

## CHARGE SHEET

(Under Section 173 Cr.P.C)

IN THE COURT OF DISTRICT JUDGE IV-CUM-ASJ NEW DELHI/SPECIAL  
JUDGE ( NIA ) PATIALA HOUSE NEW DELHI

1. Name of the Investigation Agency. National Investigation Agency (NIA).  
FIR No and dateC 04/2009, Dated 11.11.2009.
2. Final Report/Charge Sheet No. 08/2011.
3. Date 24 December, 2011.
4. Sections of Law. Sections 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act, 1967 as amended in act 35 of 2008.
5. Type of Final Report. Charge sheet.
6. If Final Report Un-occurred/false/ Mistake of fact/Mistake of law/Non-Cognizable /Civil Nature. Not Applicable.
7. If Charge-sheeted: Original / Supplementary. Original.
8. Name of Investigation Officer. Swayam Prakash Pani, IPS, SP/NIA
9. Name of the Complainant Ministry of Home Affairs, Govt. of India.

10. Details of Properties As per Annexure "A", "B" & "C"  
/Articles/ Documents enclosed.  
recovered/seized during the  
investigation and relied  
upon:

11. (1) Particulars of accused persons charge sheeted:

Name : David Coleman Headley @  
Daood Gilani  
(herein after referred as A-1)

Whether verified : Yes

Father's Name : Sh. Syed Saleem Gilani

Year/Date of Birth : 30.06.1960

Sex : Male

Nationality : United States of America

Passport No : 097536400

Date of issue : 10.03.2006

Place of issue : Philadelphia

Religion : Muslim

Occupation : Regional manager (as per visa)

Address (Present) : R/o. 563, Rosalie Street  
Philadelphia, 19120 USA

Address( Permanant) : 7, Canal road, Old Ferozpur road,  
Lahore, Pakistan

Whether verified : Yes

Provisional Criminal No. : —

Regular Criminal No. : —  
(if known)

Date of Arrest : —  
Date of release on bail : —  
Under Acts & Sections (of charge sheet) : Sections 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act and substantive offences u/s 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA (P) Act, 1967 as amended in act 35 of 2008.

Name(s) of bailer/sureties and address : NA

Previous convictions with case reference : —

Status of the accused : In the custody of the United States of America

**(2) Particulars of accused persons charge sheeted:**

Name : Tahawwur Hussain Rana  
(herein after referred as A-2)

Whether verified : Yes

Father's Name : Sh. Rana Wali Muhammad.

Year/Date of Birth : 12.01.1961

Sex : Male

Nationality : Canadian Citizen (Pakistan Born)

Passport No : JV533373

Date of issue : 03.03.2006

Place of issue : Ottawa  
Religion : Muslim  
Occupation : Consultant (Doctor)  
Address (Present) : R/o. 6018, N. Campbell Ave,  
Chicago IL 60659, USA  
Address( Permanent) : R/o. 6018, N. Campbell Ave,  
Chicago IL 60659, USA  
Whether verified : -  
Provisional Criminal No. : -  
Regular Criminal No. : -  
(if known)  
Date of Arrest : -  
Date of release on bail : -  
Under Acts & Sections (of : Sections 120B r/w 121, 121A, 302,  
charge sheet) 468 and 471 IPC and sections 16,  
18 and 20 of UA(P) Act. and  
substantive offences u/s 121, 121A,  
302 IPC and sections 16, 18 and 20  
of UA (P) Act, 1967 as amended in  
act 35 of 2008  
Name(s) of bailer/sureties and : NA  
address  
Previous convictions with : -  
case reference  
Status of the accused : In the custody of the United States  
of America

**(3) Particulars of accused persons charge sheeted:**



Name : Hafiz Muhammad Saeed  
@Tayyaji @ Bada Chachaji @  
Bada Chacha @ Hafiz  
Mohammad Sahib @ Hafiz  
Mohammad Sayid @ Hafiz  
Muhammad @ Hafiz Saeed @  
Hafez Mohammad Saeed @ Hafiz  
Mohammad Sayeed @ Tata  
Mohammad Syeed @ Mohammad  
Sayid @ Muhammad Saeed @  
Hafizji .

(herein after referred as A-3)

Whether verified : -  
Father's Name : -  
Year/Date of Birth : -  
Sex : Male  
Nationality : Pakistan  
Passport No : -  
Date of issue : -  
Place of issue : -  
Religion : Muslim  
Occupation : -  
Address (Present) : R/o House No. 116E, Mohalla  
Johar, Lahore, Tehsil, Lahore City,  
Lahore District, Pakistan.  
Address( Permanent) : R/o House No. 116E, Mohalla  
Johar, Lahore, Tehsil, Lahore City,  
Lahore District, Pakistan.  
Whether verified : -

Provisional Criminal No. : \_  
Regular Criminal No. (if : \_  
known)  
Date of Arrest : \_  
Date of release on bail : \_  
Under Acts & Sections (of : Sections 120B r/w 121, 121A, 302,  
charge sheet) 468 and 471 IPC and sections 16,  
18 and 20 of UA(P) Act. and  
substantive offences u/s 121, 121A  
and 302 IPC and sections 16, 18 and  
20 of UA(P) Act 1967 as amended in  
act 35 of 2008.

Name(s) of bailer/sureties and : NA  
address  
Previous convictions with : \_  
case reference  
Status of the accused : \_

**(4) Particulars of accused persons charge sheeted:**

Name : Zaki-ur-Rehman Lakhvi @  
Chachaji @ Chhota Chachaji  
@Chhota Chacha @ Zakir  
Rehman Lakvi @ Zaki Ur-Rehman  
Lakvi @ Kaki Ur-Rehman @ Zakir  
Rehman @ Abu Waheed Irshad  
Ahmad Arshad

(herein after referred as A-4)

Whether verified : —  
Father's Name : —  
Year/Date of Birth : —  
Sex : Male  
Nationality : Pakistan  
Passport No : —  
Date of issue : —  
Place of issue : —  
Religion : Muslim  
Occupation : —  
Address (Present) : Chak No. 18/IL, Rinala Khurd,  
Tehsil Rinala Khurd, District  
Okara, Pakistan, (previous  
location/ Place of Birth) and  
presently r/o Barahkoh, P.O. DO,  
Tehsil and District Islamabad,  
Pakistan.  
Address( Permanent) : —  
Whether verified : —  
Provisional Criminal No. : —  
Regular Criminal No. (if : —  
known)  
Date of Arrest : —  
Date of release on bail : —  
Under Acts & Sections (of : Sections 120B r/w 121, 121A, 302,  
charge sheet) 468 and 471 IPC and sections 16,  
18 and 20 of UA(P) Act. and

substantive offences u/s 121, 121A  
and 302 IPC and sections 16, 18 and  
20 of UA(P) Act 1967 as amended in  
act 35 of 2008.

Name(s) of bailer/sureties and : NA  
address

Previous convictions with : -  
case reference

Status of the accused : -

**(5) Particulars of accused persons charge sheeted:**

Name : Sajid Majid @ Sajid Mir @ Wasi  
@ Rahim @ Ibrahim  
(herein after referred as A-5)

Whether verified : -

Father's Name : Muhammad Ashraf Awan

Year/Date of Birth : -

Sex : Male

Nationality : Pakistan

Passport No : KE - 381676

Date of issue : -

Place of issue : -

Religion : Muslim

Occupation : -

Address (Present) : r/o House Near the Ganda nala  
area of Lahore, Pakistan

Address( Permanent) : r/o House Near the Ganda nala  
area of Lahore, Pakistan



Whether verified : Yes  
Provisional Criminal No. : —  
Regular Criminal No. (if : —  
known)  
Date of Arrest : —  
Date of release on bail : —  
Under Acts & Sections (of : Sections 120B r/w 121, 121A, 302,  
charge sheet) 468 and 471 IPC and sections 16,  
18 and 20 of UA(P) Act. and  
substantive offences u/s 121,  
121A, 302, 468 and 471 IPC and  
sections 16, 18 and 20 of UA (P)  
Act, 1967 as amended in act 35 of  
2008.  
Name(s) of bailer/sureties and : NA  
address  
Previous convictions with : —  
case reference  
Status of the accused : —

**(6) Particulars of accused persons charge sheeted:**

Name : Abdur Rehman Hashim Syed @  
Major Abdur Rehman Hashim @  
Pasha @ Abdurrehman  
(herein after referred as A-6)

Whether verified : -  
Father's Name : Major Abdul Gani (Rtd.)  
Year/Date of Birth : —  
Sex : Male

Nationality : Pakistan  
Passport No : —  
Date of issue : —  
Place of issue : —  
Religion : Muslim  
Occupation : —  
Address (Present) : R/o Near Jinnah Hospital, Canal  
Bank Road, Lahore, Pakistan  
Address( Permanent) : R/o Near Jinnah Hospital, Canal  
Bank Road, Lahore, Pakistan  
Whether verified : Yes  
Provisional Criminal No. : —  
Regular Criminal No. (if : —  
known)  
Date of Arrest : —  
Date of release on bail : —  
Under Acts & Sections (of : Sections 120B r/w 121, 121A, 302,  
charge sheet) 468 and 471 IPC and sections 16,  
18 and 20 of UA(P) Act. and  
substantive offences u/s 121, 121A,  
302 IPC and sections 16, 18 and 20  
of UA (P) Act, 1967 as amended in  
act 35 of 2008.  
Name(s) of bailer/sureties and : NA  
address  
Previous convictions with : —  
case reference  
Status of the accused : —

