 427 RPC, 13 of ULA (P) Act and 3 PDPP Act, was registered in the Police Station, Shopian and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 353 RPC was added in 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, eight persons namely Muzamil Hussain Seh S/o Mohd Hussain Seh R/o Poterwal, Yasir Yousuf Dar S/o Mohd Yousuf Dar R/o Pahno, Imtiyaz Ahmad Bhat S/o Gh. Nabi Bhat, Shakeel Ahamd Ganie S/o Manzoor Ahmad Ganie, Imtiyaz Ahmad Bhat S/o Ab. Rahim Bhat Rs/o Pahpora, Mohd Yousuf Dar S/o Ab. Ganie Dar R/o Zawoora, Shahnawaz Ahmad Bhat S/o Wali Mohd Bhat R/o Keegam, and Mohammad Latief Dar S/o Ab. Ganie Dar R/o Zawoora, were found involved in the commission of crime. Subsequently, the accused viz. Muzamil Hussain Seh, Yasir Yousuf Dar, Imtiyaz Ahmad Bhat, Shakeel Ahamd Ganie, Imtiyaz Ahmad Bhat and Mohd Yousuf Dar were arrested in the case ; and

5. Whereas, during the investigation, it was established that on the date of occurrence the accused viz. Muzamil Hussain Seh, Yasir Yousuf Dar, Imtiyaz Ahmad Bhat, Shakeel Ahmad Ganie, Imtiyaz Ahmad Bhat, Mohd Yousuf Dar, Shahnawaz Ahmad Bhat and Mohammad Latief Dar, leading the unruly mob and pelted stones on Army Goodwill School, Shirmal, resulting in damage to the school building, besides, raised antinational slogans and provoked the general public against the sovereignty and territorial integrity of the Union of India ; and

6. Whereas, the accused viz. Shahnawaz Ahmad Bhat, has expired and the proceedings under the law would abate against him and the accused viz. Mohammad Latief Dar, is evading his arrest ; 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

1. Muzamil Hussain Seh S/o Mohd13 of ULA (P) Act.Hussain Seh R/o Poterwal.13

Dar R/o Pahno.

- 3. Imtiyaz Ahmad Bhat S/o Gh. Nabi Bhat R/o Pahpora.
- 4. Shakeel Ahamd Ganie S/o Manzoor Ahmad Ganie R/o Pahpora.
- 5. Imtiyaz Ahmad Bhat S/o Ab. Rahim Bhat R/o Pahpora.
- Mohd Yousuf Dar S/o Ab. Gani Dar R/o Zawoora.
- Mohammad Latief Dar S/o Ab. Gani Dar R/o Zawoora.

8. Whereas, the accused viz. Mohammad Latief Dar, 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 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

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.