

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

Jammu, the 1st December, 2022.

SO-644.ô Whereas, on 18-10-2010, an information was received by the Police Station, Harwan, regarding the hiding of separatist activist of Hurriyat (G) namely Masrat Alam Bhat S/o Ab. Majid Bhat R/o Zaindar Mohalla, Habbakadal, Srinagar, in Village Wangund, Taibal. The accused is involved in provoking the general masses by means of issuing protest calendars, instigating the youth for stone pelting and disrupt law and order situation and threaten sovereignty and territorial integrity of the Union of India; and

- 2. Whereas, based on the above, a Case FIR No. 59/2010 under Sections 121 RPC, 13 and 18 of ULA(P) Act, was registered in the Police Station, Harwan and the investigation of the case was set into motion. Subsequently, during the investigation, the Section 121 RPC and 18 of ULA(P) Act, were dropped from the case; and
- 3. Whereas, during the investigation, the accused viz. Masrat Alam Bhat, was arrested in the case and it was found that the accused had urged the general public to come on roads to stage protest and lured youth of the area towards radicalization and sabotage the public tranquility and peace in the area; and
- 4. 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
- 5. 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
- 6. 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
- 7. 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. 59/2010 of Police Station, Harwan.

By order of the Government of Jammu and Kashmir.

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

Financial Commissioner/ Additional Chief Secretary.