

# **UNITED WE TERRORIZE**

– Political Parties and the uses of the Anti-Terrorist Act

PEOPLE'S UNION FOR DEMOCRATIC RIGHTS  
DELHI  
NOVEMBER 1989

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***The territory of India shall comprise***

- (a) the territories of the States;***
- (b) the Union territories specified in the First Schedule;***
- and***
- (c) such other territories as may be acquired***

Article 3

The Constitution of India

India, so defined by the fathers of our constitution, is entering the last decade of the twentieth century. The unity and integrity of this elastic country, we are led to believe, is continuously under threat. Each parliament enacts new legislations, seemingly, to protect the country. The eighth parliament (1985-89) extended, amended or passed eight such legislations in the preambles ('Statement of Objects and Reasons') of which the need to maintain the unity and integrity of the country is referred to in some form or other. The threat, for many of us, appears to be real as the complexity and scale of violence in our social life greets us every day in the media and is brought right into our homes through live telecasts. The images of irrational violence that are being fostered on us seek state intervention with a sense of urgency. The more the social tensions appear to conduct themselves outside the constitutionally ordained institutional framework, the more public sanction is sucked by the state. As a matter of fact the Indian republic is facing a threat not so much to its sovereignty as to its secular, socialist and democratic character.

In the early fifties, under the first parliament, there were just two areas, Nagaland and Mizoram, that were notified as 'disturbed areas'. Under the eighth parliament ten states, in full or in part, are the declared disturbed areas. About 25 million people live in these areas. In the early fifties the army hardly intervened in civilian conflicts outside parts of the North East region. In the fifteen year period, 1970-85, army or para military forces intervened in civilian conflict in 34 instances. In the last five years, they intervened in 68 cases. And they intervened in 22 out of the 31 states and union territories. This count excludes the intervention in what appears to be an endless war in Sri Lanka. In addition armed constabulary maintained by the state governments also made a number of interventions. Parallel with all such interventions quietly, less dramatic and far less visible, many changes came. New laws, new hierarchy of courts, new procedures, new instruments to the police and new restrictions on the life and liberties of the people - in short a new structure of democracy has come into existence. The frightening aspect of this structure is not merely its enormous powers but the ease with which it came into existence. Consider the following facts.

The 59th Amendment to the Constitution, that enables the government to impose emergency in Punjab, was passed in 1988. It was opposed by many political parties who together have more than a third of the members in the Rajya Sabha. But the Amendment was still carried because some of the opposition members were absent at the crucial time of voting. Similarly, the Amendment to the Indian Post Office Act (Postal Bill) was opposed by many. It became famous, as subsequently the then President Giani Zail Singh refused to give assent to the bill passed by the parliament. But when it was passed in the Lok Sabha, only 20 out of its 542 members were present in the house and the entire discussion lasted less than forty minutes. In August 1985, the Essential Services Maintenance Act (1980) was extended for a further five years. The debate on the Act that affects millions of working men and women took 3 hours spread over two days. Only thirteen members participated in the discussion. The last part of the debate was in the lunch hour. In fact Amal Datta [Diamond Harbour, CPI(M)] raised the question of quorum: "May I point out Sir that there is no quorum in the house". Shri S.B. Chavan, Minister for Home Affairs who introduced the bill replied, "It is the convention of the house not to raise the question of quorum during the lunch hour". Then

the Speaker rang the bell for the quorum. Some members trooped in. When the Act was passed, there were only 147 members present, of which the opposition members were 17.

In August 1985 an amendment was introduced to the Terrorist Affected Areas (Special Courts) Act. The discussion on the amendment took 59 minutes in which four members participated while in the house only 50 were present. It was passed unanimously. In August 1987, the National Security Act was amended. The amendment enables the government to detain a person in some cases upto a period of six months without obtaining ratification by the advisory board. It also extends the maximum period of detention to two years in some cases. It was discussed by the Lok Sabha for 82 minutes in which eight members participated. The total present was just a hundred members. On May 1988, a new armed wing of the central government, the Special Protection Group was set up to provide 'proximate security to the prime minister of India'. Lok Sabha took 19 minutes to discuss and pass the Act. (All figures from the published volumes of Lok Sabha Debates).

