

Government of Jammu and Kashmir  
**Home Department**  
Civil Secretariat, Jammu/Srinagar

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Phone.No. 0191-2547169-(J)  
0194-2506262-(S)

**NOTIFICATION**

Jammu, the 15<sup>th</sup> December, 2020.

S O-378 Whereas, on 05-6-2020 Rajouri Police received reliable information about the presence of terrorists in Gen Mehari Kalakote area. A joint search operation was launched by the security forces; and

2. Whereas, during search the terrorists started indiscriminate firing on the security forces. The fire was retaliated and during fire fighting one unidentified terrorist was killed. During encounter Police recovered 01 AK 47 rifle, 03 AK Magazines, 58 AK rounds and 04 Chinese hand Grenades from the possession of killed terrorist; and

3. Whereas, a Case FIR No. 45/2020 U/S 16,18,19,39 Unlawful Activities (Prevention) Act 1967, came to be registered in Police Station Kalakote and investigation was set into motion; and

4. Whereas, during investigation the site plan of place of occurrence and seizure memo was prepared and statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and

5. Whereas, during the course of investigation two persons namely Mohammad Ismail S/O Haleem and Mohammad Reyaz S/O Mohammad Ismail R/ O Mehari Kalakote were arrested in connection

with the case. The accused disclosed that their relative namely Mohammad Hussain @ Qasim S/O Mohammad Ismail R/O Barota Kalakote had joined terrorist outfit LeT in the year 1997 and crossed the LOC and was presently settled in POK ;and

6. Whereas, the accused disclosed that in the month of March, 2020 the said terrorist Mohammad Hussain @ Qasim contacted the accused persons and told them that he will depute a terrorist to their house and directed the accused to harbour the terrorist in their house and provide him logistic support during his stay in their house; and

7. Whereas, the accused further disclosed that after infiltration of the said terrorist he came to their house and the accused persons had harboured the terrorist and provided him logistic support. The accused terrorist provided Rs. 1.10 lacs to both accused persons for arranging food items for the terrorist and also handed over a bag containing some arms/ammunition with the directions to hide the bag in an isolated place; and

8. Whereas, during investigation Police recovered arms/ammunition viz 04 AK Magazines, 90 AK rounds, 01 Chinese Pistol, 02 Pistol Magazine, 37 Pistol Rounds, 01 Chinese Grenade, 01 UBGL, 06 UBGL shells, 01 Binocular and some medicines manufactured by Irza Pharmaceutical Lahore on the disclosure of above two accused persons: and

9. Whereas, during investigation it was revealed that the accused persons namely Mohammad Ismail and Mohammad Reyaz under criminal conspiracy were harbouring the terrorist in their house and provided him logistic support in order to carry out the terrorists activities by the said terrorist in the area; and

10. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the investigating officer has prima facie established involvement of the below mentioned accused persons for commission of offences punishable under section(s) as shown against each of Unlawful Activities (Prevention) Act, 1967:-

S.No.	Name of the accused	Offence.
1	Mohammad Ismail S/O Haleem Bakarwal R/O Mehari Khadrota Kalakote.	16,18,19,39 ULA (P) Act
2	Mohammad Reyaz S/O Mohammad Ismail R/O Mehari Khadrota Kalakote.	

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 Diary 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 powers conferred by sub section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the above mentioned accused for the commission of offences punishable under section 16,18,19,39 ULA (P) Act, in the case FIR No. 45/2020 of Police Station Kalakote.

By order of the Government of Jammu & Kashmir.

Sd/-

Principal Secretary to Government  
Home Department.

No:-Home/Pros/201/S/2020

Dated:- 15-12-2020

**Copy to the:-**

1. Joint Secretary, J&K Ministry of Home Affairs, GOI
2. Director General of Police, J&K Jammu. The CD file in original is returned herewith.
3. Secretary to Government, Department of Law, Justice & PA
4. Private Secretary to Principal Secretary to the Government, Home Department.
5. Stock file.

Special Secretary to Government  
Home Department.