**(7) Particulars of accused persons charge sheeted:**

Name : Major Iqbal  
(herein after referred as A-7)

Whether verified : —

Father's Name : —

Year/Date of Birth : —

Sex : Male

Nationality : Pakistan

Passport No : —

Date of issue : —

Place of issue : —

Religion : Muslim

Occupation : A serving officer in the Inter State  
Intelligence, Pakistan

Address (Present) : Lahore Cantonment, Near the  
Airport Road, Lahore, Pakistan

Address( Permanent) : —

Whether verified : —

Provisional Criminal No. : —

Regular Criminal No. (if known) : —

Date of Arrest : —

Date of release on bail : —

Under Acts & Sections (of charge sheet) : Sections 120B r/w 121, 121A, 302,  
468 and 471 IPC and sections 16,  
18 and 20 of UA(P) Act and  
substantive offences u/s 121, 121A  
and 302 IPC and sections 16 and 18  
of UA (P) Act, 1967 as amended in

act 35 of 2008.

Name(s) of bailer/sureties and : NA  
address

Previous convictions with : \_  
case reference

Status of the accused : \_

**(8) Particulars of accused persons charge sheeted:**

Name : Major Sameer Ali @ Major Sameer  
(herein after referred as A-8)

Whether verified : \_

Father's Name : \_

Year/Date of Birth : \_

Sex : Male

Nationality : Pakistan

Passport No : \_

Date of issue : \_

Place of issue : \_

Religion : Muslim

Occupation : A serving officer in the Inter State  
Intelligence, Pakistan

Address (Present) : Lahore Cantonment, Lahore,  
Pakistan.

Address( Permanent) : \_

Whether verified : \_

Provisional Criminal No. : \_

Regular Criminal No. (if : \_  
known)



Date of Arrest : —  
Date of release on bail : —  
Under Acts & Sections (of charge sheet) : Sections 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act. and substantive offences u/s 121, 121A, 120B IPC r/w Sections 302 IPC and sections 16 and 18 of UA (P) Act, 1967 as amended in act 35 of 2008.

Name(s) of bailer/sureties and address : NA

Previous convictions with case reference : —

Status of the accused : —

**(9) Particulars of accused persons charge sheeted:**

Name : Ilyas Kashmiri @Illyas Kashmiri (herein after referred as A-9)  
Whether verified : —  
Father's Name : —  
Year/Date of Birth : —  
Sex : Male  
Nationality : Pakistan  
Passport No : —  
Date of issue : —  
Place of issue : —  
Religion : Muslim  
Occupation : —

Address (Present) : Kotli and Miranshah, FATA region,  
Pakistan

Address( Permanant) : Kotli and Miranshah, FATA region,  
Pakistan

Whether verified : \_

Provisional Criminal No. : \_

Regular Criminal No. (if : \_  
known)

Date of Arrest : \_

Date of release on bail : \_

Under Acts & Sections (of : Sections 120B r/w 121, 121A, 302,  
charge sheet) 468 and 471 IPC and sections 16,  
18 and 20 of UA(P) Act and  
substantive offences U/S 121, 121A,  
120B IPC r/w section 302 IPC and  
sections 16, 18 and 20 of UA (P) Act,  
1967 as amended in act 35 of 2008.

Name(s) of bailer/sureties and : NA  
address

Previous convictions with : \_  
case reference

Status of the accused : \_

**12. Particulars of accused persons - not charge-sheeted.**

Nil

- 13. (i) Particulars of witnesses to be examined** : As per the list enclosed in Annexure (A)
- (ii) List of documents/Articles** : As per the list enclosed in

Annexure (B)

(iii) List/details of emails : As per the list enclosed in Annexure (C)

14. If FIR is false, indicate action taken or proposed to be taken u/s 182/211 IPC : Not applicable

15. Result of laboratory analysis : As per the list enclosed in Annexure (B).

16. Brief facts of the case:

**16.1.** The National Investigation Agency, New Delhi, India (NIA), registered the case FIR No. 4/2009/NIA/New Delhi under sections 120B and 121A of Indian Penal Code, section 18 of the Unlawful Activities (Prevention) Act, 1967 as amended by Act 35 of 2008 and Section 6(2) of SAARC Convention (Suppression of Terrorism) Act, 1993, in pursuance of directions issued by the Ministry of Home Affairs, Government of India, vide Order No. 11034/ 10/ 2009—IS.VI dated November 11, 2009, against David Coleman Headley (A-1), Tahawwur Hussain Rana (A-2) and other unknown persons for hatching a criminal conspiracy of conducting reconnaissance of important places in India for future attacks by the terrorist organizations LeT and HUJI.

**16.2.** The investigation of the instant case started on the allegations that David Coleman Headley (A-1) @ Daood Gilani, a U.S. Citizen, r/o Chicago, Illinois and Tahawwur Hussain Rana (A-2), a Canadian citizen of Pakistan origin primarily residing in Chicago entered into a criminal conspiracy starting in 2006 with members of



Lashkar-E-Taiba (hereafter mentioned as LeT) and Harkat-ul Jihadi Islami (hereafter mentioned as HUJI) based in Pakistan and banned by Government of India under the Unlawful Activities Prevention Act 1967 (as amended in Act 35 / 2008), to commit terrorist acts in different places in India.

**16.3.** In pursuance of the said criminal conspiracy, accused David Coleman Headley (A-1) travelled to different places in India like Delhi, Mumbai, Jaipur, Pushkar, Goa and Pune on several occasions under the guise of a representative with a company known by the name Immigrant Law Centre, with its office located at Tardeo Air Conditioned Market, Tardeo Road, Mumbai. Similarly, in pursuance of the said conspiracy as alleged, Tahawwur Hussain Rana (A-2) had also travelled to different places in India.

**16.4.** The investigation has brought on record that David Coleman Headley (A-1), Tahawwur Hussain Rana (A-2) and others including but not limited to Hafiz Saeed (A-3), Zaki-ur-Rehman Lakhvi (A-4), Sajid Majid (A-5), Abdur Rehman Hashim (A-6), and Major Iqbal (A-7) had aided and abetted terror attacks in Mumbai in which 166 persons were killed and many seriously injured. Further Headley (A-1) and Rana (A-2), on the directions of Ilyas Kashmiri (A-9) and Abdur Rehman (A-6), made preparation for attacks in different places including but not limited to the Chabad houses located in different states of India and the National Defence College, Delhi.

**16.5.** David Coleman Headley (A-1) was taken into custody by the FBI in the United States on 3<sup>rd</sup> October, 2009 from O'Hare Airport Chicago. On the basis of the revelation made by Headley (A-1),



Tahawwur Rana (A-2) was also taken into custody. On 27<sup>th</sup> October, 2009 the FBI filed criminal complaints in the District Court of Northern District of Illinois against Headley (A-1) and Tahawwur Rana (A-2) for their roles in planning terrorist attacks in foreign lands. Further, on 7<sup>th</sup> December, 2009, Headley (A-1) and Abdur Rehman Hashim (A-6) were charged for criminal conspiracy involved in the Mumbai attack of 26<sup>th</sup> November, 2008 in India. On 14<sup>th</sup> January, 2010, Tahawwur Rana (A-2) was also charged for his role in the aforementioned conspiracy. On the same day, Ilyas Kashmiri @ Ilyas Kashmiri (A-9) was also charged for planning and conspiring terrorist attacks in foreign lands.

**16.6.** It is important to mention that the conspiracy to attack important / sensitive places (in the context of this case) took place in the National Jurisdiction of Islamic Republic of Pakistan. Out of the nine accused persons, seven are located in Pakistan and two (David Headley and Tahawwur Rana) are in the custody of USA.

**16.7.** On the basis of the outcomes of investigation the Hon'ble Special Court, NIA, New Delhi issued NBWs against Sajid Majid (A-5), Abdur Rehman Hashim (A-6), Major Iqbal (A-7), Major Sameer Ali (A-8) and Ilyas Kashmiri (A-9). On the basis of the NBWs Interpol Red (Corner) Notices were issued against the aforementioned accused persons.

**16.8.** Investigation of this case required collection of evidence from countries like US and Pakistan to substantiate the allegations against the accused persons. Accordingly, two requests for assistance in investigation under Mutual Legal Assistant Treaty

(MLAT) were sent to USA for collection of evidence which have been partially executed by the US authorities. In the instant case out of the 09 accused persons, 07 of the accused are based in Pakistan, a Letter of Request (Letter Rogatory) u/s 166A Cr.P.C through the Hon'ble Special Court, NIA was sent to the Islamic Republic of Pakistan for collection of evidence.

## **17. Facts Disclosed During Investigation**

**17.1.** Precedent to narrating the facts and circumstances established during investigation, it is felt that a short introduction of the terrorist organisations to which the accused belonged would be in order.

