



*Jehlum Post News Network/New Delhi/ March 11, 2015 /The Union government found itself in a spot on Tuesday as it emerged that the decision to release separatist leader Masarat Alam was taken on February 4 even before the PDP-BJP coalition government assumed office in Jammu and Kashmir and the State was directly under the Centre's command. The Centre had blamed the Peoples Democratic Party for the release, with Prime Minister Narendra Modi telling Parliament on Monday that he shared the sense of outrage. But the February 4 letter showed that Mr. Alam's detention order had become*

*non-est in the eyes of law. A copy of the letter shared by Congress general secretary Digvijaya Singh went viral. The Union government was caught between defending its harsh stand against the release of the separatist leader Masarat Alam and playing down the incident as it emerged that the decision was taken during Central rule in Jammu and Kashmir. The Opposition parties attacked the government over the issue. Congress spokesperson Abhishek Manu Singhvi sought fresh clarifications from the Prime Minister and the Home Minister while reiterating his party's charge that the BJP and the PDP had a secret pact. Home Minister Rajnath Singh said, "I've said what I had to yesterday Monday in the House. I have asked the Jammu and Kashmir government to send me details of the release. I can only comment when I get all the details." A top government source said that the accused had got bail in all cases against him and his detention "would not have been legally tenable." The State Home Department, in the letter of February 4 to the District Magistrate of Jammu, referred to a December 9, 2014 communication regarding detention of Mr. Alam under the Public Safety Act that was sent to the Department of Law and Justice. The Law Department opinion, quoted in the letter, said: "The Supreme Court is clear that [if] any fresh order of detention is issued by the Government, the same shall not come into force for a period of one week from the state of communication of the order to enable the detenu to pursue appropriate legal remedy." It went on to add that since 12 days had already elapsed, the detention order had become "non-est in the eyes of the law. Hindu*