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Part II—Section 1

Notifications or Orders of specific character or of particular interest to the public issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

**PUBLIC DEPARTMENT
(SC)**

DECLARATION OF THE JAMAAT-E-ISLAMI, JAMMU AND KASHMIR (JEI) AS AN "UNLAWFUL ASSOCIATION" UNDER THE UNLAWFUL ACTIVITIES (PREVENTION) ACT, 1967.

[G.O.No.SS.I/121-1/2024, Public (SC), 4th April 2024, பங்குனி 22, சோபகிருது,
திருவள்ளூர் ஆண்டு-2055.]

No. II(1)/PUSC/10(c)/2024.

The following Notification of the Ministry of Home Affairs, Government of India, New Delhi, No. SO 924(E) dated the 27th February, 2024 is republished:-

S.O.924(E).—Whereas the Jamaat-e-Islami, Jammu and Kashmir (hereinafter referred to as the Jel) has been indulging in activities, which are prejudicial to internal security and public order and have the potential of disrupting the unity and integrity of the country;

And whereas, in exercise of the powers conferred by sub-section (1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government declared the Jel as an unlawful association, *vide*, notification number S.O. 1069 (E), dated the 28th February, 2019;

And, whereas, the Unlawful Activities (Prevention) Tribunal (hereinafter referred to as the Tribunal), constituted under section 5 of the Unlawful Activities (Prevention) Act, 1967 for the purpose of adjudicating whether or not there is sufficient cause for declaring the Jel as an unlawful association, by its order published, *vide*, notification number S.O. 3155 (E), dated the 30th August, 2019 has confirmed the declaration so made;

And, whereas, the declaration of ban under sub-section (1) of section 6 of the Unlawful Activities (Prevention) Act, 1967, ceases on the 27th day of February, 2024;

And, whereas, the Central Government is of the opinion that Jel is indulging in the activities which are prejudicial to the integrity and security of the country, *inter alia*, on the following grounds, namely:-

(1) Case Crime No. RC-03/2021/NIA/DLI has been registered by the National Investigation Agency (NIA) against members and cadres of Jamaat-e-Islami, Jammu and Kashmir (Jel) under sections 120B and 124A of the Indian Penal Code and sections 10, 13 and 39 of the Unlawful Activities (Prevention) Act, 1967 for collection of funds and

used to encourage violent and secessionist activities. The funds were also used by the active cadres and members of Hizb-ul-Mujahideen, Lashkar-e-Taiba and other terrorist organisations through a well-established network of their cadres to organise violent protests, create public unrest and communal disharmony, thus creating a sense of fear and insecurity in Jammu and Kashmir and all over the country. The case has been charge-sheeted;

(2) Case Crime No. RC-07/2022/NIA/JMU has been registered by the National Investigation Agency (NIA) against members and cadres of Jamaat-e-Islami, Jammu and Kashmir (Jel) including Ameer Mohammed Shamsi, Chief Executive, Al-Huda Educational Trust (AHET) under sections 120B and 153A of the Indian Penal Code and sections 10, 13 and 22C of the Unlawful Activities (Prevention) Act, 1967 for receiving the funds through AHET, Rajouri in the name of Jel even after its ban in February, 2019. The funds were used by the Members in anti-national activities in the region of Jammu and Kashmir. The AHET was formed by the top leadership of Jel and seven top leaders including accused Ameer Mohammed Shamsi were the Trustees of AHET. The case has been charge-sheeted;

(3) Case Crime No.31/2019 has been registered at Baramulla Police Station under sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 against Jel for carrying out activities against the integrity and sovereignty of India. The case is under trial before court;

(4) Case Crime No.11/2019 has been registered at Bomai Police Station under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 against workers of Jel for supporting terrorist organisations and intending to disrupting the territorial integrity of India and involvement in subversive activities. The case is under trial before court;

(5) Case Crime No.22/2019 has been registered at Dangiwacha Police Station under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 against workers of Jel for supporting terrorist organisations and disrupting the territorial integrity of India. The case is under investigation;

(6) Case Crime No.41/2019 has been registered at Sopore Police Station under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 against workers of Jel for involvement in subversive activities and supporting terrorist organisations for promoting militancy in area, insisting general public to continue their struggle for separatism and provoking the youth with the intention to create antagonism among the general masses against the Government and disrupting the peace and tranquility. The case is under trial before court;

(7) Case Crime No.68/2022 has been registered at Baramulla Police Station against member of Jel under sections 10 and 11 of the Unlawful Activities (Prevention) Act, 1967 for collection of funds for banned Jel. The Case is under investigation;

