



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 58]

CHENNAI, THURSDAY, FEBRUARY 22, 2024
Maasi 10, Sobakiruthu, Thiruvalluvar Aandu-2055

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 STUDENTS ISLAMIC MOVEMENT OF INDIA (SIMI) AS AN UNLAWFUL ASSOCIATION UNDER THE UNLAWFUL ACTIVITIES (PREVENTION) ACT.

[G.O.No. SS.I/55-1/2024, Public (SC), 22nd February 2024, மாசி 10, சோபகிருது, திருவள்ளுவர் ஆண்டு-2055.]

No. II(1)/PUSC/4(g)/2024.

The following Notification of the Ministry of Home Affairs, Government of India, New Delhi, No S.O. 354(E) dated the 29th January, 2024 is republished:-

S.O. 354(E).—Whereas, the Students Islamic Movement of India (hereinafter referred to as the SIMI) has been indulging in activities, which are prejudicial to the security of the country and have the potential of disturbing peace and communal harmony and disrupting the secular fabric 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 SIMI as an unlawful association, *vide*, notification numbers, (i) S.O. 960 (E), dated the 27th September, 2001, (ii) S.O. 1113 (E), dated the 26th September, 2003, (iii) S.O. 191 (E), dated the 8th February, 2006, (iv) S.O. 276(E), dated the 7th February, 2008, (v) S.O. 260 (E), dated the 5th February, 2010, (vi) S.O. 224 (E), dated the 3rd February, 2012, (vii) S.O. 299(E), dated the 1st February, 2014, and (viii) S.O. 564(E), dated the 31st January, 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 SIMI as an unlawful association and the Tribunal by its orders published, *vide*, notification numbers, (i) S.O. 397 (E), dated the 8th April, 2002, (ii) S.O. 499 (E), dated the 16th April, 2004, (iii) S.O. 1302 (E), dated the 11th August, 2006, (iv) S.O. 1990 (E), dated the 12th August, 2010, (v) S.O. 1745 (E), dated the 6th August, 2012, (vi) S.O. 2050(E), dated the 12th August, 2014 and (vii) S.O. 3083(E), dated the 27th August, 2019, has confirmed the declaration so made;

And whereas, the duration of ban under sub-section (1) of section 6 of the Unlawful Activities (Prevention) Act, 1967 shall cease on the 30th day of January, 2024;

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

1. Case Crime No. RC-31/2022/NIA/DLI has been registered by the National Investigation Agency (NIA) against Athar Parvej and Mohd. Jalaiuddin of Phulawari Sharif, Patna relating to conspiracy of disrupting the visit of Hon'ble Prime Minister in July 2022. Both the accused were arrested and charge-sheeted under various provision including section 17, 18, 18A, 18B, 38 and 39 of the Unlawful Activities (Prevention) Act, 1967;

2. Case Crime No. RC-29/2023/NIA/DLI has been registered by the National Investigation Agency (NIA) against Saquib Nachan, ex-National General Secretary of SIMI. He was main conspirator and radicalising Muslims for violent Jihad or Hijarat. He was giving 'Baith' (Pledge and Allegiance to ISIS) to Muslim youths. Further, he motivated other persons to take 'Baith' of ISIS. He is alleged to have established 'Al Sham' like area in Padga village, wherein sharia law is followed;

3. Case Crime No. RC-04/2020/NIA/DLI has been registered by the National Investigation Agency (NIA) against Shihabudeen @ Sirajudeen @ Khalid @ Rajesh, ex-SIMI member. In May 2019, he met Khaja Mohideen and others in a rented house at Annan Ninaivu Nagar, Puzhal and joined the terrorist gang formed by Khaja Mohideen for establishing Khilafat or Islamic Rule in India, as part of furthering the objectives of the proscribed terrorist organisation ISIS/Daish in India. He has received funds from Khaja Mohideen for procurement of fire arms and ammunition. He was charge-sheeted on 9th March, 2021;

4. Case Crime No. RC-28/2023/NIA/DLI has been registered by the National Investigation Agency (NIA) against T. Naseer, ex-SIMI member, later joined Lashkar-e-Taiba (LeT), a proscribed terrorist organisation. He used to select newly lodged Under Trial prisoners and got them transferred to his barrack. He further convert, radicalise and recruit them for furthering the activities of LeT in Central Prison, Bengaluru from 2017 onwards. In furtherance to their conspiracy and on the instructions of T. Naseer, co-accused arranged arms and ammunitions and explosives in collusion with other accused. He was involved in raising funds in the Prison for furthering their activities of proscribed terrorist organisation. The accused has been charge-sheeted in the case under the provisions of the Unlawful Activities (Prevention) Act, 1967. He has been charge-sheeted on 12th January, 2024;

