

THE UNLAWFUL ACTIVITIES (PREVENTION) ACT, 1967

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ARRANGEMENT OF SECTIONS

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CHAPTER I

PRELIMINARY

SECTIONS

1. Short title, extent and application.
2. Definitions.

CHAPTER II

UNLAWFUL ASSOCIATIONS

3. Declaration of an association as unlawful.
4. Reference to Tribunal.
5. Tribunal.
6. Period of operation and cancellation of notification.
7. Power to prohibit the use of funds of an unlawful association.
8. Power to notify places used for the purpose of an unlawful association.
9. Procedure to be followed in the disposal of applications under this Act.

CHAPTER III

OFFENCES AND PENALTIES

10. Penalty for being member of an unlawful association, etc.
11. Penalty for dealing with funds of an unlawful association.
12. Penalty for contravention of an order made in respect of a notified place.
13. Punishment for unlawful activities.
14. Offences to be cognizable.

CHAPTER IV

PUNISHMENT FOR TERRORIST ACTIVITIES

15. Terrorist act.
16. Punishment for terrorist act.
- 16A. [*Omitted*].
17. Punishment for raising funds for terrorist act.
18. Punishment for conspiracy, etc.
- 18A. Punishment for organising of terrorist camps.
- 18B. Punishment for recruiting of any person or persons for terrorist act.
19. Punishment for harbouring, etc.
20. Punishment for being member of terrorist gang or organisation.
21. Punishment for holding proceeds of terrorism.
22. Punishment for threatening witness.

## SECTIONS

- 22A. Offences by companies.
- 22B. Offences by societies or trusts.
- 22C. Punishment for offences by companies, societies or trusts.
- 23. Enhanced penalties.

## CHAPTER V

### FORFEITURE OF PROCEEDS OF TERRORISM OR ANY PROPERTY INTENDED TO BE USED FOR TERRORISM

- 24. Reference to proceeds of terrorism to include any property intended to be used for terrorism.
- 24A. Forfeiture of proceeds of terrorism.
- 25. Powers of investigating officer and Designated Authority and appeal against order of Designated Authority.
- 26. Court to order forfeiture of proceeds of terrorism.
- 27. Issue of show cause notice before forfeiture of proceeds of terrorism.
- 28. Appeal.
- 29. Order of forfeiture not to Interfere with other punishments.
- 30. Claims by third party.
- 31. Powers of Designated Authority.
- 32. Certain transfers to be null and void.
- 33. Forfeiture of property of certain persons.
- 34. Company to transfer shares to Government.

## CHAPTER VI

### TERRORIST ORGANISATIONS AND INDIVIDUALS

- 35. Amendment of Schedule, etc.
- 36. Denotification of terrorist organisation or individual.
- 37. Review Committees.
- 38. Offence relating to membership of a terrorist organisation
- 39. Offence relating to support given to a terrorist organisation.
- 40. Offence of raising fund for a terrorist organisation.

## CHAPTER VII

### MISCELLANEOUS

- 41. Continuance of association.
- 42. Power to delegate.
- 43. Officers competent to investigate offence under Chapters IV and VI.
- 43A. Power to arrest, search, etc.
- 43B. Procedure of arrest, seizure, etc.
- 43C. Application of provisions of Code.
- 43D. Modified application of certain provisions of the Code.

## SECTIONS

- 43E. Presumption as to offence under section 15.
  - 43F. Obligation to furnish information.
  - 44. Protection of witnesses.
  - 45. Cognizance of offences.
  - 46. Admissibility of evidence collected through the interception of communications.
  - 47. Bar of jurisdiction.
  - 48. Effect of Act and rules, etc., inconsistent with other enactments.
  - 49. Protection of action taken in good faith.
  - 50. Saving.
  - 51. Impounding of passport and arms licence of person charge sheeted under the Act.
  - 51A. Certain powers of the Central Government.
  - 52. Power to make rules.
  - 53. Orders and rules to be laid before both Houses of Parliament.
- THE FIRST SCHEDULE.  
THE SECOND SCHEDULE.  
THE THIRD SCHEDULE.  
THE FOURTH SCHEDULE.

# THE UNLAWFUL ACTIVITIES (PREVENTION) ACT, 1967

ACT NO.37 OF 1967

[30th December, 1967.]

An Act to provide for the more effective prevention of certain unlawful activities of individuals and associations <sup>1</sup>[, and for dealing with terrorist activities,] and for matters connected therewith.

<sup>2</sup>[WHEREAS the Security Council of the United Nations in its 4385th meeting adopted Resolution 1373 (2001) on 28th September, 2001, under Chapter VII of the Charter of the United Nations requiring all the States to take measures to combat international terrorism;

AND WHEREAS Resolutions 1267 (1999), 1333 (2000), 1363 (2001), 1390 (2002), 1455 (2003), 1526 (2004), 1566 (2004), 1617 (2005), 1735 (2006) and 1822 (2008) of the Security Council of the United Nations require the States to take action against certain terrorists and terrorist organisations, to freeze the assets and other economic resources, to prevent the entry into or the transit through their territory, and prevent the direct or indirect supply, sale or transfer of arms and ammunitions to the individuals or entities listed in the Schedule;

AND WHEREAS the Central Government, in exercise of the powers conferred by section 2 of the United Nations (Security Council) Act, 1947 (43 of 1947) has made the Prevention and Suppression of Terrorism (Implementation of Security Council Resolutions) Order, 2007;

AND WHEREAS it is considered necessary to give effect to the said Resolutions and the Order and to make special provisions for the prevention of, and for coping with, terrorist activities and for matters connected therewith or incidental thereto.]