(8) Case Crime No.19/2019 has been registered at Bandipora Police Station against an office bearer of Jel under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967. The case is under trial before court;

(9) Case Crime No.29/2019 has been registered at Handwara Police Station against a member of Jel under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 for his activities, which are prejudicial to the integrity of the State etc. The case is under investigation;

(10) Case Crime No.31/2019 has been registered at Handwara Police Station against a member of Jel under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 for his activities, which are prejudicial to the integrity of the State etc. The case is under trial before court;

(11) Case Crime No.10/2019 has been registered at Kralgund Police Station against a member of Jel under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 for his activities, which are prejudicial to the integrity of the State etc. The case is under trial before court;

(12) Case Crime No.25/2019 has been registered at Pulwama Police Station against a member of Jel under sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for activities, which are prejudicial to the integrity of the State. The case is under investigation;

(13) Case Crime No.27/2019 has been registered at Shopian Police Station against members of Jel under sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for raising funds for anti-national activities etc. The case is under investigation;

(14) Case Crime No.18/2019 has been registered at Anantnag Police Station against members of Jel under Sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for planning to disrupt sovereignty and integrity of nation by aid of Jel cadre etc. The case is under trial before court;

(15) Case Crime No.65/2021 has been registered at Achabal Police Station against activists of Jel under sections 11, 13 and 18 of the Unlawful Activities (Prevention) Act, 1967 for organising secret meetings, arranging finance and other logistic to enable the banned organisation to run its unlawful activities with motive of inducing people especially youth to join other prescribed terrorist outfit Hizb-ul Mujahidin, coordinating with absconding militants operating

from neighboring country and collecting funds from them and to establish a large terror network in the area with intend to threaten the unity, security, integrity and sovereignty of India. The case is under trial before court;

(16) Case Crime No.32/2019 has been registered at Ganderbal Police Station against members of Jel under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 for instigating the youths for protests/stone pelting. The case is under trial before court;

(17) Case Crime No.14/2019 has been registered at Kangan Police Station against members of Jel under section 10 of the Unlawful Activities (Prevention) Act, 1967 for conduct of meeting and procession in order to carry out anti-national activities through funding and other means and to achieve their agenda, thereby endangering the security, unity and sovereignty of the country. The case is under trial before court;

(18) Case Crime No.5/2019 has been registered at Pampore Police Station against members of Jel under section 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for using offices and institutions of Jel for the activities which are harmful for the sovereignty of nation etc. The case is under trial before court;

(19) Case Crime No.14/2019 has been registered at Tral Police Station against members of Jel under sections 10, 12 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for activities which are harmful for the sovereignty of nation etc. The case is under trial before court;

(20) Case Crime No.25/2019 has been registered at Awantipora Police Station against members of Jel under section 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for activities which are harmful for the sovereignty of nation etc. The case is under trial before court;

(21) Case Crime No.5/2019 has been registered at Chari-e-sharief Police Station against members of Jel under section 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for activities which are harmful for the sovereignty of nation etc. The case is under investigation;

(22) Case Crime No.9/2019 has been registered at Khag Police Station against members of Jel under sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for activities which are harmful for the sovereignty of nation etc. The case is under investigation;

(23) Case Crime No.17/2019 has been registered at Magam Police Station against members of Jel under sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for activities which are harmful for the sovereignty of nation etc. The case is under investigation;

(24) Case Crime No.20/2019 has been registered at Khan-Sahib Police Station against members of Jel under sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for activities which are harmful for the sovereignty of nation etc. The case is under trial before court;

(25) Case Crime No.24/2019 has been registered at Beerwah Police Station against members of Jel under sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for activities which are harmful for the sovereignty of nation etc. The case is under trial before court;

(26) Case Crime No.33/2019 has been registered at Chadoora Police Station against members of Jel under sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for activities which are harmful for the sovereignty of nation etc. The case is under trial before court;

(27) Case Crime No.42/2019 has been registered at Budgam Police Station against members of Jel under section 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for activities which are harmful for the sovereignty of nation etc. The case is under trial before court;

(28) Case Crime No.3/2019 has been registered at Kund Police Station against members of Jel under section 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 for close contacts and providing assistance to terrorists, collection of funds for advancing terrorist activities in the area, publication of advertisement with respect to banned terrorist organisation Hizb-ul-Mujahideen and Jel, causing disaffection among youth of the area against Government of India and Jammu and Kashmir and other related activities in order to disrupt the peace and tranquility in the area etc. The case is under trial before court;