The acts passed thus in haste and indifference are implemented against the people with intensity and violence. Of all such acts passed by the eighth parliament the one that stands apart is the Terrorist And Disruptive Activities (Prevention) Act (TADA). Almost every safeguard guaranteed by the constitution, every single mechanism of checks and balances erected by it, every principle of liberal jurisprudence, every principle of natural justice, every single democratic right won over years of hard battles by our people, is thrown to the winds by this Act. This Act, the changing alignments of the persons associated with its introduction, the positions adopted by various political parties and their chameleon-like changes, the enforcement of the Act--all indicate the times to come, the hoodlum years to come. And like all black acts it is introduced on the premises of white lies.

In the second week of May 1985 a series of transistor bombs exploded in Delhi and other places. A large number of innocent passers-by in public places were killed. Shortly after, the government cited these blasts as the reason for introducing The Terrorist And Disruptive Activities (Prevention) Act, on 17 May, 1985. The Act, as mentioned above is the most extraordinary piece of legislation that has ever come into force in this country. But the prevailing atmosphere of terrorist violence was such that except for the usual exceptions, most people readily accepted the government's argument that the police and the state need extraordinary laws to counter the 'terrorist menace'. In fact it was passed by the parliament more or less unanimously. In the process it was hardly noted that the first four accused in the transistor bomb cases, K.S. Narang, Mohinder Singh Khalsa, Mohinderpal Singh and Jagdish Singh Narela died in Karol Bagh and Patel Nagar police stations in May 1985 itself. Later, in January 1986, another accused, Daljit Singh, was tortured to death.

The government also cited terrorist activities in two union territories, Chandigarh and Delhi and four states, Punjab, Haryana, Uttar Pradesh and Rajasthan as the reason for the introduction of the Act. But it is applicable to the whole of the country. Soon enough it came into force in far flung places like south India and the North East where the Punjab problem has no affect. One can observe from the table that of the total number of people charged under the Act, the majority (10,568) belong to states other than those cited by the government.

ये अशकों की इबारत  
कौन इसका तर्जुमाँ समझे  
उसे तो अपने गुलदस्ते की  
रौनक से ही मतलब है  
कहाँ गुलचिन को फुरसत है  
कि दर्द-ए-गुलिस्ताँ समझे  
—नीरज

The object of the Act was to try and punish 'terrorists....indulging in wanton killings, arson, looting of properties and other heinous crimes'. Who are the 19,286 people arrested under the Act? They include adivasis in the central forest region, fighting a battle of survival. In the contiguous districts of Andhra, Maharashtra and Madhya Pradesh thus tribals became the 'terrorists'. Altogether 450 in Adilabad (AP), 100 in Bastar (MP) and 100 in Gadchiroli (Maharashtra), were charged under the Act. In Gujarat striking workers of reliance group's Vimal Mills were arrested under the Act. At the other end the victims include civil rights activists. Nagari Babayya of the Karnataka Civil Liberties Committee (KCLC) and K. Balagopal of Andhra Pradesh Civil Liberties Committee (APCLC) were charged under the Act. Journalists and academicians were also detained under the Act. Telugu poet and editor of *Srijana*, Varavara Rao, was detained in Andhra Pradesh. In Delhi Shaid Siddiqui (editor, *Nai Dunia*), Al Haz Naz Ansari (*Mashik Ki Awaz*) and Khalid Ansari (*Mid Day*), in Bangalore V.T. Raja Sekhar (*Dalit Voice*), in Manipur editor and joint editor of *Aryabhata* and Sukhdev Singh (*Dignity*) were among those detained. Prof. Harmeet Singh (Delhi University), Professors Jag Mohan and Daleep Singh (Bombay University) are among the well known detained academicians. The Act also became useful against any political opponent of the regime in power.