**17.2.** That Lashkar-e-Taiba (LeT) literally means Army of the God or Army of the Righteous or Army of the Pure or Army Madinna - is also pronounced and spelt as Lashkar-i-Tayyaba, Lashkar-e-Tayyaba, Lashkar-e-Tayyiba, Lashkari-Taiba. This is one of the largest, most active, well organised and dangerous terrorist organizations; capable to strike terror in India as well as in other parts of the world. The objective of this terrorist organisation is to establish "Nizam-e-Mustafa" (Islamic Rule) in the world.

**17.3.** That Lashkar-e-Taiba – "The Army of the Pure' is a military/terrorist wing of Markaz-ud-Dawat-wal-Irshad (MDI) an Islamic fundamentalist organization. MDI is also involved in Islamic educational and charitable activities to support and complement terror strikes / infrastructure / finance of LeT. Markaz-ud-Dawat-wal-Irshad has since been re-named as Jamaat-ud-Dawa.

**17.4.** That one of the immediate defining objectives of this terrorist organisation is to liberate Muslims in the State of Jammu and Kashmir from Indian rule.

**17.5.** That the Lashkar-e-Taiba has been proscribed/banned and declared as a terrorist organization by India, Pakistan, the United States, the United Kingdom, the European Union, Russia, Australia and so on. Hafiz Saeed (A-3) has been listed as the leader of the Lashkar-e-Taiba.

**17.6.** That the Lashkar-e-Taiba has been proscribed by the Central Government in terms of Schedule-I of the UA(P) Act, 1967 (as amended in Act 35/ 2008).

**17.7.** That the Harkat-ul-Jihad-al-Islami (HUJI) is a Pakistan-based terrorist group. Its origin is traced to the Soviet-Afghan war. After the Soviet withdrawal from Afghanistan in 1989, it started indulging in terrorist activities in India and especially in Jammu & Kashmir. The HUJI advocates and preaches radical Islam and aims to establish Islamic rule by waging war through *Jihad*. Ilyas Kashmiri, the present leader of HUJI has been involved in planning and execution of several terror attacks and is one of the most dangerous terrorists of the world. He heads the HUJI 313 Brigade, which concentrates on spectacular terrorist attacks in different parts of the world.

**17.8.** That the Harkat-ul-Jihadi-Islami (HUJI) has been proscribed by the Central Government of India in terms of Schedule-I



of the UA (P) Act, 1967 (as amended in Act 35 in 2008

**17.9.** That before listing results of the investigation it would be appropriate to give brief details about the accused persons whose involvement has been established during the investigation.

**17.10.** That the investigation of the instant case has established as to how, David Coleman Headley (A-1) in association with the other co-conspirators planned and made preparations by conducting reconnaissance of important places in India on behalf of terrorist organisations LeT and HUJI including but not limited to terrorist attacks in Mumbai on 26 November, 2008. Further, before the execution of other future planned terrorist attacks (planned attacks on various *Chabad* Houses and National Defence College, Delhi) the accused persons were arrested by the FBI in Chicago.

**17.11.** That the investigation of the instant case has established the role of Tahawwur Rana (A-2) as a co-conspirator, who provided logistic, financial and other assistance to David Headley (A-1) and the other co-conspirators towards the fulfillment of the criminal conspiracy to organize terrorist attacks in India.

**17.12.** That the investigation has established the involvement of Hafiz Saeed (A-3) along with the other co-conspirators, as named in the instant case, for planning, coordinating and executing the 26/11 attack of Mumbai. The specific incidents relating to attack on 26/11/2008 in Mumbai is a subject matter of separate investigation by Maharashtra Police. Further, the investigation has established as to how in pursuance of the conspiracy as investigated in the instant



case Hafiz Saeed (A-3) had met David Headley (A-1) on several occasions and taken briefings about the progress of reconnaissance and other tasks assigned to David Coleman Headley (A-1).

**17.13.** That the investigation has also established as to how Zakiur-Rehman Lakhvi (A-4) persuaded, guided and handled David Headley (A-1) for conducting reconnaissance in India which resulted in death of 166 persons and injury to 238 persons in the 26/11 attack. The specific incidents relating to attack on 26/11/2008 in Mumbai is a subject matter of separate investigation by Maharashtra Police.

**17.14.** That investigation has established as to how Sajid Majid @ Sajjid Mir @ Wasi @ Ibrahim (A-5) was involved in the planning and preparation of the terrorist attack of 26/11 in Mumbai by coordinating, guiding and directing the other co-conspirators. It has also established the criminal conspiracy hatched by Sajid Majid (A-5) and the other co-conspirators for future attacks in Denmark and India.

**17.15.** That the investigation has established as to how Abdur Rehman Hashim Syed @ Major Abdur Rehman Hashim @ Pasha @ Abdur Rehman (A-6), in association with the other co-conspirators in general and with David Coleman Headley (A-1), Ilyas Kashmiri (A-9) and Tahawwur Hussain Rana (A-2) in particular planned and made preparations for the future attacks in India. Investigation has also established that Abdur Rehman (A-6) had full knowledge about the activities of Headley (A-1) prior to the execution of Mumbai attack. Headley (A-1) had remained close to Abdur Rehman (A-6) and on the persuasion of the former, Abdur Rehman (A-6) met with Tahawwur Rana (A-2) in Dubai prior to the Mumbai attack.

**17.16.** That investigation has established as to how Abdur Rehman (A-6) asked David Headley (A-1) to conduct surveillance of places including but not limited to *Chabad* houses across India, National Defence College in Delhi and other places.

**17.17.** That the investigation has established as to how Major Iqbal (A-7) provided financial assistance to Headley (A-1) for the establishment of office in Mumbai and how Major Iqbal (A-7) had received / collected the surveillance videos prepared by David Headley (A-1) in India from time to time which finally resulted in the 26/11 attack.

**17.18.** That the investigation has also established as to how Major Sameer Ali (A-8) tried to use the surveillance activities carried out by Headley for future attacks in India. Investigation has established as to how Major Sameer Ali (A-8) has been involved in running espionage activities in India for waging war against the country.

**17.19.** That investigation has established as to how Ilyas Kashmiri (A-9) along with Abdur Rehman (A-6) planned and provided support for the March 2009 visit of Headley to India for collecting tactical information / video / images of the *Chabad* houses in India for organizing future terrorist attacks.

**17.20.** That in or about beginning of 2005, a criminal conspiracy was hatched by LeT and HUJI operating in Pakistan to execute a series of terrorist attacks at sensitive / iconic places in various cities of India including but not limited to Delhi, Mumbai, Pune and other

places for waging war against the sovereignty, integrity and unity of India. In pursuance of the said criminal conspiracy in or about April 2005, Sajid Majid (A-5) visited India in the name of Mohd Awan bearing passport No. [REDACTED] under the pretext of watching India-Pak cricket match. Further in pursuance of the said criminal conspiracy, the aforementioned accused persons conspired and organized terrorist attacks in India and made preparation for waging war against the country. Thus, the accused persons participated in providing material, tactical, ideological and financial support in planning and execution of terrorist attacks, and thereby attacking and causing death / injuries to persons, destruction of property and so on including but not limited to Mumbai terror attacks of 26 November, 2006.

**17.21.** That David Headley as a member of LeT had earlier undergone two training courses in the camps of LeT in the year 2002, one in the month of February and the other one in the month of August in Muridke and in Muzaffarabad respectively. The duration of each training course was three weeks. These training courses attended by David Headley (A-1) taught him various skills including, but not limited to use of weapons and grenades and other skills involving military tactics like ambush and counter ambush.

**17.22.** That in the year 2003 Headley (A-1) had attended three different training camps of LeT; the first one was around April 2003, the second one was around August 2003 and third one was on December 2003. The training duration for the April and December course were three months each whereas the August 2003 course was for three weeks. During these trainings Headley (A-1) was



imparted skills for counter surveillance, close combat tactics and so on. The objective of the LeT training courses was to prepare trained terrorists who could be used in executing terror attacks.

**17.23.** That David Headley (A-1) entered into a criminal conspiracy in and around beginning of 2005 along with the other co-conspirators for carrying out reconnaissance activities at the behest of LeT and HUJI to attack India for killing of people and destruction of property. In pursuance to the criminal conspiracy, in or about late 2005, Pakistani co-conspirators, viz., Hafiz Saeed (A-3) to A-7, directed David Coleman Headley (A-1) to travel to India for conducting reconnaissance and to identify potential targets for executing terrorist attacks in future. They advised him to take appropriate steps to conceal his association with Pakistan and his religion while in India. They (A-3 to A-7) directed Headley (A-1) to seek assistance from Tahawwur Hussain Rana (A-2) and use his contacts for travel and conceal his real purpose of travel. They found him suitable and useful in view of his Caucasian appearance and American upbringing.

**17.24.** That in pursuance of the said conspiracy as directed by the other co-conspirators, in or about February, 2006 David Coleman Headley (A-1) changed his name from Daood Gilani to David Coleman Headley to conceal his Pakistani origin and Islamic religion.

