

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
RAJYA SABHA
QUESTION NO 19.11.2009
ANSWERED ON
IMPLEMENTATION OF RECOMMENDATIONS OF SECOND ARC .

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SHRI S.S. AHLUWALIA

Will the Minister of COAL AND MINES, PUBLIC GRIEVANCES AND PENSIONS be pleased to state :-

- (a) whether the Eighth Report of the second Administrative Reforms Commission (ARC) has made comprehensive recommendations about `Institutional and Administrative Measures` besides on `Legal Framework` for combating terrorism in India;
- (b) if so, the salient features of the ARC recommendations in respect of these two aspects;
- (c) the status of implementation thereof;
- (d) whether the terrorist carnage in Mumbai on 26.11.2008 occurred despite implementation of the ARC recommendations or it was consequent to ignoring the same; and
- (e) the present status of implementation of the said ARC recommendations?

ANSWER

Minister of State (Independent Charge) of the Ministry of Science and Technology; Minister of State (Independent Charge) of the Ministry of Earth Sciences; Minister of State in the Prime Minister's Office; Minister of State in the Ministry of Personnel, Public Grievances and Pensions; and Minister of State in the Ministry of Parliamentary Affairs

(SHRI PRITHVIRAJ CHAVAN)

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

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE RAJYA SABHA STARRED QUESTION NO. 2 FOR ANSWER ON 19.11.2009 BY SHRI S.S.AHLUWALIA

(a) to (e): The Second Administrative Reforms Commission in its 8th report titled "Combatting Terrorism-Protecting by Righteousness" had made various recommendations to deal with the menace of terrorism. Copy of the report is available at the website www.arc.gov.in. The Government has examined the recommendations and has implemented a number of them. The Unlawful Activities (Prevention) Act, 1967, has been amended, which, inter-alia, incorporates a more comprehensive definition of terrorist act, stringent bail provisions; modified application of certain provisions of the Code of Criminal Procedure; power to freeze, seize or attach funds and other financial assets or economic resources held by or on behalf of or at the direction of individuals or entities listed in the schedule to the Order, any other person engaged in or suspected to be engaged in terrorism, criminalizing organizing of terrorist camps; criminalizing recruitment of persons for terrorist acts; criminalizing make demands of radio active substances, nuclear devices etc. The provisions relating to holding proceeds of terrorism, now also extend to terrorist gang, i.e. those terrorist organizations which are not listed in the schedule to the Unlawful Activities (Prevention) Act. Further, the National Investigation Agency (NIA) Act has been notified on 31.12.2008 and the National Investigation Agency has been constituted to investigate and prosecute offences under the Act specified in the schedule to the National Investigation Agency Act. The Prevention of Money Laundering Act has been amended by, inter-alia, incorporating a number of offences as predicate offence under this Act, which also includes certain provisions of the Unlawful Activities (prevention) Act, 1967.

In order to effectively combat terrorism, the Government has also revamped the intelligence machinery with emphasis on seamless flow and exchange of intelligence between various agencies of the Centre and the State Police.

The recommendations of ARC were duly considered by the Government and suitable institutional, administrative and legislative measures have been put in place.