Take the case of Assam. Prafulla Kumar Mahanta and Birgu Kumar Phukan, Chief Minister and Home Minister were both former leaders of the All Guwahati Students Union (AGSU) an affiliate of the All Assam Students Union (AASU). When TADA was brought into force in the state, the present general secretary of the AGSU became one of its first victims. In Delhi, during the elections to the Delhi Gurudwara Prabhandak Committee (DGPC) the Act was used to detain Akali Dal secretary Sardar Bir Bahadur Singh. The 69 year old man was detained to force him to support the then Congress-I backed Barnala group in the DGPC elections. But soon after when President rule was imposed in Punjab, in May 1987, Prem Singh Chandumajra, a cabinet minister in the Barnala government became victim of the Act. In Andhra during the disturbances that followed the murder of Congress-I legislator Vangaviti Mohana Ranga Rao, cases under the Act were launched against Congress-I people, although subsequently the Telugu Desam government withdrew the charges. In Haryana, the Lok Dal-BJP government used it against a Hissar Congress-I leader Ranji Lal. Later while acquitting him the high court indicted the police and the government. But the liberal use of the Act in Haryana became a matter of concern for Congress-I in the state. Its MP

## Frankenstein monsters

The myopia that affects our political parties who can not see beyond the next round of elections is truly amazing. In 1962 when the Defence of India Rules (DIR) were introduced in the context of border conflict with the People's Republic of China all parties supported it. They included the then undivided CPI and the recently united Socialist Party. Shortly afterwards socialist leaders Madhu Limaye and Dada Nayak were arrested under DIR when they organised a civic workers strike in Bombay. Later in December 1964, thousands of CPI-M workers became its victims. In 1971 when the Maintenance of Internal Security Act (MISA) was introduced it was supported by almost all parties. The opposition became victim of the act during the internal emergency, 1975-77. In the eighties the situation has somewhat changed. Now in some cases there is a division when such acts are introduced in the parliament, but in the use of the act there is no such division. This was the case with the National Security Act, 1980 and the subsequent amendments made to it in 1984 and 1987. In the case of TADA, except for some doubts expressed about some of the clauses, all parties supported it when it was introduced in 1985. But a number of parties opposed TADA when it was extended in 1987 and again in 1989. However, all those who opposed it also used it. In the process the Congress-I itself became a victim of the Frankenstein monster that it had created!



from Sonapat, Dharam Pal Singh Malik, pleaded in the Lok Sabha, with the home minister to prevent the misuse of the Act. In Maharashtra, a tribal Zilla Parishad member of Gadchiroli Shri Mallu Kopu Bogami, who took up the cause of police violence against the Naxalite led tribals, was charged under the Act. Bogami, arrested by the Congress-I government was and is the taluq secretary of Congress-I.

Thus all the three reasons cited by the government in its statement of objects and reasons are lies. The arrested include not merely alleged terrorists but journalists, civil rights activists, academicians, adivasis, workers, opposition party members in Congress-I ruled states and Congress-I members in opposition party ruled states. The number of people charged in the six places mentioned in the Act is less than the number charged in the rest of the country. And at least five accused in the transistor bomb cases never reached the pretence called the law courts, leave alone the new legislation.

Yet when the term of the act expired, it was extended for another two years, in May 1987. (It was again extended in 1989.) This time many parties opposed the bill. In the statement of objects and reasons, the government once again stated that 'in order to combat and cope with the terrorists effectively...in states like Punjab...it is not only necessary to continue the law but also to strengthen it further'. The argument that the law needs to be strengthened stems from a widely shared belief that somehow the terrorists accused in Punjab are getting acquitted. But as a matter of fact in most TADA cases the question of acquittal does not arise, since proceedings are not completed. According to figures given in the parliament upto May 1987, only in six out of the 1487 cases registered in Punjab, judgements were given, and in only three cases were the accused acquitted. (Lok Sabha Debates, Vol. XXX No. 70. 24.8.1987) Yet a wrong impression was and is being created by Punjab police officials. What should be noted here are the facts available about the other major Act in Punjab, the Terrorist Affected Areas (Special Courts) Act. In the year, 1984-85, of the total of 3896 cases, 3242 cases resulted in conviction. That is, the conviction rate is about 82 per cent! (Lok Sabha Debates, Vol. VIII No. 19. 19.8.1985)