**17.25.** That in pursuance of the said conspiracy, to obtain the visa for India Headley (A-1) in assistance with Rana (A-2) willfully provided / supplied / filed wrong information at the Indian Consulate in Chicago while making application and afterwards.



**17.26.** That in pursuance of above said conspiracy Headley (A-1) in association with Rana (A-2) and under the directions from A-3 to A-7 established and started the office of Immigrant law Centre in Mumbai to provide base and cover for the activities of LeT and HUJI in organising future terrorist attacks in India. Investigation has established that in or about June 2006 (before his first visit to India), David Coleman Headley (A-1) travelled to Chicago, Illinois and discussed the whole conspiracy with Tahawwur Hussain Rana (A-2) and took the assistance of Rana (A-2) for using his Immigration Firm (First World International), as a cover for executing the assignment entrusted by LeT.

**17.27.** That in pursuance of the said criminal conspiracy in or about July 2006, Major Iqbal (A-7) also provided US \$ 25,000 to David Coleman Headley (A-1) in Pakistan for the purpose of establishing an immigration office in Mumbai and for his travels/maintenance. Major Iqbal (A-7), also provided Headley with sufficient high quality fake Indian currency notes for use in India.

**17.28.** That in pursuance of the said criminal conspiracy on 30 June, 2006, David Coleman Headley (A-1) with the active support and assistance of Tahawwur Hussain Rana (A-2) in USA, applied for multiple entry business visa to visit India for the purpose of establishing a branch office of M/s. Immigrant Law Centre, Chicago, in Mumbai. In support of the same, a letter dated 29th June, 2006 issued under the signature of [REDACTED], Attorney of the Immigrant Law centre was submitted to the Indian Consulate-General in Chicago. The letter stated that David Coleman Headley

(A-1) would be their Regional Manager in Mumbai for supervising and coordinating their operations in the South Asian Region.

**17.29.** That in pursuance of the said criminal conspiracy, in the Visa Application dated 30 June, 2006, David Coleman Headley (A-1) intentionally submitted false details under columns viz., marital status, father's name, profession and the purpose of travel. On 30th June, 2006, the office of the Consulate General of India, Chicago granted multiple entry visa to Headley (A-1) for one year.

**17.30.** That in pursuance of the said conspiracy, David Coleman Headley (A-1) with a fraudulent intention knowingly submitted false particulars and obtained visa to visit India to enable him to fulfil the ulterior objectives of the said criminal conspiracy.

**17.31.** That in pursuance of the said conspiracy, on or about July-September 2006, David Coleman Headley (A-1) met, separately, with Sajid Majid ( A-5) in Muzzafarabad and Major Iqbal (A-7) in Lahore where he was tasked / briefed and was directed to travel to India to conduct reconnaissance of potential targets for attacks by Lashkar-E-Taiba. It was re-emphasised that Headley should carefully conceal his Muslim religion and Pakistani origin and he should integrate himself in the business and military community during his stay in India.

**17.32.** That in pursuance of the said criminal conspiracy, on 14 September, 2006, David Coleman Headley (A-1) landed in Mumbai by Flight No. PK-274 from Karachi. Upon arrival in Mumbai, David Coleman Headley (A-1) was received by Individual - B, a contact of

accused Tahawwur Hussain Rana (A-2) in India who had no knowledge of the said criminal conspiracy. Earlier, accused Tahawwur Hussain Rana (A-2) had telephonically directed Individual - B for arranging reception, conveyance, lodging and office cum residence for accused David Coleman Headley (A-1). Accordingly the reception, conveyance and lodging at Hotel Outram, Mumbai were arranged by Individual - B with assistance from one of the partners of the Hotel Outram.

**17.33.** That in pursuance of the said criminal conspiracy, David Coleman Headley (A-1) checked in at Hotel Outram in Mumbai. The Passport and Visa details furnished by him were the following :

Passport details: [REDACTED] dated [REDACTED] March, 2006, Chicago.

Visa details: [REDACTED] dated [REDACTED] June, 2006 issued from Indian Consulate, Chicago.

**17.34.** That in pursuance of the said criminal conspiracy, on 18 September, 2006, David Coleman Headley (A-1) acquired a Vodafone mobile no [REDACTED] from a retailer namely M/s [REDACTED], Mumbai.

**17.35.** That in pursuance of the said criminal conspiracy, on or during the later part of September 2006, upon vacating the Hotel Outram, David Coleman Headley (A-1) shifted to the house of Individual - E located at [REDACTED] Road, Mumbai as a paying guest.

**17.36.** That in pursuance of the said criminal conspiracy, during



the later part of September 2006, David Coleman Headley (A-1) conducted an interview at [REDACTED] for the post of secretary, in his newly established office in Mumbai.

**17.37.** That in pursuance of the said criminal conspiracy David Coleman Headley (A-1) in order to interact with the important people and to develop contacts with them became a member of [REDACTED] a Wellness Centre in a posh locality of Mumbai located opposite to the American Consulate. During this period, Headley (A-1) befriended several persons. David Coleman Headley (A-1) conducted tactical reconnaissance of the potential targets in Mumbai on his own and by using his contacts which he had developed over a period of time. All these contacts had no knowledge about the activities of Headley (A-1). During this period David Headley (A-1) conducted surveillance of places including but not limited to Hotel Taj Mahal Palace & Towers, Hotel Trident, Sidhdhi Vinayak Temple, Phadke Temple, Mantralaya, Harbour area, Railway stations, Bus stations, World Trade Centre etc.

**17.38.** That in pursuance of the said criminal conspiracy, an (FNC1) application dated 12 October, 2006, purportedly issued under the signature of [REDACTED] for establishing a liaison office of M/s. Immigrant Law Centre Chicago at Tardeo AC Market, Mumbai was submitted to Reserve Bank of India on 18 October, 2006. The same was processed by Foreign Exchange Department/RBI, Mumbai and rejected on 7 June, 2007.

**17.39.** That in pursuance of the said criminal conspiracy despite the rejection and advise by RBI/Mumbai, David Coleman Headley (A-



1) and Tahawwur Hussain Rana (A-2) continued operating the office of Immigrant Law Centre and pursued vigorously the directives of LeT to conduct reconnaissance of various places in India.

**17.40.** That in pursuance of the said criminal conspiracy, during first visit, accused David Coleman Headley (A-1) photographed and video graphed Cantonment area in Northern Mumbai, the Taj Hotel, the Gateway of India, Highways and other public places.

**17.41.** That in pursuance of the said criminal conspiracy, on ■ December, 2006 David Coleman Headley (A-1) travelled to Karachi, Pakistan from Mumbai by PIA Flight No. PK- 275.

**17.42.** That in pursuance of the said criminal conspiracy, as soon as David Coleman Headley (A-1) reached Lahore after his first visit he contacted Major Iqbal (A-7) and met him in Lahore. Headley (A-1) handed over to Major Iqbal (A-7) a 2GB memory stick in which he had made recordings of various locations in Mumbai. David Coleman Headley (A-1) also met Sajid Majid (A-5) in Muzaffarabad. Sajid (A-5) also received the surveillance video footages from Headley (A-1).

**17.43.** That in pursuance of the said criminal conspiracy, in or about February 2007, David Coleman Headley (A-1) met separately, Lashkar member Sajid Majid (A-5) in Muzaffarabad and Major Iqbal (A-7) in Lahore and took instructions to conduct reconnaissance of second floor of Hotel Taj Mahal in Mumbai (specifically the conference Hall and the Ball rooms), Siva Sena Bhawan, Hotel Oberoi/Trident and to obtain schedules of future conferences of

hotels, Stock Exchange Mumbai etc. Major Iqbal (A-7) directed Headley (A-1) to conduct reconnaissance at Government buildings and military residential areas.

**17.44.** That in pursuance of the said criminal conspiracy, in or about ■ February, 2007, David Headley (A-1) travelled by flight no. EK-605 ex. Karachi and by flight No.EK-500 ex. Dubai to Mumbai. He arrived in Mumbai on ■ February, 2007.

**17.45.** That in pursuance of the said criminal conspiracy to remain in contact with the other co-conspirators and to avoid detection of the said conspiracy by the law enforcement authorities accused Headley (A-1) had used multiple email IDs. On ■ February, 2007 Headley (A-1) submitted an on line application for opening an account in the M/s. Reliance Web World, Heera Panna, Mumbai for using internet. Headley (A-1) furnished paying guest accommodation address in Mumbai with the city name written as Muzaffarabad (in Maharashtra) in the said form. While submitting the on line application, he did not furnish any ID proof. During the stay of Headley (A-1) in India he regularly used this cyber café for receiving and sending emails. The different emails used by Headley (A-1) during this period were including but not limited to ■■■■■■■■■■, ■■■■■■■■■■, ■■■■■■■■■■ and ■■■■■■■■■■.

**17.46.** That in pursuance of the said criminal conspiracy, on 12 March, 2007 David Coleman Headley (A-1) booked flight tickets for his journey on ■-03-2007 in sector Mumbai-Delhi by Spice Jet & Ex. Delhi-Lahore by PK-271 and return ticket ex. Karachi-Mumbai by PK-

274 dt. ■/03/2007 through M/s. Swift sure Travels/Riya Travels, Mumbai. He accordingly travelled on ■ March, 2007 from Mumbai to Delhi and he left for Lahore from IGI Airport, New Delhi on ■ March, 2007.

