## GOVERNMENT OF INDIA MINISTRY OF LAW AND JUSTICE DEPARTMENT OF LEGAL AFFAIRS

#### **LOK SABHA**

### **UNSTARRED QUESTION NO.3431**

## TO BE ANSWERED ONFRIDAY, THE17<sup>TH</sup> DECEMBER,2021

## **Habeas Corpus Pleas**

#### 3431. SHRI JAGDAMBIKA PAL:

Will the Minister of *LAW AND JUSTICE* be pleased to state:

- (a) the number of Habeas Corpus pleas continued to be pending in the Supreme Court and High Courts, till date;
- (b) whether the number of pending Habeas Corpus pleas has increased over the years;
- (c) if so, the reasons therefor;
- (d) the number of cases filed under Unlawful Activities (Prevention) Act (UAPA) in last three years along with the number of total Habeas Corpus pleas made by the UAPA accused, the number of such pleas rejected, and those pending, till date, State-wise; and
- (e) the number of convicted person under the UAPA in last three years, State-wise?

#### **ANSWER**

#### MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJIJU)

- (a) to (c):Sir, as per information presently available for the Hon'ble Supreme Court and eight High Courts, the number of pending Habeas Corpus pleas is as per Annexure-I.
- (d) & (e): Specific information is not maintained by the National Crime Records Bureau (NCRB), Ministry of Home Affairs. However, State/UT-wise cases registered, cases charge-sheeted, cases convicted, persons arrested, persons charge-sheeted and persons convicted under the Unlawful Activities (Prevention) Act during 2018-2020 is as per **Annexure-II**. Latest published data pertains to the year 2020.

# ANNEXURE-I

S1. No.	Name of the Court	(f) the number of Habeas Corpus plo continued to be pending in to Supreme Court and High Courts, date;	ne	number pending Corpus	of Habeas pleas icreased	(h) i	•	the	reasons
		The information is not maintained as sought for. However, the	number	of pending cases	, as per the S	upreme C	ourt Subjec	t Catego	orv Code 1300
1	HON'BLE SUPREME COURT OF INDIA	which relates to 'Habeas Corpus matters' in Supreme Court of Information System (ICMIS) as on 13.12.2021 is as under:				ved from		ted Case	
1		Information System (ICMIS) as on 13.12.2021 is as under:  Year No.		or the last four ye		ved from		ted Case	
1		Information System (ICMIS) as on 13.12.2021 is as under:  Year No. 2018 43				ved from		ted Case	
1		Information System (ICMIS) as on 13.12.2021 is as under:         Year       No.         2018       43         2019       40				ved from		ted Case	
1		Information System (ICMIS) as on 13.12.2021 is as under:  Year No. 2018 43				ved from		ted Case	
1		Information System (ICMIS) as on 13.12.2021 is as under:         Year       No.         2018       43         2019       40         2020       53				ved from		ed/	
	OF INDIA	Information System (ICMIS) as on 13.12.2021 is as under:         Year       No.         2018       43         2019       40         2020       53         2021 (as on 13.12.2021)       52		ng Cases (at the en	Pendir	ved from	Increase	ed/	
2	OF INDIA  HON'BLE HIGH COURT OF	Information System (ICMIS) as on 13.12.2021 is as under:         Year       No.         2018       43         2019       40         2020       53         2021 (as on 13.12.2021)       52		Year 2018 2019	Pendir	ved from	Increase Decrease 10	ed/	
	OF INDIA	Information System (ICMIS) as on 13.12.2021 is as under:         Year       No.         2018       43         2019       40         2020       53         2021 (as on 13.12.2021)       52		Year	Pendir	ved from	Increase Decreas	ed/	
	OF INDIA  HON'BLE HIGH COURT OF	Information System (ICMIS) as on 13.12.2021 is as under:         Year       No.         2018       43         2019       40         2020       53         2021 (as on 13.12.2021)       52		Year 2018 2019	Pendir	ved from	Increase Decrease 10	ed/	

	GAUHATI		Year Pendat t at t begin	he instituted	•	Pending at the end			
			2018 1		6	16			
			2019 1 <sub>0</sub> 2020 2		20 8	20 29			
			2021 20		18	35			
4	HON'BLE HIGH COURT OF KERALA	As on 10.12.2021, 24 cases of Habeas Corpus are pending.	The pendency trenfurnished below:  As on 30.11.2017 As on 30.11.2018 As on 30.11.2019	nds in Habeas C			t five years is		
			As on 30.11.2020 As on 10.12.2021	24					
5	HON'BLE HIGH COURT OF MADHYA PRADESH	As on 01.12.2021, 97 cases of Habeas Corpus are pending.	Details of pending cases in the last fiv  31.12.2017 31.12.2018 31.12.2019 31.12.2020 30.11.2021		posts of Hor	utions of cas n'ble Judges dency of all	ses and vacant are the causes cases as well		
6	HON'BLE HIGH COURT OF MEGHALAYA	Nil	No		Does not arise				
7	HON'BLE HIGH COURT OF PATNA	Pendency of Habeas Corpus Pleas(as per filing year)           2019         1           2020         8           2021         12           Total Pendency as on 10.12.2021         21	Pendency of Habe						
8	HON'BLE HIGH COURT OF PUNJAB & HARYANA	As per the computer record, a total number of 396 Habeas Corpus	Yes, the details of	pending Habea	s Corpus for	the last thr	ee years is as		

		petitions are pending as on 30.11.2021	under:			_
				Year	Pendency	
				2018	181	
				2019	243	
				2020	412	
9	HON'BLE HIGH COURT OF UTTARAKHAND	41 Habeas Corpus is pending as on 13.12.2021		No	NA	