Nevertheless the Act was extended for two more years in 1987. At the outset it should be noted that in an unpardonable oversight neither the Ministry of Law that introduced that first version in 1985 nor the Ministry of Home Affairs that introduced the second version took care to clarify the distinction regarding designated courts under the two versions. In any dispute over the jurisdiction of the designated court the decision, not of the Supreme Court, but that of the Central Government 'shall be final' [S.9 (3)] which may choose not to make any decision. As a result in hundreds of cases the offences committed are pending before the courts who simply do not have the jurisdiction over them. The cases are locked without trial, indefinitely. Take the case of Karamjit Singh, in Delhi. His case went to the then designated court of B.N. Chaturvedi, in 1986. After the new version, in 1987, the case was transferred to the newly designated court of R.L. Chugh. But this court cannot try offences committed prior to 1987. So the trial never took off for more than two years. Recently the case was transferred back to B.N. Chaturvedi. Karamjit Singh is an accused in the case of attempt to shoot Rajiv Gandhi at Rajghat, on October 2, 1986. In this pathological state of affairs, the judges are in search of their jurisdiction, leave alone criminals who are in search of their crimes. And the crimes can be anything under the sun, if you look at the Act. (All references to sections are to the new version).

The definition of terrorist and disruptive activities (S.3 and 4) is wide enough to cover a wide range of activities private, or public. Simply stated any one can be arrested for anything under such definitions. In that sense all abuse or misuse is built into the Act. In tune with the developments in our peoples movements, the definition covers any action taken not only 'by act or speech' but also 'through any other media or in any other manner whatsoever' [S.4 (2) and (3)]. Thus a range cultural

activities from songs and street plays to video films are taken care of. In Andhra Pradesh the famous poet-singer Gaddar is charged under the Act. The Act also makes, for the first time, evidence presented in audio or video cassettes admissible in court (S.15). Further, an all encompassing definition of a prohibited place, notified as such by a magistrate, is part of the Act and 'entering, passing over or loitering in the vicinity of any prohibited place' is an offence (5,6,7 and 9, TADA Rules, 1987). Suppose some one in authority, either a local constable or a prime minister, doesn't like you and suppose further that you are passing by any one of our perpetually prohibited areas, like the parliament area, you can be hauled up as a terrorist.

After the arrest the accused is produced not before a judicial magistrate as is usual but before an executive magistrate [S.20 (4) (a)]. The remand period which is never more than 90 days usually, can be extended upto one year [S.20 (4) (b)]. Usually it is the collector who is the executive magistrate but in cities like Delhi, it could be the police commissioner. So under the Act, you are arrested by the police, produced before them who can then remand you intermittently, upto a period of one year to their own custody. And then the confession given to the police, and they know the methods of extracting it, becomes admissible as evidence in the court (S.15). After the Act came into force, in a number of places, police are using torture to make people sign a blank sheet of paper. Whatever they choose to type on it at leisure can be used as evidence. In fact even if the confession mentions some other name, that is sufficient. For if a co-accused makes a confession it becomes admissible evidence where you have to prove that he is wrong [S.21 (1) (c)]. He and his torturers have no legal obligations.

Under the Act offences listed otherwise in the Indian Penal Code, the Arms Act, the Explosive Substance Act, the Explosives Act, the Inflammable Substance Act and the Official Secrets Act can be covered by TADA if the government decides that these offences are committed in aid of 'terrorism' and 'disruption'. The trial procedure is thus different and the punishments are enhanced. The implications of these circumlocutory clauses are that an accused charged under an ordinary law, gets different treatment for the same offence if covered by TADA.

Designated Courts, constituted exclusively for the purposes of this Act are the first courts. The next court is the Supreme Court. The hierarchy of courts with elaborate mechanism to prevent miscarriage of justice are dispensed with. Take the case of adivasis in Bastar. Bastar is India's third largest district and is larger even than the state of Kerala. For many of the accused in the interior of south Bastar, the designated court is Jagdalpur. Last summer an MP PUCL investigation revealed that these tribals come to the court for adjournment after adjournment on foot. The distance is 150 kms. Let it be added that India's first and second largest districts, Ladakh and Jaisalmer, no less in accessible, are also covered by the Act. In Ladakh Buddhists agitating for Union Territory status are charged under the Act. Now all these people from far off

"Fury said to  
A mouse, That  
he met in the  
house, 'Let  
us both go  
to law: I  
will prose-  
cute you.--  
Come, I'll  
take no de-  
nial : We  
must have  
a trial;  
For really  
this morn-  
ing I've  
nothing  
to do.'"  
Said the  
mouse to  
the cur,  
'Such a  
trial, dear  
sir, with  
no jury  
or judge  
would  
be wast-  
ing our  
breath'.  
'I'll be  
judge,  
I'll be  
jury,'  
said  
cun-  
ning  
old  
Fury:  
'I'll  
try  
the  
whole  
cause  
and  
cond-  
emn you  
to death.'"  
:Lewis Carroll

places are expected to go to the Supreme Court for an appeal [S.19 (1)].

