



THE

# JAMMU AND KASHMIR OFFICIAL GAZETTE

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

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## PART I—B

### Jammu and Kashmir Government—Notifications.

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

Jammu, the 8th December, 2022.

SO—667.— Whereas, on 20-10-2009, the Police Station, Dooru received a docket to the effect that three persons identified as Mushtaq Ahmad Khanday S/o Gh. Mohd. Khanday, Bilal Ahmad Khanday S/o Mohd. Yousuf Khanday residents of Ara, Deharana and Khursheed Ahmad Malik S/o Gull Mohd. Malik R/o Gund, Hakoora were pasting

the posters of Hurriyat Conference (G) Group in the area containing incriminating messages against the Sovereignty and Territorial Integrity of the country. Subsequently, a Naka was established at Bona Bazar, Dooru and during the checking two persons, viz. Bilal Ahmad Khanday and Khursheed Ahmad Malik were arrested alongwith 140 posters of Hurriyat Conference (G) Group. The accused viz. Mushtaq Ahmad Khanday escaped from the spot ; and

2. Whereas, based on the above, a case FIR No. 101/2009 under sections 13 of ULA (P) Act, was registered in the Police Station, Dooru and the investigation of the case was set into motion. Subsequently, during the investigation, Sections 201 and 204 RPC were added in the case ; and

3. Whereas, during the investigation the site plan of the place of 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

4. Whereas, during the investigation, the accused viz. Mushtaq Ahmad Khanday was also arrested in the case and it was found on the date of occurrence the accused viz. Mushtaq Ahmad Khanday, Bilal Ahmad Khanday and Khursheed Ahmad Malik were pasting the posters of Hurriyat (G) Group in the area, having incriminating message against the Sovereignty and Territorial Integrity of the Union of India ; and

5. 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	2	3
1.	Mushtaq Ahmad Khanday S/o Gh. Mohd. Khanday R/o Ara, Deharana.	13 of ULA (P) Act.
2.	Bilal Ahmad Khanday S/o Mohd. Yousuf Khanday R/o Ara, Deharana.	

1	2	3
3.	Khurshid Ahmad Malik S/o Gull Mohd. Malik R/o Gund, Hakoora.	13 of ULA (P) Act.

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 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 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. Mushtaq Ahmad Khanday, Bilal Ahmad Khanday and Khursheed Ahmad Malik, for the commission of offences punishable under Section 13 of ULA (P) Act, arising out of FIR No. 101/2009 of Police Station, Dooru.

By order of the Government of Jammu and Kashmir.

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