

Lifetime Imprisonment sentenced to Yasin Malik

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[GS Paper 1- Internal Security, Govt. Policies and Interventions]

Context - Kashmiri separatist Yasin Malik, convicted for terror funding, was recently sentenced to life in prison by a special Delhi court.

The National Investigation Agency had demanded the maximum punishment, the death penalty, while the defence pleaded for life imprisonment.

Key Developments

- A monetary penalty of over ₹ 10 lakh has also been levied. Different prison sentences and fines have been awarded for different cases. Yasin Malik now has the option to appeal the sentencing in the High Court.
- Malik had earlier pleaded guilty to all the charges including those under the stringent Unlawful Activities Prevention Act (UAPA) in a terror funding case. A special NIA court in Delhi pronounced its verdict on the quantum of punishment in the case.

About the Terror Funding Case

- The case pertains to the terror conspiracy by Lashkar-e-Toiba founder Hafiz Saeed and the separatist leaders including the members of the Hurriyat Conference who acted in connivance with the members of banned Hizbul Mujahideen, Dukhtaran-e-Millat and others to raise, receive and collect funds domestically and from abroad using illegal channels.
- According to the investigations, the funds were collected to carry out separatist and terror activities in the Kashmir valley through stone pelting and attacks on security forces, damaging public property, etc.
- The NIA in its investigation said that Yasin Malik was the head of JKLF and was involved in terror activities in J&K. Yasin Malik is also accused of raising funds from traders at LOC and distributing them among terrorists and stone-pelters.

Unlawful Activities (Prevention) Amendment Act

- The Act gives special procedures to handle terrorist activities, among other things. It aims at the effective prevention of unlawful activities associations in India. Unlawful activity refers to any action taken by an individual or association intended to disrupt the territorial integrity and sovereignty of India.
- UAPA has the death penalty and life imprisonment as the highest punishments. The Act assigns absolute power to the central government, by way of which if the Centre deems an activity as unlawful then it may, by way of an Official Gazette, declare it so.
- Under UAPA, both Indian and foreign nationals can be charged. The offenders will be charged in the same manner whether the act is performed in a foreign land, outside India.