



Government of Jammu and Kashmir
Civil Secretariat Home Department
Srinagar/Jammu.

NOTIFICATION
Srinagar, the 11th October, 2019

SRO:- 577 Whereas, on 04.09.2016 a rally which was dubbed as "Pinjoora Chaloo" in local parlance was organized by separatist Sarjan Ahmad Wagay @ Barkati S/o Ab. Razaq Wagay R/o Reban Zainapora District Shopain and others at Village Pinjoora wherein he delivered an anti National speech to procession which caused hatred among people against Union of India. Moreover, he also paid tributes to slain HM militant Commander Burhan Wani and urged the youth of the area towards militancy/subversive activities. Further a video clip of this inflammatory speech has been uploaded on social media site (You tube) with title "Pinjoora Shopian Chaloo;and

2. Whereas, a case FIR No.38/2017 U/S 13,& 39 ULA(P) Act of 1967 was registered at Police Station Shopian and investigation taken up;-and

3. Whereas, during the course of investigation, on the basis of statements of witnesses, the seizure memos and other evidence, the Investigating Officer established a prima-facie case against the accused person namely Sarjan Ahmad Wagay @ Barkati S/o Ab. Razaq Wagay R/o Reban Zainpura District Shopian for the commission of offence punishable under sections 13 & 39 of the Unlawful Activities (Prevention) Act 1967;and

4. Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the said accused person; and

5. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there is sufficient material and evidence available against the accused person for his prosecution under the aforesaid provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the accused person namely Sarjan Ahmad Wagay @ Barkati S/o Ab. Razaq Wagay R/o Reban Zainpora District Shopian for the commission of offences punishable U/S 13 & 39 of Unlawful Activities (Prevention) Act, 1967 arising out of FIR No.38/2017 of P/S Shopian.

By order of Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government
Home Department

Dated: 11.10.2019

No. Home/Pros/91/2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-88/S/2019/2402-04 dated 12/06/2019. The CD file in original is returned herewith, receipt of which may kindly be acknowledged.
2. Secretary to the Government, Department of Law, Justice & Parliamentary Affairs. (w.7.s.c.)
3. Private Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.


11.10.19.
Under Secretary to the Government
Home Department