



# Jamaat-e-Islami in Jammu & Kashmir | Jammu & Kashmir | 10 Oct 2024

## Why in News?

In the latest Jammu & Kashmir polls, the **Jamaat-e-Islami**, re-entering electoral politics after nearly four decades, performed poorly, with eight out of ten candidates losing their deposits.

## Key Points

### ▪ Background on Jamaat-e-Islami (Jel):

- Emerged from Islamic reformist movements in late 19th century Kashmir **under Dogra rule**.
- It aimed to eliminate un-Islamic practices and promote modern and Islamic education.
- The group, originally supporting Kashmir's integration with Pakistan, became politically active after the Partition.
- This religious-political organisation was banned by the Ministry of Home Affairs (MHA) in 2019 under the [Unlawful Activities \(Prevention\) Act \(UAPA\), 1967](#).
- Historically maintained a **boycott** of the electoral process but recently changed stance, participating in Parliamentary elections.

## Unlawful Activities (Prevention) Act (UAPA), 1967

### ▪ Background:

- On 17<sup>th</sup> June 1966, the President promulgated the Unlawful Activities (Prevention) Ordinance "to provide for the more effective prevention of unlawful activities of individuals and associations".
  - Subsequently, the **Unlawful Activities (Prevention) Act, 1967** was enacted.

### ▪ About:

- The Unlawful Activities (Prevention) Act, 1967 was enacted to provide for more effective prevention of certain unlawful activities of individuals and associations, for dealing with terrorist activities, and for matters connected therewith.
  - Unlawful activities are defined as actions supporting or inciting the cession or secession of any part of India, or actions questioning or disrespecting its sovereignty and territorial integrity.
- The [National Investigation Agency \(NIA\)](#) is empowered by the UAPA to investigate and prosecute cases nationwide.
  - The Act also empowers the Director-General, the National Investigation Agency (NIA) to grant approval of the seizure or attachment of property when the case is being investigated by the agency.

### ▪ Amendments:

- It underwent multiple amendments (2004, 2008, 2012 and 2019) expanding provisions related to terrorist financing, [cyber-terrorism](#), individual designation as terrorist, and property seizure.

### ▪ Major Provisions:

- Till the year 2004, "unlawful" activities referred to actions related to secession and cession of territory. Following the 2004 amendment, "terrorist act" was added to the list of offences.
  - 2019 amendment, empowers the government to designate individuals as terrorists.

- The Act gives the central government complete authority to declare any activity as unlawful. If the government considers an activity unlawful, it can officially declare it so by publishing a notice in the Official Gazette.
- Under the UAPA, the investigating agency can file a charge sheet in maximum 180 days after the arrests and the duration can be extended further after intimating the court.
- Both Indian and foreign nationals can be charged. It will be applicable to the offenders in the same manner, even if crime is committed on a foreign land, outside India.
- It has the death penalty and life imprisonment as highest punishments.

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