



## Ban on PFI

**For Prelims:** Popular Front of India, Unlawful Activities (Prevention) Act

**For Mains:** Government Intervention in managing internal security, Tackling Terrorism

### Why in News?

The Government of India has **banned the Popular Front of India** and its affiliates for five years under the [Unlawful Activities \(Prevention\) Act 1967](#) for having terror links.

### What is the Popular Front of India?

- The PFI was created in 2007 through the merger of three Muslim organisations in southern India namely **the National Democratic Front** in Kerala, **the Karnataka Forum for Dignity**, and **the Manitha Neethi Pasarai** in Tamil Nadu.
- The formation of the PFI was formally announced at a **rally in Bengaluru** during what was called the **“Empower India Conference”** on 16<sup>th</sup> February, 2007.

### What did the Centre Banned PFI?

- **About Ban:**
  - **The Ministry of Home Affairs** declared the PFI an **“unlawful association”** along with its associates which includes :
    - **Rehab India Foundation (RIF), Campus Front of India (CFI), All India Imams Council (AIIC), National Confederation of Human Rights Organisation (NCHRO), National Women’s Front, Junior Front, Empower India Foundation and Rehab Foundation, Kerala”.**
- **Reason for the Ban:**
  - According to the government, some of the PFI’s founding members are **leaders of the Students Islamic Movement of India (SIMI)** and the PFI also has **linkages with Jamaat-ul-Mujahideen Bangladesh (JMB)**, both of which are **proscribed organisations**.
  - There had been a number of instances of **international linkages of PFI with Global Terrorist Groups** like **Islamic State of Iraq and Syria (ISIS)**.

### What is the Unlawful Activities (Prevention) Act?

- **About:**
  - **Originally enacted in 1967**, the UAPA was amended to be modelled as an **anti-terror law in 2004 and 2008**.
  - In August 2019, [Parliament](#) cleared the **Unlawful Activities (Prevention) Amendment Bill, 2019** to designate **individuals as terrorists** on certain grounds provided in the Act.
  - In order to deal with terrorism crimes, it **deviates from ordinary legal procedures and creates an exceptional regime** where **constitutional safeguards** of the accused are

curtailed.

▪ **Provisions:**

◦ **Section 7:**

- Section 7 of the UAPA gives the **government the power to “prohibit use of funds” by an “unlawful association”**.
- It says that **after an organisation is banned and the Centre is satisfied after an enquiry** that “any person has **custody of any moneys, securities or credits** which are being used or are intended to be used for the **purpose of the unlawful association**, the **Central Government may**, by order in writing, **prohibit such person** from paying, delivering, transferring or otherwise dealing in any manner whatsoever with such moneys, securities or credits or with any other moneys, securities or credits which may come into his custody after the making of the order”.
- It also gives powers to **law enforcement agencies to search premises of such organisations** and to **examine their books of account**.

◦ **Section 8:**

- Section 8 of the UAPA gives powers to the Centre to **“notify any place which in its opinion is used for the purpose of such unlawful association”**.
  - The “place” here includes a **house or a building, or a part thereof, or even a tent or a vessel**.

◦ **Section 10:**

- Section 10 of the UAPA criminalises **membership of a banned organisation**.
- It says that **“being a member of a banned organisation would be punishable with an imprisonment of two years** and may extend to life imprisonment or even death in certain circumstances”.
- It also applies to any person who aids the objectives of the banned organisation.

▪ **UAPA Tribunal:**

◦ **About:**

- The UAPA provides for a **tribunal under a High Court judge** to be constituted by the government for **its bans to have long-term legal sanctity**.
- Orders to declare an organisation as **“unlawful”** are issued by the Centre under **Section 3 of the UAPA**.
  - The provision says that “no such notification shall have effect until the tribunal has, by an order made under Section 4, confirmed the declaration made therein and the order is published in the Official Gazette”.
- A government order **would not come into effect until the tribunal has confirmed it**.
  - **In exceptional circumstances**, the notification can come into effect **immediately once the reasons for it are recorded in writing**. The tribunal **can endorse or reject it**.

◦ **Powers:**

- The tribunal has power to regulate its own procedure, **including the place at which it holds its sittings**. Thus, it can hold hearings in **different states for allegations pertaining to those states**.
- To make inquiries, **the tribunal has the same powers as vested in a civil court under the Code of Civil Procedure, 1908**.

### UPSC Civil Services Examination, Previous Year Question (PYQ)

**Q.** Indian government has recently strengthened the anti-terrorism laws by amending the Unlawful Activities (Prevention) Act, (UAPA), 1967 and the NIA Act. Analyze the changes in the context of prevailing security environment while discussing scope and reasons for opposing the UAPA by human rights organizations. **(2019)**

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