(29) Case Crime No.4/2019 has been registered at Manzgam Police Station against members of Jel under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 for close contacts and providing assistance to terrorists, collection of funds for advancing terrorist activities in the area, publication of advertisement with respect to banned terrorist organisation Hizb-ul-Mujahideen and Jel, causing disaffection among youth of the area against Government of India and Jammu and Kashmir and other related activities in order to disrupt the peace and tranquility in the area etc. The case is under trial before court;

(30) Case Crime No.12/2019 has been registered at Devsar Police Station against members of Jel under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 for close contacts and providing assistance to terrorists, collection of funds for advancing terrorist activities in the area, publication of advertisement with respect to banned terrorist organisation Hizb-ul-Mujahideen and Jel, causing disaffection among youth of the area against Government of India and Jammu and Kashmir and other related activities in order to disrupt the peace and tranquility in the area etc. The case is under Investigation;

(31) Case Crime No.18/2019 has been registered at Kulgam Police Station against members of Jel under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 for close contacts and providing assistance to terrorists, collection of funds for advancing terrorist activities in the area, publication of advertisement with respect to banned terrorist organisation Hizb-ul-Mujahideen and Jel, causing disaffection among youth of the area against Government of India and Jammu and Kashmir and other related activities in order to disrupt the peace and tranquility in the area etc. The case is under Investigation;

(32) Case Crime No.27/2019 has been registered at Qazigund Police Station against members of Jel under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 for close contacts and providing assistance to terrorists, collection of funds for advancing terrorist activities in the area, publication of advertisement with respect to banned terrorist organisation Hizb-ul-Mujahideen and Jel, causing disaffection among youth of the area against Government of India and Jammu and Kashmir and other related activities in order to disrupt the peace and tranquility in the area etc. The case is under Investigation;

(33) Case Crime No.63/2019 has been registered at Parimpora Police Station against members of Jel under sections 10 and 13 of the Unlawful Activities (Prevention) Act, 1967 for antinational activities including motivating and pushing the youths towards militancy which is great threat to the sovereignty of the country. Activists of the Jel are also involved in provoking the people against the state, encouraging militancy etc. The case is under Investigation;

(34) Case Crime No.17/2019 has been registered at Batmaloo Police Station against members of Jel under sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for various unlawful and financial activities even after its declaration as an unlawful association. The case is under trial before court;

(35) Case Crime No.4/2019 has been registered at Harwan Police Station against members of Jel under section 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for various unlawful and financial activities after its declaration as an unlawful association. The case is under trial before court;

(36) Case Crime No.14/2019 has been registered at Peermitha Police Station against members of Jel under section 10 of the Unlawful Activities (Prevention) Act, 1967 for continuation of their activities even after banning of Jel which are harmful for the sovereignty of nation etc. The case is under investigation;

(37) Case Crime No.27/2022 has been registered at Peermitha Police Station against members of Jel under sections 10, 13 and 39 of the Unlawful Activities (Prevention) Act, 1967 after recovery and seizure of objectionable material viz. letter pads and documents of banned outfit Jel. The case is under trial before court;

(38) Case Crime No.19/2019 has been registered at Banihar Police Station against member of Jel under section 10 of the Unlawful Activities (Prevention) Act, 1967 for continuation of accused as office bearer i.e. Ameer-e-Jamat of Jel even after its declaration as an unlawful association. The case is under trial before court;

(39) Case Crime No.91/2019 has been registered at Rajouri Police Station against member of Jel under section 10 of the Unlawful Activities (Prevention) Act, 1967 for running a Madrassa on the name of Jel. The case is under investigation;

(40) Case Crime No.27/2019 has been registered at Kishtwar Police Station against members of Jel under sub-section (3) of section 3 and 10 of the Unlawful Activities (Prevention) Act, 1967 for continuation of their unlawful activities even after declaration of Jel as an unlawful association. These members of Jel have neither resigned from the Jel nor have stopped their unlawful activities. The case is under investigation;

(41) Case Crime No.4/2023 has been registered at CIK Police Station against members of Jel under sections 10, 11, 12, 13 and 39 of the Unlawful Activities (Prevention) Act, 1967 for continuation of unlawful activities by actively conducting coordinating, arranging and participating meetings on behalf of banned Jel as well as collection of funds. The case is under investigation;

