

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:3084  
ANSWERED ON:11.02.2014  
ARREST OF INNOCENT PERSONS  
Abdulrahman Shri ;Jeyadural Shri S. R.

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether it is a fact that several innocent persons including those belonging to minority communities have been arrested or taken into illegal custody by the police and other authorities in various States;
- (b) if so, the total number of such persons arrested and released separately along with the action taken against the guilty police officials during each of the last three years and the current year, State-wise;
- (c) whether any request has been received by the Union Government from the National Commission for Minorities to pay compensation to the persons who were arrested/detained by police authorities on suspicion of their involvement in terrorist activities or anti-national activities and were later released by competent courts;
- (d) if so, the details thereof along with the policy framed, if any, regarding payment of compensation to such victims; and
- (e) the details of advisories issued by the Union Government to the State Governments in this regard?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R.P.N. SINGH)

- (a) & (b) No such data is maintained centrally as 'Law & Order' and 'Prisons' are State subjects as per the 7th Schedule of the Constitution of India.
- (c) & (d) The National Commission of Minority has written to Union Government to consider effective means of rehabilitation to the innocent persons arrested/detained by police authorities on terror charges. The Government is always positively inclined to consider rehabilitation of innocent victims, so that they can be reintegrated into society. However, usually it is for the Courts to pronounce adequate compensation on requests by the victims of fabricated cases.
- (e) The Home Minister has written a letter on 30th September, 2013 to the Chief Ministers of all the State Governments requesting them to take the following actions at the earliest:
  - (i) All States/UTs should constitute Special Courts in consultation with the High Courts of competent jurisdiction for trial of terror related cases on a day to day basis.
  - (ii) All State Governments should appoint Special Public Prosecutors for trial of these terror cases.
  - (iii) The terror cases should take precedence over other cases pending trial before such Special Courts.
  - (iv) All the Law Enforcing Agencies should be sensitized with regard to communal harmony and social justice while ensuring zero tolerance for terrorism by any person or group irrespective of which community he or they may belong to.
  - (v) In all cases of malafide arrest of any member of a minority community by the Law Enforcement Agencies (LEAs), strict and prompt action should be taken against the erring police officers/ officials.
  - (vi) Wrongfully arrested persons should not only be released forthwith, but should be suitably compensated and rehabilitated to join the mainstream in order to lead a normal life of dignity.