



Gujarat Anti-Terror Bill

Why in News

The **President of India** gave assent to the **Gujarat Control of Terrorism and Organised Crime (GCTOC) Bill**, an anti-terror legislation passed by **Gujarat** in **2015**.

Key Provisions

- It **defines a 'terrorist act'**, as an act committed with the intention **to disturb law and order** or threaten the unity, integrity, and security of the state.
- It also mentions **organized crime** which are **criminal activities** run for a **substantial profit**.
 - It includes **economic offences** namely, Ponzi schemes, multi-level marketing schemes, and organized betting.
 - It also includes extortion, land grabbing, contract killings, cybercrimes, and human trafficking.
- The investigating agencies can **intercept telephonic conversations** and submit them as **legitimate evidence in court**.
 - However, the **approval** for interceptions of telephonic conversations will be cleared at the **level of additional chief secretary**.
- The **confessions made before a police officer** will also be considered as **evidence**.
 - However, the confessions made to an officer of the **rank of Superintendent of Police (SP) or above** would only be admissible in court.
- It provides **180 days' time for authorities to file a charge sheet** instead of the usual 90 days and also proposes **stricter conditions for bail**.
- It also provides for the **creation of a special court** as well as **the appointment of special public prosecutors**.

Controversial Provisions of GCTOC Bill

- The consideration of intercepted telephonic conversations as legitimate evidence is **violative of the Right to Privacy (Article 21)**.
- Also, the consideration of confession made before police officers as evidence is violative of the **fundamental rights of an accused (Article 20)**.
 - **Article 20(3)** of the constitution says that no person accused of any offence shall be compelled to be a **witness against himself**.
- The **extension of time** for filing the charge sheet has been increased up to **180 days from for 90 days**.
 - The clause keeps a person under detention for a longer period of time.
- These provisions are on the lines of the **Centre's Prevention of Terrorist Activities Act (POTA)**.
 - But arbitrary use of such provisions led to the **repulsion of POTA in 2004**.

Advantages of the Bill

- Gujarat shares a border with Pakistan, and hence, such legislation is required for better safety and security, especially in a coastal and border state.
- It will give sufficient power to police officials and enhance the security of the state.
- It will also help control cybercrime and narco-terrorism fuelled by terrorist outfits from across the border.

[Source:TH](#)

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