

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:239

ANSWERED ON:02.08.2011

GUJCOC BILL

Jardosh Smt. Darshana Vikram;Mahendrasinh Shri Chauhan

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government of Gujarat has re-submitted the `Gujarat Control of Terrorism and Organised Crime (GUJCOC) Bill, 2003` for the approval of the Union Government;
- (b) if so, the time when the said Bill was received by the Union Government alongwith the salient features thereof;
- (c) whether the Union Government has approved similar Bills from other States;
- (d) if so, the details thereof, State-wise; and
- (e) the time by which the GUJCOC Bill is likely to be approved?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) TO (e) OF LOK SABHA UNSTARRED QUESTION NO. 239 FOR 2.8.2011

(a) to (c): Yes, Madam. The Bill, namely, the Gujarat Control of Terrorism and Organised Crime Bill, 2003, as passed by the State Legislature and reserved by the Governor for consideration of the President has been received in this Ministry on 11.11.2009.

The proposed Bill aims at checking organized crime fuelled by illegal wealth generated by contract killings, extortion, smuggling of contraband, illegal trade in narcotics, kidnapping, money laundering etc.

The salient provision of the Bill are:-

- (i) Stringent punishments for perpetrators, abettors and harbourers of organized crime;
- (ii) Offences to be tried by Special Courts;
- (iii) Confessions made before a Police Officer not below the rank of Superintendent of Police to be admissible in the trial;
- (iv) Provisions for protection of identity of witnesses;
- (v) Attachment and forfeiture of property earned through organized crime;
- (vi) Powers of Police Officers to order attachment of property;
- (vii) Presumption of offence in certain circumstances unless the contrary is proved.

(d): The following State Legislations on control of organized crime have been assented to by the President in accordance with the then policy of the Government:-

Sl.No.	Name of the Bill	Date of Assent
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1.	The Maharashtra Control of Organised Crime Bill, 1999.	23.04.1999
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2.	The Andhra Pradesh Control of Organised Crime Bill, 2001	16.10.2011
	(Valid for three years)	

3. The Karnataka Control of Organised Crime Bill, 2000 22.12.2001

(e): The State Legislations are examined to see whether any provisions thereof are (a) repugnant with Central Laws, (b) in deviation from National or Central Policy and (c) legal and Constitutional validity. Whenever necessary, the State Government are advised to modify/amend provisions of such legislations keeping the above in view. With a view to expeditiously arriving at a decision, discussions are also held with State Governments and Ministries/Departments of the Government of India. Hence no time-frame can be fixed in this behalf.