



THE

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PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Jammu, the 8th December, 2022.

SO—662.—Whereas, on 01-03-2019, an information was received by the Police Station, Chadoora to the effect that after the declaration of Jamat-i-Islami (JeI), Jammu and Kashmir, as an unlawful Association, some unknown activists of said Association are carrying out the unlawful

activities in the area, thereby threatening the sovereignty and territorial integrity of the Union of India ; and

2. Whereas, based on the above, a case FIR No. 33/2019 under Sections 10, 11 and 13 of ULA (P) Act, was registered in the Police Station, Chadoora and the investigation of the case was set into motion. Subsequently, during investigation, Section 11 of ULA (P) Act was dropped ; and

3. Whereas, during the investigation, the two persons namely Mohammad Ashraf Wani S/o Gh. Qadir Wani R/o Namtihal and Bilal Ahmad Mir S/o Gh. Hassan Mir R/o Hanjura, Chadoora, were found involved in the case. Subsequently, the accused were arrested ; and

4. Whereas, during the investigation, the site plan of place of the occurrence and the seizure memos were prepared and the statements of the witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

5. Whereas, during the investigation, it was established that the accused viz. Mohammad Ashraf Wani and Bilal Ahmad Mir, were members of Jamat-i-Islami, Jammu and Kashmir, an unlawful Association and were carrying out the unlawful activities in the area, thereby threatening the sovereignty and territorial integrity of the Union of India ; and

6. Whereas, on the basis of the investigation, the statement of the witnesses recorded and other evidence collected, the Investigating Officer, has established a *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their names :—

S.No.	Name of the Accused	Offence
1.	Mohammad Ashraf Wani S/o Gh. Qadir Wani R/o Namtihal.	10, 13 of ULA (P) Act.
2.	Bilal Ahmad Mir S/o Gh. Hassan Mir R/o Hanjura, Chadoora.	

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 Dairy 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. Mohammad Ashraf Wani and Bilal Ahmad Mir, for the commission of offences punishable under Section 10 and 13 of ULA (P) Act, arising out of FIR No. 33/2019 of Police Station, Chadoora.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.