

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

SPECIAL LEAVE PETITION (CIVIL) NO (S). OF 2025
(Diary No. (s). 24110 of 2025)

HUMAM AHMAD SIDDIQUI PETITIONER(S)

VERSUS

UNION OF INDIA & ANR. RESPONDENT(S)

O R D E R

- 1.** Permission to file special leave petition is granted.
- 2.** Delay condoned.
- 3.** The present petition has been filed by Humam Ahmad Siddiqui¹, purportedly, a former member of Students Islamic Movement of India² challenging the final order dated 24th July, 2024³ passed by the

¹ Hereinafter, referred to as “petitioner”.

² Hereinafter, referred to as “SIMI”.

³ Hereinafter, referred to as “impugned order”.

Unlawful Activities (Prevention) Tribunal⁴ presided over by Mr. Justice Purushaindra Kumar Kaurav of the High Court of Delhi, published *vide* Gazette of India Notification No. S.O. 3135 (E) dated 6th August, 2024. *Vide* the said impugned order, the UAP Tribunal confirmed the declaration of SIMI as an unlawful association under the Unlawful Activities (Prevention) Act, 1967 made by the Ministry of Home Affairs⁵ *vide* Gazette of India Notification No. S.O. 354 (E) dated 29th January, 2024.

4. Facts in nutshell, relevant and essential for disposal of the special leave petition are noted hereinbelow.

5. SIMI was established on 25th April, 1977 in Aligarh Muslim University, Aligarh, Uttar Pradesh as a front organization for students and youth, having faith in Jamait-e-Islami-Hind (JEIH) with the objective of ‘achieving God’s pleasure through reconstruction of life in accordance with the guidance given in the Qur’an and the sunnah of prophet Muhammad’. Its membership was open to all Indian

⁴ Hereinafter, referred to as “UAP Tribunal”.

⁵ Hereinafter, referred to as “respondent-UOI” or “UOI”.

citizens below the age of 30 years, irrespective of creed or religion.

6. The stated objectives of the SIMI even at the time of its establishment were as follows:

- i. Governing of human life on the basis of Quran;
- ii. Propagation of Islam;
- iii. “Jehaad” (religious war) for the cause of Islam;**
- iv. Destruction of Nationalism and establishment of Islamic Rule or Caliphate.**

(Emphasis supplied)

7. SIMI has had a chequered history insofar as it has suffered eight bans from 2001 to 2019⁶ under Section 3 of Unlawful Activities (Prevention) Act, 1967⁷. All the aforesaid notifications passed by the respondent-UOI banning SIMI, have been upheld by the UAP Tribunals constituted under Sections 5(1) read with 4(1) of UAP Act except for the fourth ban issued on 7th February, 2008, which was quashed by

⁶ Notifications dated 27th September, 2001; 26th September, 2003; 8th February, 2006; 7th February, 2008; 5th February, 2010; 3rd February, 2012; 1st February, 2014; and 31st January, 2019.

⁷ For short “UAP Act”.

UAP Tribunal presided over by Ms. Justice Geeta Mittal *vide* final order dated 5th August, 2008. However, the said order passed by UAP Tribunal was stayed by this Court on 6th August, 2008 in an appeal⁸ preferred by the respondent-UOI and the said stay order continues till date.

8. On 29th January, 2024, the respondent-UOI in exercise of powers conferred by Section 3 of UAP Act issued Gazette of India Notification No. S.O. 354 (E) declaring SIMI as an ‘unlawful association’ with immediate effect, for a period of five (5) years from the date of the Gazette notification. In the said notification, 28 cases were cited involving members of SIMI for various offences including those punishable under the provisions of the Indian Penal Code, 1860; Unlawful Activities (Prevention) Act, 1967; Arms Act, 1959; Explosive Substances Act, 1908, based on which an opinion was formed that SIMI is indulging in activities which are prejudicial to the integrity and security of India.

9. Thereafter, the respondent-UOI issued Gazette of India Notification No. S.O. 722 (E) dated 16th

⁸ Civil Appeal No. 6357 of 2022 arising out of SLP(C) No. 19845 of 2008.