Annexure-II
State/UT-wise Cases Registered(CR), Cases Chargesheeted(CCS), Cases Convicted(CON), Persons Arrested(PAR), Persons Chargesheeted(PCS) and Persons Convicted(PCV)
under The Unlawful Activities (P) Act during 2018-2020

CL	Chaha /UT			20	18					20:	19			2020							
SL	State/UT	CR	ccs	CON	PAR	PCS	PCV	CR	ccs	CON	PAR	PCS	PCV	CR	ccs	CON	PAR	PCS	PCV		
1	Andhra Pradesh	1	5	0	8	5	0	4	0	0	5	0	0	1	1	0	4	1	0		
2	Arunachal Pradesh	6	4	0	10	8	0	25	5	0	40	5	0	3	1	0	3	1	0		
3	Assam	308	65	0	170	71	0	87	30	0	112	35	0	76	21	0	49	29	0		
4	Bihar	34	17	0	59	33	0	12	18	0	35	29	0	30	49	0	39	65	0		
5	Chhattisgarh	10	2	0	4	4	0	2	7	0	32	32	0	3	2	0	27	20	0		
6	Goa	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
7	Gujarat	0	0	0	0	0	0	1	1	0	1	1	0	0	0	0	0	0	0		
8	Haryana	0	0	0	0	0	0	0	0	0	0	0	0	2	1	0	1	1	0		
9	Himachal Pradesh	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0		
10	Jharkhand	137	45	20	97	81	21	105	109	16	202	143	17	86	36	3	69	60	3		
11	Karnataka	1	0	0	0	0	0	7	4	0	6	14	0	1	2	0	2	2	0		
12	Kerala	17	1	0	6	1	0	53	4	0	25	8	0	18	5	0	24	42	0		
13	Madhya Pradesh	6	4	0	13	13	0	2	2	0	4	4	0	4	0	0	0	0	0		
14	Maharashtra	1	1	0	0	5	0	0	0	0	0	0	0	1	1	0	7	7	0		
15	Manipur	289	4	0	332	6	0	306	11	0	386	11	0	169	1	0	225	1	0		
16	Meghalaya	2	0	0	6	0	0	0	1	0	0	1	0	10	0	0	2	0	0		
17	Mizoram	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
18	Nagaland	8	2	1	10	2	1	9	2	0	18	3	0	2	3	0	7	5	0		
19	Odisha	0	0	0	0	0	0	1	0	0	5	0	0	0	1	0	0	1	0		
20	Punjab	6	3	0	27	22	0	3	5	0	30	27	0	19	8	0	44	41	0		
21	Rajasthan	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
22	Sikkim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
23	Tamil Nadu	2	1	0	15	3	0	270	103	0	308	130	0	3	82	16	92	94	21		
24	Telangana	0	0	0	0	0	0	1	1	0	5	2	0	0	0	0	0	0	0		
25	Tripura	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	2	0	0		
26	Uttar Pradesh	107	123	12	479	479	12	81	98	17	498	498	17	72	76	7	361	361	54		
27	Uttarakhand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
28	West Bengal	0	2	0	0	2	0	0	0	0	0	0	0	1	0	0	5	0	0		
	TOTAL STATE(S)	935	280	33	1236	736	34	969	401	33	1712	943	34	503	290	26	963	731	78		
29	A&N Islands	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
30	Chandigarh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		

31	D&N Haveli and Daman & Diu+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
32	Delhi	2	5	1	8	7	1	2	4	0	9	6	0	6	3	0	12	6	0
33	Jammu & Kashmir*	245	32	0	177	110	0	255	78	0	227	190	0	287	105	1	346	271	2
34	Ladakh	-	•	-	-	•	-	-	•	-	-	-	-	0	0	0	0	0	0
35	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
36	Puducherry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	TOTAL UT(S)	247	37	1	185	117	1	257	82	0	236	196	0	293	108	1	358	277	2
	TOTAL (ALL INDIA)	1182	317	34	1421	853	35	1226	483	33	1948	1139	34	796	398	27	1321	1008	80

Source: Crime in India

Note: '+' Combined data of erstwhile D&N Haveli UT and Daman & Diu UT during 2018 & 2019

<sup>\*&#</sup>x27; Data of erstwhile Jammu & Kashmir State including Ladakh during during 2018 & 2019