**17.47.** In pursuance of the said criminal conspiracy, on ■ March, 2007, David Coleman Headley (A-1) arrived in Mumbai (third visit to India) from Karachi. Headley had not informed his handlers other than Tahawwur Hussain Rana (A-2) about this visit.

**17.48.** That in pursuance to the said criminal conspiracy, on ■ April, 2007 David Coleman Headley (A-1) had procured air ticket for travel of Ms. Faiza Outalha from Karachi to Mumbai by flight No.PK-274 on ■/04/2007 and Mumbai to Karachi by flight No.PK-275 on ■/05/2007 from PIA terminal/Mumbai.

**17.49.** That in pursuance to the said criminal conspiracy, on ■ April, 2007, Ms. Faiza Outalha, a Moroccan national, wife of David Coleman Headley (A-1), arrived in Mumbai from Karachi. On ■ April, 2007 David Coleman Headley (A-1) checked in at the Taj Mahal Palace & Towers, Mumbai along with Ms. Faiza Outalha. David Coleman Headley (A-1) checked out on ■ April, 2007 from the Taj Mahal Palace & Towers, Mumbai. On the same day, David Coleman Headley (A-1) checked in at Hotel Trident, Hilton Towers, Mumbai along with Ms. Faiza Outalha. On ■ May, 2007 David Coleman Headley (A-1) along with Faiza Outalha checked out from Hotel Trident. On ■ May, 2007 David Coleman Headley (A-1) along with Faiza Outalha again stayed at Hotel Taj Mahal. During the stay in the aforementioned hotels, accused Headley (A-1) extensively conducted the videography of these hotels and subsequently provided the



videos to the other co-conspirators based in Pakistan.

**17.50.** That in pursuance of the said criminal conspiracy, David Coleman Headley (A-1) during his second visit to India carried reconnaissance of places including but not limited to Mantralaya building, residential complex of the Siva Sena leadership, Siva Sena headquarters, restaurants of the Hotel Taj and Hotel Trident, Leopold café, the Police Station near Taj Hotel and Mumbai Stock Exchange.

**17.51.** In pursuance to the said criminal conspiracy, on ■ May, 2007, David Headley (A-1) left Mumbai by flight No. AI-727 for Dubai and remained in Dubai for three days. On ■ May, 2007, Headley (A-1) arrived in Mumbai (fourth visit) by AI-716 from Dubai. Upon his return he met several persons whom he had befriended during his stay in India.

**17.52.** That in pursuance of the said criminal conspiracy, on ■ June, 2007, Headley (A-1) left Mumbai for Dubai by flight No. EK-503. Subsequently, he left for Lahore from Dubai and reached Lahore on ■/06/2007. The tickets were purchased through M/s. Bhukari Travels, Karachi on ■/02/2007 and the payment was made in cash.

**17.53.** That in pursuance of the said criminal conspiracy, in or around June, 2007 after his return to Pakistan David Coleman Headley (A-1) met Major Iqbal (A-7) and Sajid Majid (A-5) separately in Lahore and Muzaffarabad respectively. He handed over the reconnaissance videos first to Major Iqbal (A-7) and then to Sajid Majid (A-5).

**17.54.** That in pursuance of the said criminal conspiracy, in or around June, 2007 in USA Headley (A-1) with Tahawwur Hussain



Rana's (A-2) support, applied for extension of his visa to India. Ten years visa extension with multiple entries was given to him in or around July 2007. The intervention of Tahawwur Hussain Rana (A-2) facilitated the process of visa extension.

**17.55.** That in pursuance of the said criminal conspiracy, in or around September / October 2007, David Coleman Headley (A-1) met, separately, Lashkar member Sajid Majid (A-5) in Muzaffarabad and Major Iqbal (A-7) in Lahore and took instructions to conduct reconnaissance of Hotel Taj Mahal in Mumbai, Shiv Sena Head quarters in Mumbai, National Defence College in Delhi etc. Major Abdur Rehman (A-6) met David Coleman Headley (A-1) and asked him to collect tactical data / videos of the NDC, Delhi.

**17.56.** That in pursuance of the said criminal conspiracy, on 3 September, 2007, David Coleman Headley (A-1) left Karachi for Dubai by flight No.EK-607 and Ex. Dubai – Mumbai (fifth visit) by flight No.EK-500 and arrived in Mumbai on ■/09/2007. On 9 October, 2007 David Coleman Headley (A-1) left Mumbai by Emirates flight no. EK- 501 for Dubai and from Dubai by EK- 602 for Karachi. On ■ October, 2007, David Coleman Headley (A-1) left Lahore by Flight No. PK-270 for Delhi and arrived at Delhi. This was the sixth visit of Headley (A-1) to India. During his stay in Delhi Headley (A-1) conducted reconnaissance of the National Defence College (NDC).

**17.57.** That in pursuance of the said criminal conspiracy, Headley (A-1) visited Pune and videographed the army installations. The recordings were subsequently given to Major Iqbal (A-7) in Pakistan.

Investigation has established that on █ November, 2007 David Coleman Headley (A-1) left Delhi by Flight No. PK-271 for Lahore.

**17.58.** That in pursuance of the said criminal conspiracy, after his return to Pakistan, David Coleman Headley (A-1) met Sajid Majid (A-5) and Major Iqbal (A-7), separately and provided the video clippings of the reconnaissance conducted including but not limited to Taj Mahal Hotel entry and exit points, the Jewellery Store “Jazdar” in the Taj Mahal Hotel, Video of Siva Sena Headquarters and video of a Bollywood actor. Further Headley (A-1) also provided the surveillance videos of the NDC to Abdur Rehman Hashim (A-6) in Pakistan.

**17.59.** That in pursuance of the said criminal conspiracy, in or around February 2008 a meeting was again organised in which accused David Headley (A-1), Sajid Majid (A-5), Abu Anas and Abu Qahafa participated. Before the meeting in Rawalpindi, Major Iqbal (A-7) had given Headley (A-1) a Sony Ericson mobile phone with camera for carrying out clandestine photography/videography in India for future attacks.

**17.60.** That in pursuance of the said criminal conspiracy, in or around March 2008, a meeting was held in Muzaffarabad. Headley (A-1) along with the other co-conspirators based in Pakistan i.e. Zakiur-Rehman Lakhvi (A-4), Sajid Majid (A-5), Muzzamil and Abu Qahafa participated in this meeting. One Frogman to whom Headley (A-1) was introduced as Abdur Rehman had also participated in the meeting. The meeting discussed the potential landing sites for the attack in Mumbai. Following the discussion Headley (A-1) was given the task of identifying the landing sites for the attackers in Mumbai. In

order to plot the exact locations of the landing sites Sajid Majid (A-5) provided Headley (A-1) with a GPS system. Abu Qahafa and Sajid Majid (A-5) taught Headley (A-1) as to how to use the GPS system.

**17.61.** That in pursuance of the said criminal conspiracy, Major Iqbal (A-7) had asked Headley (A-1) to do reconnaissance of the Bhaba Atomic Research Centre (here in after BARC) in Mumbai especially its staff colony as a target.

**17.62.** That in pursuance of the said criminal conspiracy, on 9 April, 2008, David Coleman Headley (A-1) left Lahore for Karachi by flight No.PK-307 on ■ April, 2008 and then travelled from Karachi to Mumbai by PK-274 on ■ April, 2008. Investigation has brought on record that on arrival in Mumbai he checked in at Hotel Outram. This was the seventh visit of Headley (A-1) to India. In the evening he visited Indigo Delicatessan Restaurant at Hotel Taj Mahal Palace & Towers. On ■ April, 2008 Headley (A1) checked out from Hotel Outram and shifted to Shyam Niwas. Accused Headley (A-1) had booked his return ticket for ■ April, 2008 while he was in Pakistan. In pursuance of the said criminal conspiracy, Headley carried out boat rides during this visit for identifying the landing sites. As planned earlier Headley (A-1) left Mumbai on ■ April, 2008 by flight No. PK-275 and reached Karachi.

**17.63.** That in pursuance of the said criminal conspiracy, upon the return of Headley (A-1) to Pakistan he met Major Iqbal (A-7) in Lahore and handed over the videos to Major Iqbal (A-7). Headley (A-1) also met Sajid Majid (A-5) in Rawalpindi. In pursuance of the said criminal conspiracy to attack different places as videographed by



accused Headley (A-1), Sajid Majid (A-5), Zaki-ur-Rehman Lakhvi (A-4), Abu Anas and Abu Qahafa held a meeting. In this meeting Abu Qahafa plotted the points marked by Headley (A-1) in the GPS on his laptop to get an idea of the sea route to be followed and landing sites to be identified. The egress points of the attackers were also discussed during this meeting.