February, 2024 under Sections 5(1) read with 4(1) of UAP Act constituting UAP Tribunal presided over by Mr. Justice Purushaindra Kumar Kaurav of the High Court of Delhi for the purpose of adjudicating whether or not, there was sufficient cause for declaring SIMI to be a unlawful association. In furtherance of the said notification, the reference letter dated 26th February, 2024 bearing no. 14017/14/2024-NI-MFO was issued by respondent-UOI to the UAP Tribunal along with a background note mentioning the origin and subsequent actions of SIMI.

10. The UAP Tribunal *vide* order dated 29th February, 2024 issued notice under Section 4(2) of UAP Act to SIMI requiring it to show cause within 30 days from the date of service of the notice, as to why it should not be declared an ‘unlawful association’. Around 19 states filed their respective affidavits before the UAP Tribunal in compliance of the aforesaid notice.

11. The petitioner also filed his written submissions on 6th April, 2024 stating therein that several

appeals⁹, writ petitions¹⁰ and a transferred case¹¹, involving substantial questions of law pertaining to interpretation of the provisions of UAP Act and the rules framed thereunder, are pending before this Court. It was further stated by the petitioner that in the absence of a clear ruling by this Court, the UAP Tribunal may also be constrained to follow the same line as its predecessor Tribunals and in such event the adjudication by the instant UAP Tribunal will also be completely meaningless and an empty formality. He lastly stated that in the aforesaid view of the matter, the petitioner has decided to focus his extremely limited resources on the appeals and petitions pending before this Court and has decided not to contest the order dated 29th January, 2024 by which SIMI has been declared to be an ‘unlawful association’, the veracity of which is pending adjudication before the UAP Tribunal.

12. The UAP Tribunal conducted extensive proceedings over a period of 5 months considering the affidavits filed by the States and individuals and

⁹ Civil Appeal Nos. 9208 of 2003, 1323 of 2007, 6356 of 2022, 6357 of 2022, 6359 of 2022, 6361 of 2022 and 6362 of 2022.

¹⁰ Writ Petition Nos. 138 of 2012 and 262 of 2014.

¹¹ Transferred Case (C) No. 6 of 2008.

recording the evidence of 39 witnesses examined on behalf of the respondent-UOI.

13. The UAP Tribunal upon considering the material placed on record and the depositions of the witnesses examined on behalf of the respondent-UOI recorded the following pertinent findings:

- i. The testimonies of witnesses like ACP Anita Prabha Sharma (PW-16), DSP Sanjay Sharma (PW-14), DSP Kuldeep Tiwari (PW-9), SP Pranay S. Nagvanshi (PW-12), DSP Arvind Singh Tomar (PW-13), DSP Harsh Upadhyay (PW-17), ACP Kishore Vasudev Parab (PW-25), ACP Siraj Hazratsaheb Inamdar (PW-28) and Assistant Director Mr. Shriram Meena (PW-35) have conclusively established before the UAP Tribunal that the accused persons who were involved in the cases, regarding which these witnesses have deposed, have been found to be associated with SIMI and stand connected by the concerned courts in many of such cases.
- ii. The testimony of the witnesses examined by the respondent-UOI has remained

uncontroverted and the same has been corroborated by the relevant documents including the copies of respective FIRs, chargesheets, confessional statements recorded during the investigation and certified copies of the judgements delivered in the corresponding cases.

- iii. It has been proved that several SIMI members/office bearers/sympathizers, accused of various offences, have been found involved in multiple cases.
- iv. Five witnesses from the Police have produced intelligence reports in respect of various accused persons in sealed covers which speak volumes about the activities in which the members/activists of SIMI are involved, and the same are being carried out by frontal organizations formed apparently to subvert the bans imposed on SIMI.
- v. Evidence and material placed on record proves that SIMI continued to engage in unlawful and terrorist activities despite being banned. The organization is

expanding its ranks by indoctrinating young boys and operating through frontal organizations. SIMI maintains connections with various terrorist groups such as Al-Qaeda, LeT (Lashkar-e-Taiba), JeM (Jaish-e-Mohammed), ISIS, and IM (Indian Mujahideen) and continues to receive both domestic and international funding, which supports its activities in India. Despite the ban on SIMI since 2001, with only a brief interruption, its illegal activities have continued unabated in flagrant violation of law.

