

Anti-terror laws lose teeth in India: Official study

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New Delhi, November 16: : In what could be music to BJP's ears, an official study of the provisions of existing anti-terror acts shows that they have been 'diluted' over a period of time.

The fact that such laws have lost teeth comes to light when provisions of anti-terror laws in India are analysed and compared with similar laws in some other countries.

The comparison, drawn by the second Administrative Reforms Commission appointed by the Centre, shows while most countries were adopting tough anti-terrorism measures, the provisions of similar laws "have been diluted in India over a period of time".

Amidst a raging debate on the need for having tougher anti-terror laws, the main opposition BJP has been accusing the Congress-led UPA at the Centre of being soft on terror and has declared that if it comes to power it would bring back POTA.

The saffron party is also making a political capital out of the "failure" of the Centre to give assent to Gujarat's GUJCOC anti-terror legislation which has similar provisions like that of MOCOCA in Congress-ruled Maharashtra.

The refrain of the Centre has been that the current provisions in various Acts are adequate enough to deal with terrorism and that certain stringent provisions of POTA have been incorporated in the Unlawful Activities (Prevention) Act.

Noting that there was a serious threat to the security of the country from terrorists who are "highly organised, motivated and possessing links with international terrorist groups", the panel noted that the existing penal laws in the country were not enacted to deal with this situation.

"There is ample evidence to indicate that terrorists have been able to escape the law either by exploiting the loopholes or by intimidating witnesses to subvert justice," it said.

The panel, headed by M Veeprappa Moily, pointed out that many western countries with strong traditions of democracy and civil liberty have enacted legislations to deal with the threat of terrorism.

Their laws contain provisions pertaining to constitution of special fast track courts, making release on bail extremely difficult for the accused, and enhanced penalties cutting the source of funding for terror activities, among others.

It said a comparison on anti-terror laws in India shows Terrorism and Disruptive Activities (Prevention) Act had provisions for constitution of designated courts, while POTA provided for special courts. But the Unlawful Activities (Prevention) Act has no provision for special courts, it said.