(42) Case Crime No.2/2023 has been registered at CI JIC, Jammu Police Station against members of Jel under sections 10, 11, 12, 13 and 39 of the Unlawful Activities (Prevention) Act, 1967 for continuation of unlawful activities as well as collection and management of funds and properties for banned Jel and close touch with terrorist outfits and supporting extremism and terrorism in various districts of Jammu region. The case is under investigation;

(43) Case Crime No.17/2019 has been registered at SIA Kashmir Police Station against members of Jel under sections 10, 11 and 13 of the Unlawful Activities (Prevention) Act, 1967 for use of offices and institution of Jel for unlawful and financial activities which are harmful for the security of country etc. The case is under trial before court;

(44) Case Crime No.14/2021 has been registered at SIA Kashmir Police Station against members of Jel under sections 467, 468 and 120B of Indian Penal Code and sections 13 and 38 of the Unlawful Activities (Prevention) Act, 1967 for active support of terrorist organisations as well as covertly instigating and motivating local youth and students of the institution to support the ongoing secessionist cum-terrorist programmes. The case is under investigation;

(45) Case Crime No.9/2019 has been registered at D H Pora Police Station against members of Jel under section 153 of the Indian Penal Code for close contacts and providing assistance to terrorists, collection of funds for advancing terrorist activities in the area, publication of advertisement with respect to banned terrorist organisation Hizb-ul-Mujahideen and Jel, causing disaffection among youth of the area against Government of India and Jammu and Kashmir and other related activities in order to disrupt the peace and tranquility in the area etc. The case is under trial before court;

(46) Case Crime No.11/2019 has been registered at Qaimoh Police Station against members of Jel under sections 153, 120, 506 and 151 of Ranbir Penal Code for close contacts and providing assistance to terrorists, collection of funds for advancing terrorist activities in the area, publication of advertisement with respect to banned terrorist organisation Hizb-ul-Mujahideen and Jel, causing disaffection among youth of the area against Government of India and Jammu and Kashmir and other related activities in order to disrupt the peace and tranquility in the area etc. The case is under trial before court;

(47) Case Crime No.12/2019 has been registered at Yaripora Police Station against members of Jel under sections 153 and 506 of the Indian Penal Code for close contacts and providing assistance to terrorists, collection of funds for advancing terrorist activities in the area, publication of advertisement with respect to banned terrorist organisation Hizb-ul-Mujahideen and Jel, causing disaffection among youth of the area against Government of India and Jammu and Kashmir and other related activities in order to disrupt the peace and tranquility in the area etc. The case is under trial before court;

And, whereas, on the basis of above grounds the Central Government is of the opinion that:-

(i) Jel is in close touch with militant outfits and is continuously supporting extremism and militancy in Jammu and Kashmir and elsewhere;

(ii) Jel is supporting claims for secession of a part of the Indian territory from the Union and supporting terrorist and separatist groups fighting for this purpose by indulging in activities and articulations intended to disrupt the territorial integrity of India;

(iii) Jel is involved in anti-national and subversive activities in the country intended to cause disaffection;

And, whereas, the Central Government is of the opinion that if the unlawful activities of the Jel are not curbed and controlled immediately, it will take the opportunity to –

(i) escalate its subversive activities including attempt to carve out an Islamic State out of the territory of Union of India by destabilising the Government established by law;

(ii) continue advocating the secession of the State of Jammu and Kashmir from the Union of India while disputing the accession of the State with the Union;

(iii) propagate anti-national and separatist sentiments prejudicial to the integrity and security of the country; and

(iv) escalate secessionist movements, support militancy and incite violence in the country;

And, whereas, the Central Government for the above-mentioned reasons is firmly of the opinion that having regard to the activities of the Jel, it is necessary to declare the Jamaat-e-Islami, Jammu and Kashmir (Jel) as an 'unlawful association' with immediate effect;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government hereby declares the Jamaat-e-Islami, Jammu and Kashmir (Jel) as an unlawful association.

The Central Government, having regard to the above circumstances, is of firm opinion that it is necessary to declare the Jamaat-e-Islami, Jammu and Kashmir (Jel) as an 'unlawful association' with immediate effect, and accordingly, in exercise of the powers conferred by the proviso to sub-section (3) of section 3 of the said Act, the Central Government hereby directs that this notification shall, subject to any order that may be made under section 4 of the said Act, have effect for a period of five years from the date of its publication in the Official Gazette.

[F. No. 14017/20/2023-NI-MFO]

PRAVEEN VASHISTA,
Additional Secretary.

(Re-published by Order of the Governor)

K. NANTHAKUMAR,
Secretary to Government