But not all appeals can go to the Supreme Court either. Only those orders which are 'not being an interlocutory order' can be appealed against in the Supreme Court (S.19). In May 1988 the bail application of Dawoodbhai Memon and others was rejected by the designated court at Baroda (Gujarat). They appealed to the Supreme Court which however upheld the prosecution argument that bail too is an interlocutory order. Thus the highest court of the land has voluntarily surrendered its right to review an order of the lower court. And so for the bail petitions in TADA, the first court also becomes the last court. We do not know how many of the 19000 accused are languishing in jails spread across the country in 17 states as a result of this perverse judgement of the Supreme Court. Nor are we in a position to know for how many years, these prisoners will remain there waiting for the day of judgement. For all we know, they might include the youngest known victim of the Act, a 15 year old mentally retarded boy from Baroda.

Getting bail in a TADA case is in fact very difficult. The judge must satisfy himself that there are reasonable grounds to believe that the accused is not guilty (and that too before the trial) and that he is not likely to commit any offence while on bail [S.20 (8)]. The sessions judges at district court level in our country usually go by what the police recommend. So it becomes impossible to get bail. In a rare instance of its kind the Punjab and Haryana High Court has struck down this and other provisions of the Act as unconstitutional. [S.16 (1), 20 (4) and 20 (8) (b) in *Bimal Kaur Khalsa Vs Union of India*, January 1988]. Promptly, on the center's initiative, the Supreme Court issued a stay on the operation of the judgement. But thereafter it has not found time to examine the constitutionality of the provisions.

*In a prosecution for an offence under sub-section (1) of Section 3,...the Designated Court shall presume, unless the contrary is proved, that the accused had committed such offence.*

– Section 21,  
The Terrorist And Disruptive Activities (Prevention) Act,  
1987

**To ask for papers proving guilt in black and white  
Is senseless, for there need be no such papers  
The criminals have proofs of their innocence  
The innocent often have no proof.**

– Bertolt Brecht

The case from any designated court can be transferred to any other such court anywhere in the country [S.11 (2)]. And trial under the Act takes precedence over any other ordinary case pending against the accused [S.17]. Government is using this clause to block trial in inconvenient cases. The method is simple. Book a case against any person you choose. Also book some TADA cases against him/her. Transfer the cases to a designated court in some far off place. His/her trial in the ordinary case can not start till his/her trial under TADA is over. This seems to be the reason why the case against Simaranjit Singh Mann, Atinder Pal Singh, Jag Mohan and Daleep Singh in the infamous second Indira Gandhi assassination case, got stuck.

The trial under the Act is in camera. Telugu poet Varavara Rao (Accused, A-14) applied for bail in the Ramnagar Conspiracy case covered by TADA. The prosecution while opposing it attempted to convince the judge that there were reasonable grounds to suspect that he was guilty since a part of the evidence was in the handwriting of A-14. It was discovered later that the original charge sheet mentioned the handwriting of A-4, another accused, but in the photostat copy supplied to the court, the charge-sheet was tampered with and A-4 was made into A-14. Thus the manipulative potential



of the police, with the help of willing prosecutors, increases manifold, if the trial is in camera.

After crossing all such hurdles the in camera trial begins. But the names and identities of witnesses against the accused can be kept secret from the accused themselves. Mention of the names of the witnesses in court orders also can be avoided [S.16 (3) (b)]. Translated into plain language it simply means that the prosecution can say that 'X says that you were carrying arms. Prove that you did not'. For, in certain conditions, it is not the state that has to prove the accused guilty but the accused who has to prove that he/she is not guilty [S.21]. Finally if you are convicted, you can only appeal to the Supreme Court, within thirty days [S. 19 (3)]. It is of course a different matter that a criminal appeal takes an average of 8 to 12 years in the Supreme Court. Under TADA whether you are a villager from the north eastern border village of Arunachal Pradesh or an adivasi from the interior forests of the Dandakaranya or you are a Buddhist from the snow blocked valleys of Ladakh, or simply a poor person from Delhi, you are expected to find resources to engage a lawyer in Supreme Court within a month. Otherwise your sentence is confirmed. There ends the matter. Requiem for the rule of law.