**17.64.** That in pursuance of the said criminal conspiracy, Headley (A-1) went to US and had met Rana (A-2). They had a detailed discussion on the future action plan. Rana (A-2) was in touch with Major Iqbal (A-7) during this period. However Headley (A-1) and Rana (A-2) had taken all possible steps to conceal their contacts with Pakistan based co-conspirators while in USA. Since Rana (A-2) was an army deserter, Headley (A-1) assured him help through Major Iqbal (A-7). Major Iqbal (A-7) wanted help of Headley in procuring some good spy cameras for future projects. Headley (A-1) and Major Iqbal (A-7) exchanged series of emails discussing the aforementioned matter. It is pertinent to mention here that in pursuance of the said criminal conspiracy, Headley (A-1) was in regular contact with Tahawwur Hussain Rana during his stay in India. During the first visit David Coleman Headley (A-1) was in contact with Tahawwur Hussain Rana (A-2) over telephone for more than 32 times, 23 times during the second visit, 40 times during the third visit, 37 times during the fifth visit, 33 times during the sixth visit and 66 times during the eighth visit.

**17.65.** That in pursuance of said the criminal conspiracy, in or around June 2008, on the directions of the Pakistan based co-conspirators David Coleman Headley (A-1) separately met Lashkar Member Sajid Majid ( A-5) Abu Qahafa, Zaki-ur-Lakhvi (A-4) Abu



Anes in Muzzaffarabad, and Major Iqbal (A-7) in Lahore. Lashkar members instructed David Coleman Headley (A-1) to conduct further reconnaissance of various locations in Mumbai using the GPS device which was returned to David Coleman Headley (A-1). He was asked to do further reconnaissance of the Hotel Taj Mahal and landing points for attackers, including videotaping the route from a Police Station near Taj Hotel. Major Iqbal (A-7), Abdur Rehman (A-6) and Sajid Majid (A-5) individually / separately instructed David Coleman Headley (A-1) to do reconnaissance of the Chabad houses, Naval Air Station, Naval Headquarters, Maharashtra assembly building, Air India Building Airlines, Siddhivinayak Temple, Mumbai Stock Exchange and Radio Club etc in Mumbai. Major Iqbal (A-7) provided funds to the extent of approximately 1500 USD worth Indian Currency to David Coleman Headley (A-1) to keep the Immigration office running in Mumbai but approved the idea of closing the Mumbai office in the future and opening a new business in Delhi, to be used as cover for future activities by Headley (A-1).

**17.66.** That in pursuance of the said criminal conspiracy, on ■ July, 2008, David Coleman Headley (A-1) left Lahore for Dubai by flight No.EK-623 and from Dubai to Mumbai by flight no. EK-506 and arrived in Mumbai on ■ July, 2008. This was the eighth visit of accused Headley (A-1) to India.

**17.67.** That in pursuance of the said criminal conspiracy, on 16 July, 2008, David Headley (A-1) requested Vora brothers to extend the rent agreement for the office for fifteen more days, the original agreement would have expired on 01 November, 2008. It was for facilitating the visit of Tahawwur Rana (A-2) to India in November

2008 which was planned well in advance in consultation with Lashkar Member Sajid Majid (A-5) and Major Iqbal (A-7). Major Iqbal (A-7) had communicated to David Coleman Headley (A-1) through Tahawwur Hussain Rana (A-2) to extend the rent agreement till mid November 2008. During this period David Coleman Headley (A-1) was in India.

**17.68.** That in pursuance of the said criminal conspiracy, during the eighth trip to India, David Coleman Headley (A-1) had conducted reconnaissance on Hotel Taj, Naval installations, Mantralaya, Sidhdhivinayak Temple, EL AL airlines, Mumbai Stock Exchange, Police station near Hotel Taj, Chabad house and Blue Synagogue in Mumbai. As a part of the reconnaissance activity he visited Pune for a day.

**17.69.** That in pursuance of the said criminal conspiracy, during the eighth visit of Headley (A-1), Major Iqbal (A-7) had tried to contact him on the mobile phone towards the end of July 2008 for directing him to conduct reconnaissance of some other important places in India. This was a deviation from the original plan, where it was decided that no calls would be made by the co-conspirators based in Pakistan to Headley (A-1) while the latter was in India. Major Iqbal (A-7) failed to contact Headley (A-1). Then Major Iqbal (A-7) contacted Tahawwur Hussain Rana (A-2) over telephone. Major Iqbal (A-7) had used email ID [REDACTED] to communicate with Rana (A-2) in the email ID of the latter i.e. [REDACTED].

**17.70.** That in pursuance of the said criminal conspiracy, on his

return to Pakistan, David Coleman Headley (A-1) met, individually / separately, Lashkar members Sajid Majid (A-5) in Muzaffarabad and Major Iqbal (A-7) in Lahore and provided them with products / results / outcomes of his reconnaissance. David Coleman Headley (A-1) provided photographs and video clippings to Lashkar Member Sajid Majid (A-5) and Major Iqbal (A-7) and further returned the Global Positioning System device to Sajid Majid (A-5).

**17.71.** That in pursuance of the said criminal conspiracy, in or around first week of August 2008 a meeting of top hierarchy of LeT (known as *Sura of Zaki*) headed by Zaki (A-4) was held in Muzaffarabad. This meeting was held to finalise the 26/11 Mumbai attack. The conspirators based in Pakistan finally approved a strong hold option over the egress option.

**17.72.** That in pursuance of the said criminal conspiracy, original plan was to send 12 men; subsequently it was reduced to 10 men for carrying out the Mumbai Attacks. The Mumbai operatives were trained in Muzzafarabad and then sent to Mudrike for final indoctrination. Finally they came to Karachi and from there, they were launched to India. Two unsuccessful attempts were made prior to the 26/11 attacks.

**17.73.** That in pursuance of the said criminal conspiracy, before the Mumbai attack in or around October 2008, Sajid (A-5) and Major Iqbal (A-7) together visited the house of Headley (A-1) in Lahore and had a discussion about the future attack in Denmark. The conspiracy for attack on Denmark was hatched during this meeting held at Headley (A-1)'s house in Lahore. Headley (A-1) wanted to name it



“Micky Mouse Project”, however, finally Sajid (A-5) prevailed and named it as “Northern Project”.

**17.74.** That in pursuance of the criminal conspiracy as investigated in the present case, accused Tahawwur Hussain Rana (A-2) visited India between 13 November, 2008 to 21 November, 2008; just before the 26/11 attack. During his stay Tahawwur Hussain Rana (A-2) along with his wife visited places including but not limited Hapur, Delhi, Agra, Cochin, Ahmadabad, Mumbai and so on.

**17.75.** That in pursuance of the said criminal conspiracy, investigation has established that Headley (A-1) and Rana (A-2) did not pursue a single case for the immigration business through the Mumbai office during the entire period of its existence.

**17.76.** That in pursuance of the said criminal conspiracy, on 26 November, 2008, Lashkar –E –Taiba on the basis of the reconnaissance conducted by Headley (A-1) executed attacks at various places specifically Hotel Taj Mahal Palace & Towers and Trident, Leopold café, Chabad House, Chatrapati Shivaji Terminus Railway Station in Mumbai killing 166 persons and wounding many using grenades, arms and ammunition.

**17.77.** That in pursuance of the said criminal conspiracy, David Coleman Headley (A-1) in his email ID [REDACTED] had discussed the Mumbai attack and his role therein in coded language with his wife Ms. Shazia Gilani.

**17.78.** That in pursuance of the said criminal conspiracy, Lashkar-

E-Taiba with active aid and wilful abetment of David Coleman Headley (A-1) & Tahawwur Rana (A-2) could execute Mumbai attacks on 26 November, 2008 killing 166 persons and causing injury to 238 persons including several foreign nationals.

**17.79.** That in pursuance of the said criminal conspiracy, after the successful attack in Mumbai both LeT and HUJI started showing interest in making similar attacks in Denmark and Chabad houses in India. In pursuance of the said conspiracy both Sajid Majid (A-5) and Abdur Rehman (A-6) independently contacted Headley (A-1) for carrying out the reconnaissance of these two areas by Headley (A-1) with active support from Tahawwur Rana (A-2). In furtherance for the said conspiracy Headley (A-1) with the knowledge and assistance of Rana (A-2) had gone to Denmark in or around middle of January, 2009 and returned to Pakistan in the last week of January, 2009.

**17.80.** That in pursuance of the said criminal conspiracy, Headley (A-1) in association with Abdur Rehman (A-6) and under the directions from Ilyas Kashmiri (A-9) made preparation for attacking the Chabad houses in India. Towards the fulfillment of the said conspiracy between February 2009 and May 2009, Headley (A-1) was taken to FATA area twice by Abdur Rehman (A-6) to meet with and take instructions from Ilyas Kashmiri (A-9). In pursuance of the said conspiracy accused Headley visited India from 07 March 2009 to 17 March 2009. During this period accused Headley (A1) conducted reconnaissance of the Chabad Houses located in Delhi, Pushkar, Goa and Pune. While Headley was in India he had remained in constant touch with Rana (A2). On 06 March, 2009 Rana (A2) opened an email [REDACTED] which he and David

Coleman Headley (A-1) used to communicate with each other.

