

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

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**NOTIFICATION**  
Jammu, the 20<sup>th</sup> January, 2020.

**S.O 36** -Whereas, on 30-07-2019, Police Station Harwan reliably came to know that some anti national elements have become active in the jurisdiction of Police Station Harwan and were aiding/supporting the terrorist network in the city; and

2. Whereas, a case FIR No. 24/2019 U/S 18,20 ULA (P) Act 1967, came to be registered in Police Station Harwan and investigation set into motion; and

3. whereas, during investigation one suspect with militancy background namely Shabir Hussain Ganie was called in Police Station, 02 Cell Phones being used by him were seized from his possession; and

4. Whereas, the CDR analysis of seized cell phones revealed that accused Shabir Hussain Ganie was in contact with many LeT commanders who were active in the New Theed Harwan area and had remained a close confidante of active terrorist Khalid R/O Pakistan, accordingly was arrested on 03-08-2019; and

5. Whereas, during investigation it has surfaced that on the directions of Khalid R/O Pakistan accused Shabir Hussain had received parcel containing SIM cards from an unknown person and was delivered by him to a person at Nowhatta, for enhancing communication of the active terrorists in the area; and

6. Whereas, during further investigation it surfaced that another accused Basharat Ahmad Shah S/O Mohd Akbar R/O Nikloora Pulwama had

barged into the house of his neighbour namely Shakeel Ahmad Sofi alongwith two other militants and threatened him for providing a new SIM which was thereafter been used by terrorist Khalid R/O Pakistan. The statement of Shakeel Ahmad recorded u/s 164 Cr.PC before JMIC, Srinagar corroborated the case; and

7. Whereas, the Cyber Forensic report obtained during investigation has also established that accused persons had remained in constant touch to each other through social media Networking with the aim and object to conspire and motivate furtherance of subversive activities in the valley; and

8, Whereas, statements of witnesses U/S 161 & 164-A Cr.PC have been recorded and other evidences collected by the investigating officer and on conclusion of the investigation by the IO prima facie case against the below mentioned accused persons has been proved;-

S.No.	Name of the accused	Offence
1	Shabir Hussain Ganie S/O Ghulam Mohi-Ud-Din Ganie R/O New Theed Harwan	18, 20 ULA (P) Act.
2	Basharat Ahmad Shah S/O Mohd Akbar Shah R/O Nikloora Pulwama ( <b>Active Terrorist</b> )	
3	Khalid R/O Pakistan ( <b>Active Terrorist</b> )	

9, Whereas, accused Basharat Ahmad Shah and Khalid R/O Pakistan are active militants/terrorists and as such proceedings under section 512 Cr.PC has been initiated against them; and

10, 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 said accused persons; and

11, 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 accused persons 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 named accused persons u/s 18,20 of Unlawful Activities (Prevention) Act, 1967, in case FIR No. 24/2019 Police Station Harwan, Srinagar.

By order of the Government of Jammu & Kashmir.

**Sd-/**

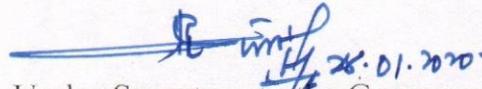
Principal Secretary to the Government  
Home Department

Dated: .01.2020

No. Home/Pros/ /2020

**Copy to:-**

1. Director General of Police, J&K Srinagar. This has reference to his letter No. Legal/Sanc-02/S/2020/1471-73 dated 08-01-2020. 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.

  
Under Secretary to the Government  
Home Department