

This article gives a brief overview of Prevention of Terrorism Act (POTA Act 2002) and the reasons for repealing it. This was passed to give more teeth to law enforcement agencies to tackle the menace of terrorism. It also share details of earlier anti terrorism law like TADA and the recent UAPA Amendment Bill,2019.

Prevention of Terrorism Act (POTA) - A Brief Overview

1. POTA Act was passed in the Joint session of Parliament in March 2002.
2. The objective of POTA was to strengthen the anti-terrorism operations.
3. This act was passed after the attack on Parliament by the Pakistan based terrorists.
4. This act was passed in the joint session of Lower House (Lok Sabha) and Upper House (Rajya Sabha)
5. This was only the 3rd time an Act was passed by the Joint session of the Parliament.
6. POTA replaced the Terrorist and Disruptive Activities Act (TADA).
7. POTA was repealed in September 2004 when there was a change of Government at the Centre.

POTA Act - Reasons for Repeal

1. There were allegations of POTA being used to target political opponents.
2. In a span of less than a year, many hundreds of people were arrested.
3. Some prominent people were arrested under the Act.

Law Preceding Prevention of Terrorism Act (POTA) - TADA

1. The law which existed before POTA, to tackle the menace of terrorism was Terrorist and Disruptive Activities Act (TADA).
2. This law came into force as a response to the assassination of former Prime Minister of India, Indira Gandhi.
3. This law was a necessity as India was facing the scourge of militancy in the East, North and South India.
4. It gave more powers to the Government to deal with the terrorists.
5. This law came into force in 1985 and was discontinued in 1995.

TADA - Criticisms

1. Advocates of civil liberty opposed TADA on the grounds that Democracy of India would be jeopardized if the powers of Government were not curtailed.
2. By 1994, more than 76,000 people were arrested but only 1% of these detainees were convicted of crime.

3. TADA was required to be renewed every 2 years. However due to immense public pressure TADA was discontinued.

Unlawful Activities Prevention Act (UAPA) Amendment Bill, 2019

1. The UAPA Bill was introduced in Lok Sabha by the Ministry of Home Affairs on July 08, 2019.
2. This bill was passed in Lok Sabha on July 24, 2019.
3. It was passed in Rajya Sabha on Aug 02, 2019.
4. The Bill amends the UAPA Act of 1967.

UAPA Amendment Bill 2019 - Features

The main objective of this law is to tackle activities directed against the integrity and sovereignty of India.

Designation of Organisation as Terrorist Organisation

1. As per the Act, Central Government will label an organisation as terrorist organisation if it promotes terrorism, prepares for terrorism, commits or participates in acts of terrorism.

Investigation by National Investigation Agency (NIA)

1. Empowers officers of NIA, of the rank of Inspector to investigate cases.
2. As per the Act, investigating officers need to obtain approval from the Director General level Officer while seizing the properties that may be connected with terrorism.

UAPA Act - Total Number of Amendments

1. The UAPA act was amended 6 times from the time of its introduction in 1967.
2. The amendments of UAPA Act, 1967 was carried out in 1972, 1986, 2004, 2008, 2012 and 2019.