**17.81.** That in pursuance of the said criminal conspiracy, during in or around February 2009 Headley (A-1) met Major Sameer Ali (A-8). Major Sameer Ali (A-8) introduced Headley (A-1) to one of his higher officers of ISI namely Col. Shah in Lahore. Major Sameer Ali (A-8) persuaded Headley (A-1) to work for them and carry reconnaissance of different important places in India for future attacks.

**17.82.** That in pursuance of the said criminal conspiracy, prior to the visit to India, Headley (A-1) had discussed the entire project with Rana (A-2). In fact Headley (A-1) in anticipation of some further problems in India sent an email to Rana (A-2) and gave A detailed account of his belongings and list of assets. Headley (A-1) had informed Rana (A-2) about the role of Ilyas Kashmiri (A-9) and Abdur Rehman (A-6) in the said conspiracy.

**17.83.** That in pursuance of the said criminal conspiracy, on █ March 2009 (9<sup>th</sup> visit) David Coleman Headley (A-1) reached Delhi from Abu Dhabi by Etihad flight No. EY- 218. On █ March, 2009 he had checked in at Hotel De Holiday International, Paharganj, Delhi.

**17.84.** That in pursuance of the said criminal conspiracy, on █ March, 2009, David Coleman Headley (A-1) checked in at Hotel █, Paharganj, New Delhi. He also visited the █ Cyber Café in Delhi. On 10 March, 2009, David Coleman Headley (A-1) checked out from Hotel █. During his stay in Delhi he conducted reconnaissance of the *Chabad* house in Delhi.



**17.85.** That in pursuance of the said criminal conspiracy, on 10 March, 2009, David Coleman Headley (A-1) travelled to Pushkar (Ajmer, Rajasthan). On 11 March, 2009, upon reaching in Pushkar David Coleman Headley (A-1) stayed at Hotel [REDACTED]. The *Chabad* house is located [REDACTED] in Pushkar. David Coleman Headley (A-1) furnished wrong Passport number in the hotel records as [REDACTED] instead of [REDACTED]. Similarly wrong Visa number was furnished as [REDACTED] B as against the original number-[REDACTED].

**17.86.** That in pursuance of the said criminal conspiracy, on [REDACTED] March, 2009, David Coleman Headley (A-1) checked out from Hotel [REDACTED] in Pushkar. He left for Jaipur from Pushkar and took the Kingfisher flight No. SG-807 for Goa. He reached Goa on the same day. He stayed in Goa from [REDACTED].03.2009 to [REDACTED].03.2009 at [REDACTED] Guest house in [REDACTED] away from the *Chabad* house.

**17.87.** That in pursuance of the said criminal conspiracy, on [REDACTED] March, 2009, David Coleman Headley (A-1) travelled from Goa to Pune by road and stayed at Hotel [REDACTED] in Pune. Later, he visited Osho Meditation Resort. This hotel is also close to the *Chabad* house as well as to the German Bakery shop which was attacked on 13.02.10 in Pune. On [REDACTED] March, 2009 David Coleman Headley (A-1) checked out from Hotel [REDACTED] in Pune.

**17.88.** That in pursuance of the said criminal conspiracy, upon return to Pakistan after [REDACTED] March, 2009, David Coleman Headley (A-1) briefed and handed over video footage of the NDC, Delhi, video of

the bus transporting Officers to the NDC and other targets to A-6. Headley (A-1) did not mention this India visit of his to his LeT co-conspirators.

**17.89.** That in pursuance of the said criminal conspiracy, in or around May, 2009, Headley (A-1), Abdur Rehman (A-6) had met Ilyas Kashmiri (A-9) in FATA area for the second time. The meeting took place in Miranshah at some unknown house. Investigation has revealed that David Headley (A-1) in association with Rana (A-2) and Abdur Rehman (A-6) had furthered the conspiracy for attacking the newspaper office in Denmark. In pursuance of the said conspiracy Headley's (A-1) visited to Denmark on the pretext of representative of the First Law Immigrant Centre.

**17.90.** That in pursuance of the said criminal conspiracy, in or around July 2009, Sajid Majid (A-5) started contacting Headley (A-1) from a new email ID i.e. [REDACTED] and discussed at length in coded language the planning and conspiracy to carry out fresh attacks in India, thus, indulging in the act of waging war against India for killing innocent civilians. It is pertinent to mention here that in pursuance of the said criminal conspiracy accused David Coleman Headley (A-1), Rana (A-2), Sajid Majid (A-5), Abdur Rehman (A-6), Major Iqbal (A-7) and Major Sameer Ali (A-8) had extensively used the internet facility to communicate with each other. In order avoid the detection, multiple email IDs with various names were used by the accused persons. While communicating and discussing the conspiracy as investigated in the instant case the accused persons had used "coded language" for explaining or defining the various acts of the conspiracy.

**17.91.** That in pursuance of the said criminal conspiracy, in or around July 2009 Headley (A-1) received information that Abdur Rehman (A-6) has been detained by the Pakistan authorities. On this, Headley (A-1) contacted Major Sameer Ali (A-8) over email and requested for help in getting Abdur Rehman released. Headley (A-1) used email ID [REDACTED] to correspond with the email ID [REDACTED] belonging to Sameer Ali (A-8). Finally with the intervention of Major Sameer Ali (A-8), Abdur Rehman (A-6) was released.

**17.92.** That in pursuance of the said criminal conspiracy, the emails exchanged between Headley (A-1) and Abdur Rehman (A-6) pertaining to the "MMP" project has established the planning and preparation for attack in Denmark and India. In the email ID rawsa1@hotmail.com of Abdur Rehman Hashim (A-6) emails were exchanged with the email ID [REDACTED] belonging to Headley (A-1) which establishes the complicity of Rana (A-2) in the preparation for attack in Denmark and India along with the aforementioned accused persons.

**17.93.** That the aforementioned facts and circumstances prima facie establish that the accused persons in the instant case from A-1 to A-7 entered into a criminal conspiracy of waging war against the Government of India, with the intent to threaten the unity, integrity, security and sovereignty of India, with intent to strike terror in the people in India, by causing death of and injuries to persons, loss of, damage to and destruction of property and actually committed such crime with resulted in killing of 166 persons, injury to 238 persons



and colossal damage to property in the 26/11 Mumbai attack; conspired knowingly the commission of a terrorist act, made preparatory act for commission of a terrorist act by planning to attack the Chabad Houses in different cities in India for causing death and injury to people in India.

**17.94.** That **David Headley (A-1) @Daood GilaniS/o Syed Saleem Gilani, R/o. 563, Rosalie Street, Philadelphia, 19120 USA and also 7, Canal road, Old Ferozpur road, Lahore, Pakistan** as a member of terrorist organizations LeT and HUJI, entered into a criminal conspiracy in or around beginning of 2005 along with the other co-conspirators based in Pakistan for waging war against Government of India, with the intent to threaten the unity, integrity, security and sovereignty of India, with intent to strike terror in the people in India, by causing death of and injuries to persons, loss of, damage to and destruction of property.

**17.95.** That in pursuance of the said criminal conspiracy as directed by the other co-conspirators Headley (A-1) changed his name from Daood Gilani to David Coleman Headley, willfully filed wrong information at the Indian Consulate in Chicago for obtaining visa for India, established and started the office of Immigrant law Centre in Mumbai to provide base and cover for the activities of LeT and HUJI in organising future terrorist attacks in India, tactically befriended several Indians during his stay in Mumbai for carrying out reconnaissance of potential targets in India, conducted reconnaissance of all those places which were attacked during 26/11 attack and provided the video footages and photographs to the co-conspirators based in Pakistan especially Sajid Majid (A-5) and Major Iqbal (A-7), conducted reconnaissance for the potential landing sites

for the attackers of 26/11 Mumbai attack and plotted the details of the landing sites in Mumbai which resulted in killing of 166 persons, injury to 238 persons and colossal damage to property in the 26/11 Mumbai attack. The said accused person along with the co-conspirators i.e. A-2, A-6, A-8 and A-9 conspired knowingly the commission of a terrorist act, made preparatory act for commission of a terrorist act by planning to attack the *Chabad* Houses in different cities in India for causing death, injuries to people, loss of, damage to and destruction of property in India, thus, has committed offences **u/s 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act and substantive offences u/s 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA (P) Act, 1967 as amended in act 35 of 2008.**

**17.96.** That **Tahawwur Hussain Rana (A-2) s/o Rana Wali Muhammad, R/o. 6018, N. Campbell Ave, Chicago IL 60659, USA** as member of LeT and HUJI entered into a criminal conspiracy in or around beginning of 2005 along with the other co-conspirators based in Pakistan for waging war against Government of India, with the intent to threaten the unity, integrity, security and sovereignty of India, with intent to strike terror in the people in India, by causing death of and injuries to persons, loss of, damage to and destruction of property, provided tactical, material and financial support in furtherance of the said criminal conspiracy- such as assisted Headley (A-1) in obtaining visa for India, established the Immigrant Law Centre in Mumbai which was a front organisation to cover their activities, visited India in November 2008 in furtherance of the said criminal conspiracy, which resulted in killing of 166 persons, injury to 238 persons and colossal damage to property in the 26/11 Mumbai

attack. The said accused person along with the co-conspirators i.e. A-1, A-6, A-8 and A-9 conspired knowingly the commission of a terrorist act, made preparatory act for commission of a terrorist act by planning to attack the Chabad Houses in different cities in India for causing death, injuries to people, loss of, damage to and destruction of property in India, thus has committed offences **u/s 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act and substantive offences u/s 121, 121A, 302 IPC and section 16, 18 and 20 of UA (P) Act, 1967 as amended in act 35 of 2008.**

