

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1302

ANSWERED ON:14.07.2009

GUJARAT CONTROL OF ORGANISED CRIME BILL

Majhi Shri Pradeep Kumar;Patel Shri Kishanbhai Vestabhai;Pathak Shri Harin

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Gujarat Control of Organised Crime Bill, 2003 has not been approved by the Union Government and has been returned to the State Government of Gujarat;
- (b) if so, the reasons thereof alongwith the salient provisions of the said Bill;
- (c) whether the State Government of Gujarat has made the amendment in the Bill as per the suggestions made by the Union Government;
- (d) if so, the details thereof;
- (e) whether the Government has approved similar Bills from other States; and
- (f) if so, the details thereof, State-wise?

Answer

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

(a) to (f): A Statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) TO (f) OF LOK SABHA UNSTARRED QUESTION NO. 1302 FOR 14-07-2009 REGARDING GUJARAT CONTROL OF ORGANISED CRIME BILL, 2003.

(a) & (b) : The Gujarat Control of Organised Crime Bill, 2003 has recently been returned to Governor of Gujarat on 25-06-2009 together with President's message dated 24-06-2009 to the Legislature of Gujarat to reconsider it and amend it so as to bring its provisions in line with the Unlawful Activities (Prevention) Amendment Act, 2008. The salient provisions of the Bill are:-

- (i) Stringent punishments for perpetrators, abettors and harbourers of organised 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 to Police Officers to order attachment of property;
- (vii) Presumption of offence in certain circumstances unless the contrary is proved.

(c) and (d) : Presidential Message for reconsidering and amending the Gujarat Control of Organised Crime Bill, 2003 was sent on 25.6.2009. There has been no response from the State Government.

(e) and (f): The following State Legislations on control of organised 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 16.10.2001
of Organised Crime Bill,
2001.(valid for 3 years)
3. The Karnataka Control of 22.12.2001
Organised Crime Bill, 2000.