



THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

ô
Vol. 136] Jammu, Fri., the 16th Feb., 2024/27th Magha, 1945. [No. 46-o
ô ô

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

ô ô

PART I—B

Jammu and Kashmir Government—Notifications.

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

Notification

Jammu, the 16th February, 2024.

SO—114.— Whereas, on 03-03-2023, a reliable information was received by the Police Station, CI/SIA, Kashmir, to the effect that one person identified as Sarjan Ahmad Wagay @ Sarjan Barkati S/o Ab. Razak Wagay R/o Reban, Zainapora, Shopian, and his family members

in pursuance of criminal conspiracy received, raised and collected funds from different suspicious sources in cash and through Banking channels into their Banking accounts of different Banks, intended to be used for purpose of terrorism and secessionism. By using these funds Sarjan Ahmad Wagay @ Sarjan Barkati, has purchased some immovable properties intended and likely to be used for furtherance of terrorism ; and

2. Whereas, based on the above, a case FIR No. 02/2023 under Section 120-B IPC, and Sections 13, 17, 18, 21, 39 and 40 of ULA (P) Act, was registered in the Police Station, CI/SIA, Kashmir, and the investigation of the case was set into motion. Subsequently, during the investigation, the offence under Sections 420 and 471 IPC were added in the case ; and

3. Whereas, during the course of investigation, 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. Sarjan Ahmad Wagay @ Sarjan Barkati, was arrested in the case and it was found that the accused was inciting, facilitating, aiding, advising and promoting terrorist, successionist ideologies and activities in impressionable minds and provoked youth to join the terrorist cadres ; and

5. Whereas, during the investigation, it was found that the accused viz. Sarjan Ahmad Wagay @ Sarjan Barkati, and his wife namely, Mst. Shabroza Akhter W/o Sarjan Ahmad Wagay R/o Reban, Zainapora, Shopian, were in contact with a terrorist of HM, a banned outfit, namely Abdul Hamid Lone @ Hamid, Mawar S/o Ab. Aziz Lone R/o Mawar Bala, Qalamabad, Handwara A/P Pakistan, through virtual mode and were working for the terrorists in order to promote terrorist activities in the area. Subsequently, during the investigation, the accused viz. Mst. Shabroza Akhter, was also arrested in the case ; and

6. Whereas, during the investigation, it was found that the accused viz. Shabroza Akhter, received cumulative terror funds in her account from the different suspicious sources and some active and former terrorists. Therefore, the accused lady viz. Mst. Shabroza Akhter,

transferred the said fund in the accounts of her family members namely, Sugra Jan, Uzma Jan, Gazala Jan, Jan Mohammad and one person Mehraj-un-Din Naie, besides, on the directions of accused terrorist viz. Abdul Hamid Lone @ Hamid Mawar, purchased a land measuring 5 kanals and 10 marlas for establishing an institute in order to impart and promote ideology of secessionism, among the youth in the area. The accused viz. Mst. Sharoza Akhter, also obtained a SIM Card on the fake/forged documents ; and

7. Whereas, during the investigation, it was established that the accused viz. Sarjan Ahmad Wagay @ Sarjan Barkati and Mst. Shabroza Akhter, were working for the terrorists particularly Pakistan based terrorist viz. Abdul Hamid Lone @ Hamid Mawar, and were providing logistic support to them, besides under a well knit criminal conspiracy were raising funds for the terrorists for carrying out terrorist and unlawful activities in the area and knowingly were holding the proceeds of terrorism ; and

8. Whereas, the investigation in respect of other accused shall continue to bring out their role/involvement in the case and supplementary charge sheet against them would be filed in the court of competent jurisdiction ; and

9. Whereas, on the basis of the investigation, the statements of 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.	Sarjan Ahmad Wagay @ Sarjan Barkati S/o Ab. Razak Wagay R/o Reban, Zainapora, Shopian.	13, 17, 18 , 21, 39, 40 ULA(P) Act.
2.	Mst. Shabroza Akhter W/o Sarjan Ahmad Wagay R/o Reban, Zainapora, Shopian.	

3.	Abdul Hamid Lone @ Hamid Mawar S/o Ab. Aziz Lone R/o Mawar Bala, Qalamabad, Handwara A/P Pakistan.	
----	--	--

10. Whereas, the accused viz. Abdul Hamid Lone @ Hamid Mawar, is absconding and the proceedings under Section 299 Cr.PC have been proposed to be initiated against them ; and

11. 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 *prima facie* case is made out against the above accused ; and

12. 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. Sarjan Ahmad Wagay @ Sarjan Barkati, Mst. Shabroza Akhter, and Abdul Hamid Lone, for the commission of offences punishable under Sections 13, 17, 18, 21, 39 and 40 of ULA (P) Act, arising out of FIR No. 02/2023 of Police Station, CI/SIA.

By order of the Government of Jammu and Kashmir.

(Sd/-) SANTOSH D. VAIDYA, IAS,
Principal Secretary to the Government,
Home Department.