**17.97.** That **Hafiz Saeed (A-3) R/o House No. 116E, Mohalla Johar, Lahore, Tehsil, Lahore City, Lahore District, Pakistan**, the head of proscribed terrorist organization LeT entered into a criminal conspiracy in or around beginning of 2005 along with the other co-conspirators based in Pakistan for waging war against Government of India, with the intent to threaten the unity, integrity, security and sovereignty of India, with intent to strike terror in the people in India, by causing death of and injuries to persons, loss of, damage to and destruction of property and actually committing such acts which resulted in killing of 166 persons, injury to 238 persons and colossal damage to property in the 26/11 Mumbai attack, thus, has committed offences **u/s 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act and substantive offences u/s 121, 121A and 302 IPC and section 16, 18 and 20 of UA(P) Act 1967 as amended in act 35 of 2008.**

**17.98.** That **Zakir-ur-Rehman Lakhvi (A-4) Chak No. 18/IL, Rinala Khurd, Tehsil Rinala Khurd, District Okara, Pakistan**, (previous location/ Place of Birth) and presently r/o Barahkoh, P.O. DO, Tehsil and District Islamabad, Pakistan as the chief military



Commander of the proscribed terrorist organisation LeT, entered into a criminal conspiracy in or around beginning of 2005 along with the other co-conspirators based in Pakistan for waging war against Government of India, with the intent to threaten the unity, integrity, security and sovereignty of India, with intent to strike terror in the people in India, by causing death of and injuries to persons, loss of, damage to and destruction of property and actually committing such acts which resulted in killing of 166 persons, injury to 238 persons and colossal damage to property in the 26/11 Mumbai attack, thus, has committed offences **u/s 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act and substantive offences u/s 121, 121A and 302 IPC and section 16, 18 and 20 of UA(P) Act 1967 as amended in act 35 of 2008.**

**17.99.** That **Sajid Majid @ Wasi @ Sajid Mir (A-5) s/o Muhammad Ashraf Awan, r/o House Near the Ganda nala area of Lahore, Pakistan** as a member of proscribed terrorist organization LeT entered into a criminal conspiracy in or around beginning of 2005 along with the other co-conspirators based in Pakistan for waging war against Government of India, with the intent to threaten the unity, integrity, security and sovereignty of India, with intent to strike terror in the people in India, by causing death of and injuries to persons, loss of, damage to and destruction of property. That in pursuance of the said criminal conspiracy Sajid Majid (A-5) on the directions of Hafiz Saeed (A-3) and Zaki (A-4) had handled accused Headley (A-1) during the relevant period of the conspiracy, visited India in false name and fake passport in and around April 2005 to carryout reconnaissance activities, collected all the video footage/ photographs gathered by Headley (A-1) during the reconnaissance in

India in Pakistan from Headley (A-1) after each visit of the latter from India and actually committed the crime of organising the 26/11 attack in association with the other co-conspirators which resulted in death of 166 persons and injuries to 238 persons, thus, has committed offences **u/s 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act and substantive offences u/s 121, 121A, 302, 468 and 471 IPC and section 16, 18 and 20 of UA (P) Act, 1967 as amended in act 35 of 2008.**

**17.100.** That **Abdur Rehman (A-6) s/o Major Abdul Gani, R/o Near Jinnah Hospital, Canal Bank Road, Lahore, Pakistan** a member of proscribed terrorist organization LeT and subsequently member of proscribed terrorist organization HUJI entered into a criminal conspiracy in or around beginning of 2005 along with the other co-conspirators based in Pakistan for waging war against Government of India, with the intent to threaten the unity, integrity, security and sovereignty of India, with intent to strike terror in the people in India, by causing death of and injuries to persons, loss of, damage to and destruction of property which resulted in killing of 166 persons, injury to 238 persons and colossal damage to property in the 26/11 Mumbai attack. That in pursuance of the said criminal conspiracy the said accused person along with the co-conspirators i.e. A-1, A-2, A-8 and A-9 conspired knowingly the commission of a terrorist act, made preparatory act for commission of a terrorist act by planning to attack the Chabad Houses in different cities in India for causing death, injuries to people, loss of, damage to and destruction of property in India. That in pursuance of the said criminal conspiracy Abdur Rehman (A-6) directed Headley (A-1) to conduct reconnaissance of different places in India especially the Chabad

house, towards the fulfilment of the said conspiracy provided material support, collected videos/ photographs of the reconnaissance activities carried out by Headley (A-1) in India and organised two meetings of Headley (A-1) with Ilyas Kashmiri (A-9) in the year 2009 in the FATA region Pakistan, thus, has committed offences **u/s 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act and substantive offences u/s 121, 121A, 302 IPC and section 16, 18 and 20 of UA (P) Act, 1967 as amended in act 35 of 2008.**

**17.101.** That Major Iqbal (A-7) is a senior functionary of ISI entered into a criminal conspiracy in or around beginning of 2005 along with the other co-conspirators based in Pakistan for waging war against Government of India, with the intent to threaten the unity, integrity, security and sovereignty of India, with intent to strike terror in the people in India, by causing death of and injuries to persons, loss of, damage to and destruction of property in India which resulted in killing of 166 persons, injury to 238 persons and colossal damage to property in the 26/11 Mumbai attack. That in pursuance of the said criminal conspiracy Major Iqbal (A-7) had handled Headley (A-1), provided material support to Headley (A-1) for his visits to India, received video footages / photos collected by Headley (A-1) trained Headley (A-1) in the clandestine photography for the reconnaissance activities in India, thus, has committed offences **u/s 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act and substantive offences u/s 121, 121A and 302 IPC and sections 16 and 18 of UA (P) Act, 1967 as amended in act 35 of 2008.**

**17.102.** That **Major Sameer Ali @ Major Sameer (A-8) r/o Lahore Cantonment, Lahore, Pakistan** as a senior functionary of



ISI conspired knowingly the commission of a terrorist act, made preparatory act for commission of a terrorist act by planning to attack the Chabad Houses in different cities in India for causing death, injuries to people, loss of, damage to and destruction of property in India. That in pursuance of the said conspiracy, Major Sameer Ali (A-8) had assisted Headley (A-1) in releasing Abdur Rehman Hashim (A-6) who was in custody of the Pakistan law enforcement, introduced Headley (A-1) to his higher formation in Pakistan for carrying out reconnaissance activities in India for further attacks and thus, has committed offences **u/s 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act and substantive offences u/s 121, 121A, 120B IPC r/w Sections 302 IPC and sections 16 and 18 of UA (P) Act, 1967 as amended in act 35 of 2008.**

**17.103.** That Ilyas Kashmiri (A-9) @Ilyas Kashmiri, r/o Kotli and Miranshah, FATA region, Pakistan is the head of the proscribed terrorist organization HUJI (the fraction of HUJI headed by Ilyas Kashmiri is known as 313 Brigade of HUJI) entering into a criminal conspiracy for waging war against Government of India, conspired knowingly the commission of a terrorist act and made preparatory act for commission of a terrorist act by planning to attack the Chabad Houses in different cities in India for causing death, injuries to people, loss of, damage to and destruction of property in India in association with A-1, A-2 and A-6. That in pursuance of the said conspiracy (A-9) had met (A-6) and (A-1) on two occasions in the FATA region in the year 2009 and thus, has committed offences **u/s 120B r/w 121, 121A, 302, 468 and 471 IPC and sections 16, 18 and 20 of UA(P) Act and substantive offences U/S 121, 121A, 120B IPC r/w section 302 IPC and sections 16, 18 and 20 of UA (P) Act, 1967 as amended in act 35 of 2008.**

18. The sanction for prosecution of the aforementioned accused persons under Section 196 of Criminal Procedure Code, 1973 and Section 45(1) of Unlawful Activities (Prevention) Act, 1967 has been obtained and enclosed herein.
19. It is, therefore, prayed that in the light of the averments herein, documents and other materials filed with this Police report u/s 173 Cr.P.C this Hon'ble court may kindly take cognizance of the offences, and issue process to the accused persons.
20. That it is further submitted that the investigation of the case is being continued and further evidence is also being collected against the accused persons.
21. Therefore, it is requested that NIA may be allowed to continue the investigation of the case as per the provisions of section 173 (8) Cr. P.C.

Dispatched on :

No. of enclosures :

**List of enclosures** :

Annexure A (List of witnesses)

Annexure B & B-1 (List of documents/exhibits)

Annexure C (List of material objects)

Signature of the investigating  
Officer submitting the Final  
Report/Charge sheet

Name: Swayam Prakash Pani, IPS  
Superintendent of Police