

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 2531**

TO BE ANSWERED ON THE 14TH DECEMBER, 2021/ AGRAHAYANA 23, 1943 (SAKA)

PERSONS ARRESTED UNDER UAPA

**2531. SHRI MAHESH SAHOO:
DR. MOHAMMAD JAWED:
SHRI ADHIR RANJAN CHOWDHURY:
SHRIMATI MALA ROY:
SHRI UTTAM KUMAR REDDY NALAMADA:
SHRI K. MURALEEDHARAN:
SHRI DIBYENDU ADHIKARI:
SHRI VISHNU DAYAL RAM:
SHRI RAM MOHAN NAIDU KINJARAPU:
MS. S. JOTHIMANI:
SHRI BENNY BEHANAN:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of individuals including students below the age of 25 arrested/granted bail/convicted/ released and their average period of detention after arrest under the Unlawful Activities Prevention Act (UAPA) in the country during the last three year and current year, year-wise, State/UT-wise including in Odisha, district-wise,

(b) whether the Government plans to amend the existing Act in the light of recent evidence about the large number of acquittals and for preventing the harassment of innocent people in wake of misuse of this law; if so, the details thereof and if not, the reasons therefor; and

(c) whether there has been any custodial deaths reported of the persons during their stay in custody under this law, if so, the details thereof?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI NITYANAND RAI)**

(a): The National Crime Records Bureau (NCRB) compiles the data on crime as reported to it by the States and Union Territories and publishes the same in its annual publication 'Crime in India'. The latest published report is of the year 2020.

As per the published report, the State/UT-wise number of total persons arrested, persons on bail, persons convicted and persons acquitted under the Unlawful Activities (Prevention) Act, 1967, including in the State of Odisha during 2018-2020 is at Annexure-I. The data regarding number of arrested persons of specific age group of below 25 years is not maintained by NCRB. However, the State/UT-wise number of persons arrested under the Unlawful Activities (Prevention) Act, 1967, whose age was below 30 years, during 2018-20 is at Annexure-II. During 2018-20 only one case was registered under the Unlawful Activities (Prevention) Act, 1967, in 2019, in the State of Odisha and that was in the district Balasore. The data regarding period of detention is not maintained by NCRB.

(b) & (c): Conviction is an outcome of an elaborate judicial process and is dependent on various factors, such as, duration of trial, appraisal of evidence, examination of witnesses, etc. There are adequate Constitutional, institutional and statutory safeguards including inbuilt safeguards in the UAPA itself, to prevent misuse of the law.

The UAPA has been amended in the past keeping in view the requirement. Presently no amendments in the UAPA are under consideration.

The information regarding custodial deaths of the persons in custody under the UAPA is not maintained by NCRB.

State/UT-wise persons arrested, persons on bail and persons acquitted under UAPA from 2018-2020

S.No.	State/UT	2018				2019				2020			
		Persons Arrested	Persons on Bail	Persons Convicted	Persons Acquitted	Persons Arrested	Persons on Bail	Persons Convicted	Persons Acquitted	Persons Arrested	Persons on Bail	Persons Convicted	Persons Acquitted
1	Andhra Pradesh	8	8	0	5	5	0	0	0	4	0	0	0
2	Arunachal Pradesh	10	8	0	0	40	21	0	0	3	0	0	0
3	Assam	170	11	0	54	112	4	0	6	49	11	0	13
4	Bihar	59	3	0	0	35	9	0	0	39	0	0	0
5	Chhattisgarh	4	0	0	0	32	0	0	0	27	0	0	0
6	Goa	0	0	0	0	0	0	0	0	0	0	0	0
7	Gujarat	0	0	0	0	1	0	0	0	0	0	0	0
8	Haryana	0	0	0	0	0	0	0	0	1	1	0	0
9	Himachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0
10	Jharkhand	97	7	21	37	202	35	17	51	69	10	3	46
11	Karnataka	0	0	0	0	6	3	0	3	2	2	0	0
12	Kerala	6	5	0	0	25	9	0	1	24	22	0	0
13	Madhya Pradesh	13	1	0	0	4	0	0	0	0	0	0	0
14	Maharashtra	0	0	0	0	0	0	0	0	7	7	0	0
15	Manipur	332	77	0	1	386	79	0	1	225	19	0	1
16	Meghalaya	6	1	0	0	0	0	0	1	2	0	0	0
17	Mizoram	0	0	0	0	0	0	0	0	0	0	0	0
18	Nagaland	10	0	1	0	18	1	0	0	7	1	0	1
19	Odisha	0	0	0	0	5	0	0	0	0	0	0	0
20	Punjab	27	1	0	4	30	5	0	0	44	1	0	1
21	Rajasthan	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
23	Tamil Nadu	15	6	0	0	308	308	0	1	92	44	21	50
24	Telangana	0	0	0	0	5	5	0	0	0	0	0	0
25	Tripura	0	0	0	0	0	0	0	0	2	2	0	0
26	Uttar Pradesh	479	0	12	0	498	0	17	0	361	0	54	0
27	Uttarakhand	0	0	0	0	0	0	0	0	0	0	0	0
28	West Bengal	0	0	0	0	0	0	0	0	5	0	0	0
	TOTAL STATE(S)	1236	128	34	101	1712	479	34	64	963	120	78	112
29	A&N Islands	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
31	D&N Haveli and Daman & Diu+	0	0	0	0	0	0	0	0	0	0	0	0
32	Delhi	8	0	1	0	9	0	0	0	12	0	0	0
33	Jammu & Kashmir*	177	104	0	16	227	146	0	28	346	103	2	4
34	Ladakh	-	-	-	-	-	-	-	-	0	0	0	0
35	Lakshadweep	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
	TOTAL UT(S)	185	104	1	16	236	146	0	28	358	103	2	4
	TOTAL (ALL INDIA)	1421	232	35	117	1948	625	34	92	1321	223	80	116

Persons arrested (below the age of 30 yrs) under UAPA from 2018 to 2020

S No.	States/UTs	Year of Arrest		
		2018	2019	2020
1	Andhra Pradesh	0	5	0
2	Arunachal Pradesh	6	14	0
3	Assam	71	34	17
4	Bihar	19	20	30
5	Chhattisgarh	1	2	12
6	Goa	0	0	0
7	Gujarat	0	0	0
8	Haryana	0	0	1
9	Himachal Pradesh	0	0	0
10	Jharkhand	50	133	35
11	Karnataka	0	3	1
12	Kerala	0	2	3
13	Madhya Pradesh	9	4	0
14	Maharashtra	0	0	0
15	Manipur	169	217	113
16	Meghalaya	0	0	0
17	Mizoram	0	0	0
18	Nagaland	1	10	5
19	Odisha	0	0	0
20	Punjab	0	15	22
21	Rajasthan	0	0	0
22	Sikkim	0	0	0
23	Tamil Nadu	0	136	33
24	Telangana	0	2	0
25	Tripura	0	0	0
26	Uttar Pradesh	340	386	205
27	Uttarakhand	0	0	0
28	West Bengal	0	0	2
	TOTAL STATE(S)	666	983	479
29	A&N Islands	0	0	0
30	Chandigarh	0	0	0
31	D&N Haveli and Daman & Diu+	0	0	0
32	Delhi	0	2	5
33	Jammu & Kashmir*	89	111	166
34	Ladakh	-	-	0
35	Lakshadweep	0	0	0
36	Puducherry	0	0	0
	TOTAL UT(S)	89	113	171
	TOTAL (ALL INDIA)	755	1096	650