5. Case Crime No. RC-16/2019/NIA/DLI has been registered by the National Investigation Agency (NIA) against Mohammed Ibrahim @Ibrahim Jamali, who is an ex-State Secretary of the proscribed organisation SIMI, was the main leader of the pro-jihadi jamaat formed in UAE with the intention of propagating violent extremist ideology of proscribed terrorist organisations including Al-Qaeda and ISIS. He has also subscribed and disseminated pro-ISIS/Daish material advocating violent jihad and establishment of Islamic Khilafat, while delivering lectures on such topics during the meetings and classes organised by the unlawful jamaat in United Arab Emirates. The accused has been charge-sheeted in the instant case on 1st January, 2020 before the NIA Special Court, Chennai;

6. Case Crime No. RC-02/2019/NIA/KOC has been registered by the National Investigation Agency (NIA) against ex-SIMI cadre Sheik Hidayathullah Y @ Firoze Khan @ Firozy. Sheik Hidayathulla was a part of conspiracy in propagating the ideology of proscribed terrorist organisation ISIS/Daesh, and also recruiting vulnerable youths with a view to carry out terrorist attacks in South India especially in the cities of Kerala and Tamil Nadu. During the search conducted in his premise, various documents relating to SIMI were seized. He has been charge-sheeted in the instant case under section 38 and 39 of the Unlawful Activities (Prevention) Act, 1967;

7. Case Crime No. RC-06/2020/NIA/DLI has been registered by the National Investigation Agency (NIA) which pertains to the murder of Shri SSI Wilson on 8 th January, 2020. During investigation serious involvement of @S. Shahabudeen @Shihabudeen @Sirajudeen @Khalid was revealed which resulted in his arrest on 6 th January, 2021. It was also revealed that this accused has been continuing with covert anti national activities as the former SIMI member having association with hard core ISIS cadres. He was also involved in publication of provocative and highly objectionable material inciting others to commit terror acts;

8. Case Crime No. RC-02/2022/NIA/KOC has been registered by the National Investigation Agency (NIA) against ex-SIMI leader Mohammed Ali @Kunhappu Haji @Kunjappu Sahib @Kunjappukka. The accused is an ex-SIMI member and former state vice-president of Popular Front of India (PFI), Kerala. He used to arrange and supervise arms training conducted at Periyar Valley campus Aluva on various occasions. He propagated violent jihad to the cadres of Popular Front of India and also justified the terrorist activities in Popular Front of India meetings. He has been charge-sheeted under various provisions including section 16, 18A, 18B, 38 and 39 of the Unlawful Activities (Prevention) Act, 1967;

9. Case Crime No. RC-14/2022/NIA/DLI has been registered by the National Investigation Agency (NIA) against E.M. Abdul Rehman, ex-National Secretary, SIMI, E. Abubacker, ex-State President SIMI and founding chairman of Popular Front of India, P. Koya, ex-SIMI member and founding member of PFI, A. S. Ismail, ex-SIMI member and State President of PFI, Tamil Nadu. Accused were, conducted meetings for expansion of PFI (banned organisation) through radicalising and recruiting Muslims, providing weapons training classes across the country under the garb of 'Beginners Course' and other seemingly innocuous programs, collection of funds and facilitating funds to persons for commission of unlawful activities and was involved in conspiracy to commit violent unlawful and terrorist act. All the aforesaid accused were charge-sheeted on 18th March, 2023;

10. Case Crime No. RC-01/2023/NIA/DLI has been registered by the National Investigation Agency (NIA) against ex-SIMI cadre A. R. Qureshi. He along with his associates hatched the conspiracy to join the ISIS for the cause of Islamic Jihad and targeted killing in India. He has been charge-sheeted in the instant case under the Unlawful Activities (Prevention) Act, 1967;

11. Case Crime No. ECIR/RPSZO/05/2020 dated 27th February, 2020 has been registered by the Directorate of Enforcement under the Prevention of Money Laundry Act, 2002, Umair Siddiqui and Others. Umair Siddiqui a suspicious activist of SIMI, used to give shelter to various members of the banned organisation SIMI and Indian Mujahiddin terrorist organisation from the year 1999. Umair Siddiqui and his group organised a camp of SIMI in forest of Barnawapara and the purpose of the meeting was to strengthen the organisation SIMI and collect funds for aiding the terrorist of Indian Mujahiddin and SIMI;

12. Case Crime No. ECIR/STF/17/2022 has been registered by the Directorate of Enforcement against the office bearers, Ex-SIMI members and cadres of PFI (now banned), along with others, for conspiring and raising or collecting funds within India and abroad through banking channels, Hawala, donations, etc. for committing or getting committed, terrorist acts across India. These cadres and members are also involved in activities supporting and furthering the proscribed terrorist organisations like SIMI and ISIS;

