



Unlawful Activities (Prevention) Act 1967 | Jammu & Kashmir | 15 Mar 2025

Why in News?

The government has banned 'Jammu & Kashmir Ittihadul Muslimeen' (JKIM) and 'Awami Action Committee (AAC)' as unlawful associations for five years under **Section 3(1) of the Unlawful Activities (Prevention) Act (UAPA), 1967.**

Key Points

- **Ban on JKIM and AAC:**
 - Union Home Minister stated that these organizations incited unrest and posed a threat to India's unity and integrity.
- **Reasons for the Ban:**
 - Members of **JKIM and AAC were found promoting separatism in Jammu & Kashmir.**
 - They engaged in **anti-national and subversive activities**, including:
 - Spreading discontent among the people.
 - Inciting unrest and destabilizing law and order.
 - Supporting **terrorism** and fostering hatred against the government.

Unlawful Activities Prevention Act, 1967

- UAPA was **passed in 1967**. It aims at effective prevention of **unlawful activities associations in India.**
 - Unlawful activity refers to any action taken by an individual or association intended to disrupt the territorial integrity and sovereignty of India.
 - The Act assigns **absolute power to the central government**, by way of which if the Centre deems an activity as unlawful then it may, **by way of an Official Gazette**, declare it so.
 - It has the **death penalty and life imprisonment as the highest punishments.**
 - Under UAPA, **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.
 - **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.
 - The **2004 amendment added "terrorist act" to the list of offences to ban organisations for terrorist activities**, under which 34 outfits were banned.
 - Till 2004, "unlawful" activities referred to actions related to secession and cession of territory.
 - In August, Parliament cleared **the Unlawful Activities (Prevention) Amendment Bill, 2019** to designate individuals as terrorists on certain grounds provided in the Act.
 - The Act empowers the Director General of **National Investigation Agency (NIA)** to grant approval of seizure or attachment of property when the case is investigated by the said agency.
 - The **Act empowers the officers of the NIA, of the rank of Inspector or above, to investigate cases of terrorism** in addition to those conducted by the DSP or ACP or above rank officer in a state.
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