- vi. From the evidence available on record, it is evident that several accused persons, who have committed various offences across different jurisdictions, have been identified as members or activists of SIMI. It was found that the members/activists of SIMI who were involved in commission of heinous offences and unlawful activities prior to the eighth ban on 31st January, 2019 continued with such crimes and illegal activities even after the last ban with

the help of the other members within and outside the country, on their own and/or with the support of other terrorist organizations.

14. Based on the aforesaid findings and conclusions, the UAP Tribunal *vide* final order dated 24th July, 2024 confirmed the declaration of SIMI as an ‘unlawful association’ under the Unlawful Activities (Prevention) Act, 1967 *vide* Gazette of India Notification No. S.O. 354 (E) dated 29th January, 2024.

15. The said order passed by the UAP Tribunal is the subject matter of challenge in the instant special leave petition.

16. We have heard the learned counsel for the petitioner and have meticulously perused the impugned order passed by UAP Tribunal.

17. The UAP Tribunal, while passing the impugned order, analyzed *in extenso* the material placed on record and the evidence of witnesses examined by the respondent-UOI and has returned a pertinent finding regarding the continued involvement of several SIMI members/office bearers/sympathizers in criminal

cases involving acts that are *prima facie* prejudicial to the sovereignty and integrity of India. The Tribunal further concluded that despite the continuous ban imposed on SIMI from 2001 by UOI, the organization has been expanding its ranks by indoctrinating young boys and operating through front organizations and has maintained connections with various other internationally recognized terrorist groups such as Al-Qaeda, LeT (Lashkar-e-Taiba), JeM (Jaish-e-Mohammed), ISIS, and IM (Indian Mujahideen).

18. In the proceedings before the UAP Tribunal, it was further found that SIMI continues to receive both domestic and international funding, that supports its activities in India. The said funds were found to have been raised by the former office bearers and/or members of SIMI, namely, E.M. Abdul Rehman, ex-National Secretary, SIMI; E. Abubacker, ex-State President SIMI and founding chairman of Popular Front of India (PFI); P. Koya, ex-SIMI member and founding member of PFI; and A.S. Ismail for committing terrorist acts in various parts of India. The collection of such funds is also the subject matter

of investigation by the Enforcement Directorate in case No. ECIR/STF/17/2022.

19. The UAP Tribunal concluded that the evidence available on record proves beyond doubt that several accused persons, who have committed various offences across different jurisdictions, have been identified as members or activists of SIMI. It was also found that the members/activists of SIMI, who were involved in commission of heinous offences and unlawful activities prior to the eighth ban issued *vide* notification dated 31st January, 2019, continued with such offences and activities even after the imposition of the said ban with the help of the other members within and outside the country, on their own and/or with the support of other terrorist organizations.

20. Furthermore, it is evident from the record that the petitioner only filed a written statement before the UAP Tribunal on 6th April, 2024, but thereafter, he neither appeared before the UAP Tribunal for the purpose of contesting the evidence of the UOI nor did he produce any oral or documentary evidence along with the written statement to disprove the allegations levelled by the respondent-UOI against SIMI and its members/office bearers/sympathizers. In the written

statement as well, the petitioner only averred about the pendency of matters before this Court and the commonality of the issues raised therein. He specifically stated that he had decided not to contest the proceedings before UAP Tribunal in respect of the latest banning order dated 29th January, 2024 passed by the respondent-UOI.

21. Upon a threadbare perusal of the impugned order and the material placed on record, we are of the opinion that the order passed by the UAP Tribunal is based on *apropos* appreciation of material placed before it. The impugned order does not suffer from any infirmity or error either factual or legal and thus, does not warrant any interference from this Court in exercise of the powers conferred under Article 136 of the Constitution of India.

22. Accordingly, the instant special leave petition is dismissed as being devoid of merits.

23. However, it is made clear that the dismissal of this petition shall not prejudice the rights and contentions of the petitioner in the matters¹² pending adjudication before this Court with regard to the

¹² *Supra* note 9.

validity of earlier notifications¹³ passed by the respondent-UOI from 2001-2019 banning SIMI.

24. Pending application(s), if any, shall stand disposed of.

.....**J.**
(VIKRAM NATH)

.....**J.**
(SANDEEP MEHTA)

NEW DELHI;
July 14, 2025

¹³ *Supra* note 6.