13. Case Crime No. 203/2022 has been registered at Padgha Police Station, Thane (R) under sections 153(a), 153(1)(a)(b) and 153(2) of the Indian Penal Code for writing of provocative text on Jamma (Moti) Mosque Padgha, Borivali, Thane to create a communal rift between two religions or communities and lead a violence and increase enmity between the two groups and disrupt social harmony. The case is pending trial in court;

14. Case Crime No. 15/2023 has been registered at Padgha Police Station, Thane (R) under sections 37(1)(3), 135 of the Maharashtra Police Act 1951, read with section 194(d), 129, 177 of the Motor Vehicle Act 1988, for raising slogans and hold rally for getting the bail to Atik Nachan in Ahmedabad NIA Court and violation of prohibition order of Collector and District Magistrate, Thane. The case is pending for trial in court;

15. Case Crime No. 1/2023 has been registered at STF Police Station, Khandwa under sections 121, 121A, 122, 123, 120B of Indian Penal Code against Abdul Raqib, being a member of various pro-ISIS, pro-Caliphate telegram channels. He regularly watched videos related to ISIS and also downloaded the same;

16. Case Crime No. 493/2019 has been registered at Kotwali Police Station, Gangapur, Sawai Madhopur under sections 147, 341, 342, 323, 15A, 295A, 296, 298 of Indian Penal Code against Mohd. Salam @Salla for attack and pelting stones from the top of Jama Masjid on the rally of Vishwa Hindu Parishad (VHP) on 25th August, 2019 on the occasion of its Foundation Day;

17. Case Crime No. 488/2019 has been registered at Kotwarli Police Station, Gangapur, Sawai Madhopur under sections 147, 148, 149, 332, 353, 427 of Indian Penal Code against Alim for attack and pelting stones from the top of Jama Masjid on the rally of Vishwa Hindu Parishad (VHP) on 25th August, 2019 on the occasion of its Foundation Day;

18. Two SIMI activists have been sentenced to two years imprisonment and a fine of rupees one thousand each under Section 295A of Indian Penal Code by the court of Addl. District Magistrate, Jabalpur in Case Crime No. 706/2006 registered at Gohalpur Police Station, Jabalpur under section 153A, 34, 153B, 195A, 124A of the Indian Penal Code;

19. Three SIMI activists have been sentenced three years simple imprisonment and fine of rupees ten thousand each under section 419 of the Indian Penal Code, two years simple imprisonment and fine of rupees ten thousand each under section 10A of the Unlawful Activities (Prevention) Act, 1967, seven years simple imprisonment and fine of rupees ten thousand each under section 13(1)(a), 13(1)(b) of the Unlawful Activities (Prevention) Act, 1967 and five years simple imprisonment and fine of rupees ten thousand each under section 13(2) of the Unlawful Activities (Prevention) Act, 1967 by the Court of Additional Chief Judge, Bhopal in Case Crime No. 95/2008 registered at Kotwali Police Station, Bhopal under section 419 of Indian Penal Code and section 10, 13 of the Unlawful Activities (Prevention) Act, 1967;

20. One SIMI activist has been sentenced three years imprisonment by the court of JMFC, Indore in Case Crime No. 192/2008 registered at Khazrana Police Station, Indore under section 153A, 153B of Indian Penal Code and section 10, 11, 13 of the Unlawful Activities (Prevention) Act, 1967;

21. Two SIMI activists have been sentenced three years rigorous imprisonment under section 419 of the Indian Penal Code by the court of District, Bhopal in Case Crime No. 205/2008 registered at Shahjahanabad Police Station, Bhopal under section 419 of Indian Penal Code;

22. One SIMI activist has been sentenced ten years of imprisonment and fine of rupees ten thousand under section 394 of Indian Penal Code, five years imprisonment and fine of rupees fifty thousand under section 450 of the Indian Penal Code by the court of District, Indore in Case Crime No. 802/2008 registered at Khazrana Police Station, Indore under section 395, 397, 506 of the Indian Penal Code and 25 and 27 of Arms Act, 1959.

23. Three SIMI activist have been sentenced three years rigorous imprisonment and fine and two SIMI activist have been sentenced six months imprisonment and fine of rupees one thousand under section 143 of the Indian Penal Code, three years rigorous imprisonment and fine of rupees one thousand under section 153A of Indian Penal Code, three years rigorous imprisonment under section 153B of Indian Penal Code, two years rigorous imprisonment and fine of rupees one thousand under section 10 to the Unlawful Activities Amendment Act, 2004, three years rigorous imprisonment and fine of rupees one thousand condition to extra three months imprisonment in case of non-payment of fine under section 13 of the Unlawful Activities (Prevention) Act, 1967 by the court of Judicial Magistrate of First Class, Indore in Case Crime No. 05/2009 registered at STF/ATS Police Station, Bhopal under section 147, 149, 153A, 153B of Indian Penal Code and section 10, 13 of the Unlawful Activities (Prevention) Act, 1967;

