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

NOTIFICATION

Srinagar, the 17th October, 2019

- SRO:- 599 Whereas, on 24.04.2019, information was received through reliable sources at P/S Katra to the effect that movement of some unknown persons of different terrorist organizations was found in Katra Town, endangering general public and is a threat to the unity, integrity and sovereignty of India as well as the State of J&K.; and
2. Whereas, a case FIR No.98/2019 U/S 121, 121 A, RPC and 15, 18, 18-B, 39 of the Unlawful Activities (Prevention) Act 1967 was registered at Police Katra and investigation taken up; and
 3. Whereas, during the course of investigation, the activities of one Mushtaq Ahmad S/o Mohd Kazim R/o Kothian Tehsil Pouni District Reasi were found suspicious and was accordingly arrested. During questioning, it was revealed that he has purchased a SIM bearing No. 6005436288 from Tehsil Yaripora District Kulgam and handed over the same to one Imtiyaz Ali S/o Mani R/o Kothian Tehsil Pouni A/P Bhutan Katra knowing that said Imtiyaz was in connection with some terrorists and with knowledge that the SIM will be used for the communication with the terrorists. On this disclosure, Imtiyaz Ali was also arrested and on questioning, he disclosed that he got the SIM from Mushtaq Ahmad on the directions of one Mohd Khalid @ Junaid S/o Abdul Aziz R/o Kothian, Tehsil Pouni, District Reasi, a surrendered terrorist, with the suggestion that the SIM purchased in the name of Mushtaq Ahmad should be used for communication with terrorists for helping them to carry out attack on pilgrims and aid the terrorists in terror attack. CDR analysis of SIM No.6005436288 and IMEI used surfaced that Imtiyaz Ali was using the REDMI Mobile bearing IMEI No.866747036395613 and 866747036395605; and
 4. Whereas, during further investigation the said Imtiyaz Ali disclosed that on receiving the information that police is searching for him he threw the REDMI phone along with SIM in the running stream at Bhutan, Katra. A search operation was launched to recover the said phone but the

same could not be traced out. However, mobile/ SIM cards that were recovered from the residential tent of Imtiyaz Ali include, 01 SAMSUNG Mobile without SIM (MJ210F), 01 JIO Mobile Phone (MF30C) along with SIM No.6005646572, 01 Mobile ITEL 5603 along with SIM Nos 9484177110, 9622384580 and two other SIM cards of JIO and Vodafone. During questioning Imtiyaz Ali confessed that the money for the purchase of REDMI Phone was provided by HM Terrorist Abid Ahmad Magray @ Sajju Magray and the same phone was being used for communication with terrorists. ; and

5. Whereas, during the course of investigation, on the basis of statement of witnesses, the seizure memos and other evidence, the Investigating Officer established a prima-facie case against the accused persons namely; Imtiyaz Ali S/o Mani R/o Kothian Pouni, A/P Bhutan Katra U/S 121, 121-A, 201 RPC and 18, 39 of the ULA(P) Act; Mohd Khalid @ Junaid S/o Abdul Aziz R/o Kothian Tehsil Pouni, District Reasi U/S 121, 121-A RPC, 18, 39 of the ULA(P) Act; Mushtaq Ahmad S/o Mohd Kazim R/o Kothian Pouni U/S 18, 39 of the ULA(P) Act; Tariq Ahmad Sheikh @ Tariq Molvi S/o Shamim Ahmad Sheikh R/o Chitragam Shopian (killed) U/S 121, 121-A, RPC 15, 18, 18-B, 39, of the ULA(P) Act; and Abid Ahmad Magray @ Sajju S/o Manzoor Ahmad Magray R/o Nowpora Pulwama (killed) U/S 121, 121-A, RPC, 15, 18, 18-B and 39 of the ULA(P) Act; and

6. 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 persons; and

7. 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 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 persons namely; Imtiyaz Ali S/o Mani R/o Kothian Pouni , Mohd Khalid @ Junaid S/o Ab. Aziz R/o Kothian Tehsil Pouni District

(26)

Reasi and Mushtaq Ahmad S/o Mohd Kazim R/o Kothian Pouni District
Reasi for the commission of offences punishable u/s 18, 39 of Unlawful
Activities (Prevention) Act, 1967 arising out of FIR No.98/2019 of P/S
Katra

By order of Government of Jammu and Kashmir.

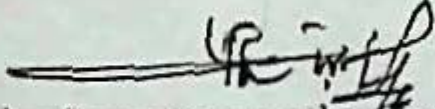
Sd/-
Principal Secretary to the Government
Home Department

No. Home/Pros/164/2019

Dated:-/7 .10.2019

Copy to:-

1. Director General of Police, J&K, Jammu. This has reference to his letter No.Legal/Sanc-02/1/2019/59448-50 dated 03/10/2019. 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.s.c.)
3. Private Secretary to Principal Secretary to the Government, Home Department.
4. Stock file.


17.10.19.
Under Secretary to the Government
Home Department