

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:2971
ANSWERED ON:13.12.2005
DETENTION UNDER TADA POTA
Ganesan Shri L.;Singh Shri Mohan

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the number of persons in detention under TADA and POTA in the country even after repeal of these Acts, State-wise;
- (b) whether the Government propose to review the cases against all the said persons;
- (c) if not, the reasons therefor;
- (d) the total number of persons convicted under TADA/POTA so far in the country;
- (e) whether the Government propose to review the punishments awarded to them;
- (f) the number and names of exclusive POTA/TADA Courts in the country; and
- (g) the name of States which have not enforced POTA?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY)

(a): A Statement as per available information is attached.

(b) & (c): Pursuant to directions of Hon'ble Supreme Court in its judgment dated 11.3.1994 in the case of Kartar Singh, a Central Review Committee by the Central Govt. and State Review Committees by the respective State Governments have been constituted to review the cases under TADA. Review Committees in respect of POTA cases have completed the review of all POTA cases.

(d): Information regarding the number of persons convicted under TADA/POTA, is not maintained by the Ministry of Home Affairs. However, as per the available information as on 21.9.2004, the date on which POTA was repealed, 13 persons had been convicted under POTA. CBI has also informed that till date 52 persons have been convicted under TADA and 2 persons under POTA in cases handled by CBI.

(e): There is no proposal to review the punishments awarded under POTA / TADA.

(f) & (g) : As per the information available only 10 State Governments namely Andhra Pradesh, Gujarat, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Maharashtra, Sikkim, Tamil Nadu, Uttar Pradesh and NCT of Delhi had registered cases under POTA and constituted Special POTA Courts to try those cases. Five Special Courts to try TADA cases registered by CBI have also been constituted.

STATEMENT REFERRED TO IN REPLY TO PART (A) OF THE LOK SABHA UNSTARRED QUESTION NO. 2971 FOR ANSWER ON 13.12.2005 RAISED BY S/SHRI L. GANESAN AND MOHAN SINGH REGARDING 'DETENTION UNDER TADA/POTA.

No. of persons under detention for offences under TADA State-wise as on 1.4.2005 and in cases registered by CBI. No. of persons under detention for offences under POTA-State-wise.

Assam 20 Andhra Pradesh 3

Gujarat 14 NCT of Delhi 1

Haryana 1 Himachal Pradesh 2

Jammu & Kashmir 12 Maharashtra 4

Maharashtra 14 Uttar Pradesh 3

Punjab 15 Gujarat 87

Rajasthan 5 Jharkhand 18

NCT of Delhi 2 CBI 17

CBI 59

Total 147 Total 135