24. Two SIMI activists have been sentenced life imprisonment and fine of one thousand each condition to extra six months imprisonment in case of non-payment of fine under section 395, 397 of Indian Penal Code by the court of Special Judge, NIA, Bhopal in Case Crime No. 456/2009 registered at BNP Police Station, Devas under section 395, 397 of Indian Penal Code and section 10, 13, 16, 17, 20, 21 of the Unlawful Activities (Prevention) Act, 1967 and section 25, 27 of the Arms Act, 1959;

25. One SIMI activist has been sentenced two years imprisonment and another one SIMI activist has been sentenced ten years rigorous imprisonment by Additional Sessions Judge, Indore in Case Crime No. 13/2010 registered at Bhanwar Kuwan, Indore under section 395, 397, 450, 398 of Indian Penal Code and section 25, 27 of Arms Act, 1959;

26. One SIMI activist has been sentenced life imprisonment and fine under section 302, 307 of Indian Penal Code and section 16(1)(a) of the Unlawful Activities (Prevention) Act, 1967 by the court of Special Judge, NIA, Bhopal in Case Crime No. 35/2011 registered at GRP Ratlam Police Station, Indore (Rail) under section 307, 302, 34 of Indian Penal Code and section 10, 13, 16, 18 of the Unlawful Activities (Prevention) Act, 1967 and 25, 27 of Arms Act, 1959;

27. Four SIMI activists have been sentenced by the Special Judge, NIA, Bhopal in Case Crime No. 22/2013 registered at STF/ATS Police Station, Bhopal as details given below: –

(i) One SIMI activist has been sentenced ten years rigorous imprisonment and fine of rupees ten thousand under section 307 of Indian Penal Code, three years rigorous imprisonment and fine of rupees two thousand under section 25(1-B) A, 27 of Arms Act, 1959;

(ii) One SIMI activist has been sentenced ten years rigorous imprisonment and fine of rupees ten thousand under section 307 of Indian Penal Code, three years rigorous imprisonment and fine of rupees two thousand under section 25(1-B) A, 27 of Arms Act, 1959, seven-year rigorous imprisonment and fine of rupees five thousand under section 468 of the Indian Penal Code;

(iii) One SIMI activist has been sentenced life imprisonment and fine of rupees ten thousand under section 120B of Indian Penal Code read with section 4(B) of Explosive Substances Act 1908, life imprisonment and fine of rupees ten thousand under section 120B of Indian Penal Code read with section 5(B) of Explosive Substances Act 1908, seven years rigorous imprisonment and fine of rupees five thousand under section 468 of Indian Penal Code, life imprisonment and fine of rupees ten thousand under section 16 of the Unlawful Activities (Prevention) Act, 1967; and

(iv) One SIMI activist has been sentenced life imprisonment and fine of rupees ten thousand, separately under both section 4 and 5(B) of Explosive Substances Act 1908, life imprisonment and fine of rupees ten thousand under section 16 of the Unlawful Activities (Prevention) Act, 1967;

28. Five SIMI activists have been sentenced rigorous life imprisonment and fine of rupees two thousand under section 16B, 18 of the Unlawful Activities (Prevention) Act, 1967 along with Section 25 of Arms Act 1959 by the Special Judge, NIA, Bhopal in Case Crime No. 01/2014 registered at STF/ATS Police Station, Bhopal under section 307, 34, 120B, 107, 115 of Indian Penal Code and section 10, 13(1), 13(2), 15, 16, 18, 19, 20, 38, 39 of the Unlawful Activities (Prevention) Act, 1967 and section 3, 4, 5, 6 of the Explosive Substances Act 1908 and section 25 of Arms Act, 1959;

And whereas, the State Governments of Andhra Pradesh, Gujarat, Jharkhand, Kerala, Maharashtra, Madhya Pradesh, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh have recommended for declaration of SIMI as an 'unlawful association' under the provisions of the Act;

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

- (i) continue its subversive activities and re-organise its activists who are still absconding;
- (ii) disrupt the secular fabric of the country by polluting the minds of the people by creating communal disharmony;
- (iii) propagate anti-national sentiments;
- (iv) escalate secessionism by supporting militancy; and

(v) undertake activities which are prejudicial to the integrity and security of 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 SIMI, it is necessary to declare the Students Islamic Movement of India (SIMI) as an 'unlawful association' with immediate effect;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), the Central Government hereby declares the Students Islamic Movement of India (SIMI) as an unlawful association;

The Central Government, having regard to the above circumstances, is of firm opinion that it is necessary to declare the Students Islamic Movement of India (SIMI) 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.14017/8/2023-NI-MFO]

PRAVEEN VASHISTA,
Additional Secretary.

(Re-published by order of the Governor)

SHIV DAS MEENA,
Chief Secretary.