This then is the substance of the anti-terrorist act passed with such wide-spread sanction in the name of Punjab terrorism. For a good measure a number of people accused in Punjab terrorist violence related cases are charged under the Act. Approximately 9000 people come under this category. Possibly some of them are falsely accused. Anyway, despite impressions to the contrary, the government did not really use the Act against the Punjab terrorists. In fact the rules required to implement the Act in Punjab were not made till 18 months after the Act came into force, in December 1986. Let us also recall the manner in which trials in two of the most famous cases, assassination of Indira Gandhi and attempt to shoot Rajiv Gandhi, are being conducted.

And the Act was used everywhere else against every one else. The majority of the accused in fact fall into this category. In some of the cases the accused were acquitted. In some others the cases were withdrawn. In West Bengal the Left Front government invoked the Act on 24 June, 1987 in Darjeeling exactly a month after the left voted against the Act in the parliament. It was suspended in August 1987 but was re-invoked in December 1987 but was again suspended in May 1988. Recently the Act was withdrawn in parts of Assam and also in Ladakh. But the withdrawal of the Act does not necessarily mean the withdrawal of the cases [S.1 (4)]. All in all the Act became useful for the governments in 20 states and two union territories. The list of organisations whose members were arrested under the Act gives the range and coverage of the Act.

There can be divergent opinions about the nature, methods and politics of the accused in TADA. But perhaps there cannot now be a second opinion about the nature of the Act itself. It legalises torture in police custody, creates a new structure of courts, negates all principles of law and justice as we know it. The enormous powers it confers unites all major political parties who are otherwise in conflict with each other.

In case of repressive legislations passed by the eighth parliament, the distinction between the ruling party and the opposition gets completely blurred. TADA for instance was mooted by a cabinet in which Vishwanath Pratap Singh was number two. It was introduced by the then law minister Ashok Sen. The Essential Services Maintenance Act and the Terrorist Affected Areas (Special Courts) Act were introduced in the Lok Sabha by Arif Mohammad Khan. All three of them are now in the opposition. At least four legislations were approved unanimously. In all cases there was hardly any debate. When it was extended TADA was opposed by some of the parties. But eventually it was used by Congress-I, Janta Party and Lok Dal that are now part of Janta Dal, Bharatiya Janta Party, left parties including CPI and CPI-M and regional parties including Telugu Desam, Akali Dal (Longowal), Assam Gana Parishad and National Conference.

This is how the future comes into our midst. A set of anonymous civil bureaucrats draft a law.



Parliament passes it with indifference and laziness. Political parties in power lap it up. Armed bureaucrats in police implement the act. The public is lulled by the images nurtered in its mind. And a new, self-contained, legal, penal and political edifice comes into existence. It comes with a breath taking ease. The Sovereign Socialist Secular Democratic Republic is indeed under threat.

**Do not go gentle into the night  
Rage, rage, rage against the dying of the light.**

**Dylan Thomas**

**Acts of Special Powers passed earlier:**

The Official Secrets Act, 1923  
The Andhra Pradesh Suppression of Disturbances Act, 1948  
The Armed Forces Special Powers (North-East) Act, 1958  
The Armed Forces (Punjab and Chandigarh) Special Powers Act, 1983  
The Punjab Disturbed Areas Act, 1983  
The Chandigarh Disturbed Areas Act, 1983

**Eighth Parliament (1985-89)**

**Acts Extended:**

The Essential Services Maintenance Act, 1980

**Acts Amended:**

The Terrorist Affected Areas (Special Courts) Act, 1984  
The National Security Act, 1980

**New Legislations:**

Constitution, 59th Amendment  
The Terrorist and Disruptive Activities (Prevention) Act, 1985  
National Security Guard Act, 1986  
The Special Protection Group Act, 1988

**Bills Pending:**

The Hospitals and Other Institutions Bill  
The Trade Unions and Industrial Disputes (Amendment) Bill.  
Criminal Procedure Code (Amendment), 1973 Bill

(A series of 54 amendments to the Code. Among others they enable the state governments to establish 'a directorate of prosecution...under the administrative control of the head of the police in the state'!)