BE it enacted by Parliament in the Eighteenth Year of the Republic of India as follows:—

## CHAPTER I

### PRELIMINARY

<sup>3</sup>[**1. Short title, extent and application.**—(1) This Act may be called the Unlawful Activities (Prevention) Act, 1967 (37 of 1967).

(2) It extends to the whole of India.

(3) Every person shall be liable to punishment under this Act for every act or omission contrary to the provisions thereof, of which he is held guilty in India.

(4) Any person, who commits an offence beyond India, which is punishable under this Act, shall be dealt with according to the provisions of this Act in the same manner as if such act had been committed in India.

(5) The provisions of this Act apply also to—

(a) citizens of India outside India;

(b) persons in the service of the Government, wherever they may be; and

(c) persons on ships and aircrafts, registered in India, wherever they may be.

**2. Definitions.**—(1) In this Act, unless the context otherwise requires,—

(a) “association” means any combination or body of individuals;

(b) “cession of a part of the territory of India” includes admission of the claim of any foreign country to any such part;

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1. Ins. by Act 29 of 2004, s. 2 (w.e.f. 21-9-2004).

2. Ins. by Act 35 of 2008, s. 2 (w.e.f. 31-12-2008).

3. Subs. by Act 29 of 2004, s. 4, for sections 1, 2, 2A (w.e.f. 21-9-2004).

(c) “Code” means the Code of Criminal Procedure, 1973(2 of 1974);

(d) “court” means a criminal court having jurisdiction, under the Code, to try offences under this Act <sup>1</sup>[and includes a Special Court constituted under section 11 or under <sup>2</sup>[section 22] of the National Investigation Agency Act, 2008];

(e) “Designated Authority” means such officer of the Central Government not below the rank of Joint Secretary to that Government, or such officer of the State Government not below the rank of Secretary to that Government, as the case may be, as may be specified by the Central Government or the State Government, by notification published in the Official Gazette;

<sup>3</sup>[(*ea*) “economic security” includes financial, monetary and fiscal stability, security of means of production and distribution, food security, livelihood security, energy security, ecological and environmental security;]

<sup>1</sup>[(*eb*)] “Order” means the Prevention and Suppression of Terrorism (Implementation of Security Council Resolutions) Order, 2007, as may be amended from time to time;]

<sup>2</sup>[(*ec*) “person” includes—

(i) an individual,

(ii) a company,

(iii) a firm,

(iv) an organisation or an association of persons or a body of individuals, whether incorporated or not,

(v) every artificial juridical person, not falling within any of the preceding sub-clauses, and

(vi) any agency, office or branch owned or controlled by any person falling within any of the preceding sub-clauses;]

(f) “prescribed” means prescribed by rules made under this Act;

<sup>5</sup>[(g) “proceeds of terrorism” means,—

(i) all kinds of properties which have been derived or obtained from commission of any terrorist act or have been acquired through funds traceable to a terrorist act, irrespective of person in whose name such proceeds are standing or in whose possession they are found; or

(ii) any property which is being used, or is intended to be used, for a terrorist act or for the purpose of an individual terrorist or a terrorist gang or a terrorist organisation.

*Explanation.*—For the purposes of this Act, it is hereby declared that the expression “proceeds of terrorism” includes any property intended to be used for terrorism;]

<sup>6</sup>[(*h*) “property” means property and assets of every description whether corporeal or incorporeal, movable or immovable, tangible or intangible and legal documents, deeds and <sup>7</sup>[instruments in any form including but not limited to] electronic or digital, evidencing title to, or interest in, such property or assets by means of bank credits, travellers’ cheques, bank cheques, money orders, shares, securities, bonds, drafts, letters of credit, cash and bank account including fund, however acquired;

(*ha*) “Schedule” means <sup>8</sup>[a Schedule] to this Act;]

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1. Ins. by Act 35 of 2008, s. 3 (w.e.f. 31-12-2008).

2. Subs. by Act 28 of 2019, s. 2 for “section 21” (w.e.f. 14-8-2019).

3. Ins. by Act 3 of 2013, s. 2 (w.e.f. 1-2-2013).

4. Clause (*ea*) renumbered clause (*eb*) thereof by s. 2, *ibid.* (w.e.f. 1-2-2013).

5. Subs. by s. 2, *ibid.*, for clause (*g*) (w.e.f. 1-2-2013).

6. Subs. by Act 35 of 2008, s. 3, for clause (*h*) (w.e.f. 31-12-2008).

7. Subs. by Act 3 of 2013, s. 2, for “instruments in any form including” (w.e.f. 1-2-2013).

8. Subs. by Act 28 of 2019, s. 2 for “the Schedule” (w.e.f. 14-8-2019).