



GOVERNMENT OF JAMMU AND KASHMIR  
HOME DEPARTMENT  
Civil Secretariat, Srinagar

Notification,  
Srinagar, the 19<sup>th</sup> Sept., 2018.

SRO 418 .-Whereas, on 24.04.2013, a letter No. CS/Ops/13/506 dated 24.04.2013, was received by Police Station, Yaripora from Dy.SP (Ops) Kulgam, wherein it was alledged that on the basis of various inputs and consequent analysis of mobile telephone communications, it has been found that some anti-national elements are procuring SIM Cards by preparing fake documents in connivance with the officials of some mobile telephone service providers and are making communication possible between different terrorists etc.; and

2. Whereas, in this connection case FIR No. 37/2013 U/S 468,471,120-B RPC 7/25 A Act 13 ULA (P) Act, 1967, ¾ Explosive Substances Act, 1908 was registered in Police Station, Yaripora, Kulgam; and

3. Whereas, during the course of investigation, one suspect namely Manzoor Ahmad Kucchay S/o Gh Mohd Kucchay R/o Kadder was apprehended. On his disclosure, 03 mobile phones were seized which he was using to talk with his sister in Pakistan and also with his brother-in-law namely Sajid, a LeT commander. Further call details (CDR) of the said phones were collected. As per the disclosure statement of said accused, he had received SIM Card along with mobile phones from one Fayaz Ahmad Lone S/o Gull Mohammad Lone R/o Awagam who was also arrested and on his disclosure, one mobile phone with SIM card and one pistol with

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magazine 06 rounds and mine fitted in pressure cooker (weighing 05 kgs) were recovered/seized; and

4. Whereas, during further investigation, two more accused persons namely Mudasir Ahmad Sheikh S/o Gh Mohd Sheikh R/o Yamach and Irfan Ahmad S/o Abdul Hamid Dhobi R/o Wasoora, Pulwama were also found to be involved in the case. However, accused Mudasir Ahmad Sheikh was killed during cross firing on 24.12.2012 and accused Irfan Ahmad also died in a road accident on 28.12.2012. It was also established during investigation that SIM card bearing No. 880908747 seized from the possession of accused Manzoor Ahmad Kuchay was in the name of Mohammad Qasim Kasana S/o Roshan Din R/o Ringth, Dhamal whileas SIM card bearing No. 9596081449 recovered from the possession of accused Fayaz Ahmad Lone was in the name of Nigeena Bano D/o Abdul Rashid R/o Noonagri, Pulwama. The statement of Mohammad Qasim Kasan was recorded. However, he denied to have procured the sim card from any of the franchise whileas, the name of Nigeena Bano was not found existing in the Voter List. In this regard, the statement of the concerned Booth Level Officer (BLO) was also recorded; and

5. Whereas, investigation conducted further revealed that the SIM cards were obtained by accused Irfan Ahmad Dhobi on fake documents prepared from his computer and illegally procured by one Sajad Ahmad Bhat S/o Mohd Maqbool Bhat R/o Frisal, Kulgam who used to work with the Aircel company and would fraudulently use the documents of other customers for procuring Sim cards which were used for terrorist activites; and

6. Whereas, investigation conducted has prima-facie established the commission of offences punishable u/s 13 of ULAP Act, 1967 against accused persons and investigation of the case was closed as challan; and

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7. 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 sanction for launching prosecution against the accused persons for the commission of offence punishable u/s 13 of UAPA Act, 1967; and

8. 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 persons for their prosecution under the aforesaid provision of law.

9. 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 accord sanction for launching prosecution against the below mentioned accused persons for the commission of offence punishable u/s 13 of UAPA arising out of FIR No. 37/2013 P/s Kulgam.

1. Fayaz Ahmad Lone S/o Gul Mohammad Lone R/o Awagam, Kulgam; and
2. Manzoor Ahmad Kuchay S/o Gh Mohammad Kuchay R/o Kadder, Kulgam; and
3. Sajad Ahmad Bhat S/o Muhammad Maqbool Bhat R/o Frisal, Kulgam.

By Order of the Government of Jammu and Kashmir.

Sd/-

Principal Secretary to the Government  
Home Department

No.Home/Pros/37/2018

Dated: 19.09.2018

Copy to:-

*Abi*

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-17/S/2016/39072-73 dated 31/05/2018. 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.

*Neelam* 19/9/18

Under Secretary to the Government  
Home Department.