**Accused In TADA**

1. Andhra Pradesh	2143	12. Madhya Pradesh	110
2. Arunachal Pradesh	24	13. Maharashtra	379
3. Assam	1270	14. Manipur	654
4. Bihar	NA	15. Meghalaya	NA
5. Chandigarh (UT)	400	16. Mizoram	NA
6. Delhi (UT)	160	17. Nagaland	NA
7. Gujarat	4491	18. Punjab	7969
8. Haryana	275	19. Rajasthan	59
9. Himachal Pradesh	19	20. Tripura	NA
10. Jammu and Kashmir	669	21. Uttar Pradesh	130
11. Karnataka	10	22. West Bengal	524
<b>Total</b>		<b>19286</b>	

( Source: Official statements in parliament and press reports.)

## Organisations Affected By TADA

### **Andhra Pradesh (*Telugu Desam*)**

AP Civil Liberties Committee  
AP Radical Students Union  
AP Radical Youth League  
AP Revolutionary Writers Association  
Communist Party of India (Marxist-Leninist),  
different groups  
Congress-I  
Indian Federation of Trade Unions

### **Assam (*Assam Gana Parishad*)**

All Bodo Students Union  
All Cachar-Karimgunj Students Union  
All Guwahati Students Union

### **Delhi (*Congress-I*)**

Delhi Gurudwara Prabandak Committee  
Akali Dal-different groups

### **Gujarat (*Congress-I*)**

Vimal Mills Union

### **Haryana (*Lok Dal-BJP*)**

Congress-I

### **Jammu and Kashmir**

#### **(*National Conference and Congress-I*)**

Ladakh Action Committee  
Ladakh Buddhist Association  
Kashmir Liberation Front  
Muslim United Front

### **Karnataka (*Janata Party, Congress-I*)**

CPI (M-L)  
Karnataka Civil Liberties Committee  
Progressive Youth Center

### **Madhya Pradesh (*Congress-I*)**

Adivasi Kisan Mazdoor Sangh  
CPI (M-L)

### **Maharashtra (*Congress-I*)**

Adivasi Kisan Mazdoor Sangh  
Committee for the Protection of Democratic  
Rights  
CPI (M-L)  
Congress-I  
Khalistani Commando Force

### **Punjab (*Congress-I, Akali Dal-Longwol*)**

Akali Dal-different groups  
All India Sikh Students Federation  
Babbar Khalsa  
Khalistan Armed Force  
Khalistan Commando Force  
Khalistan Liberation Force  
Khalistan Liberation Organisation  
Shiromani Gurudwara Prabandhak Committee

### **West Bengal (*Left Front*)**

Gorkha National Liberation Front

(Note: Members of some of these organisations were acquitted or cases against them were later withdrawn. The list of organisations given here is not exhaustive.)

## THIS IS HOW THEY COME ABOUT

*Lok Sabha: 1985-89*

*Total Elected Members: 542*

Act	Discussion		
	Duration	Participation (No. of MPs)	Presence
The Terrorist And Disruptive Activities (Prevention) Act	1985	34	NA
	1987	18	NA
Indian Post Office (Amendment) Act (Postal Bill, refused assent by the President)	44 mins	4	20
The Terrorist Affected Areas (Special Courts) Act, Amendment	59 mins	9	70
National Security Act (Amendment)	82 mins	8	100
National Security Guard Act	57 mins	7	90
The Special Protection Group Act	19 mins	2	70
The Essential Services Maintenance Act (Extension)	3 hrs	13	147

(Note: Number of MPs participating excludes ministers presenting or defending the bill.

Duration includes both discussion and passing of the act. In the case of TADA  
and ESMA, it was spread over two days.)

Source: Lok Sabha Debates (GOI)

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**Published for PUDR** by Harish Dhawan, Secretary. J-157, RBI colony Paschim Vihar,  
New Delhi-110063.

**Printed at** Shakti Offset Printers, Shahdara, Delhi.

**Suggested Contribution: Rs. 3**