

(3) Report of Study Tour of Study Group I of the Committee on its visit to Ranchi, Patna, Calcutta Borkela, Rayagada and Visakhapatnam during January, 1978.

(4) Report of Study Tour of Study Group II of the Committee on its visit to Calcutta, Imphal Gauhati, North Lakhimpur, Itanagar and Tezpur during January, 1978.

(5) Report of Study Tour of Study Group III of the Committee on its visit to Lucknow, Varanasi, Allahabad, Rewa, Khajurao and Jabalpur during January, 1978.

12.32 hrs.

PETITION RE: BAN ON EXPORT OF FROGS' FLESH

SHRI R. K. MHALGI (Thana): Sir, I beg to present a petition signed by Shri Dutta Tamhane and others of District Thana Maharashtra for ban on export of frogs' flesh.

RE: INCIDENT IN DELHI UNIVERSITY

SHRI VASANT SATHE (Akola): Sir, with your kind permission I would invite the attention of the Home Minister that under his very nose, today the Vice-Chancellor and Deans have been beaten by students. I have given notice of that.

MR. SPEAKER: The matter is under my consideration.

(Interruptions)

SHRI VASANT SATHE: Sir,***

MR. SPEAKER: The matter is under my consideration. Do not record.

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): Before I make this statement, with your permission, I would like to tell something....

MR. SPEAKER: Not on the University. That question is before me. I am not allowing it.

SHRI VASANT SATHE: Sir, why are you stopping it?

MR. SPEAKER: There are other people who have given notice....

12.35 hrs.

STATEMENT RE: PREVENTIVE DETENTION

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): Sir, it would be recalled that one of the electoral pledges of the Janata Party was "to repeal MISA, release all political detenus, and review all other unjust laws". The policy of the Government in this regard was given more concrete expression in the Address of the Acting President to Parliament on 28th March, 1977 which envisaged a thorough review of the Maintenance of Internal Security Act with a view to repealing it and examination of the need for further strengthening of the existing laws. After an in-depth examination of all relevant factors, the Government came to the conclusion that taking into consideration the nature, complexity and magnitude of the problems faced by the nation and the challenges that seem to lie ahead, the administration may be handicapped in effectively dealing with certain situations in the absence of powers of preventive detention. Being fully conscious of the gross abuse to which powers of preventive detention were put during the Emergency, however, every effort was made to build into the new law necessary safeguards to minimise the possibilities of such abuse. Accordingly the Code of Criminal Procedure (Amendment) Bill, 1977 was introduced in this House on 23rd December, 1977.

***Not record.

[Shri Charan Smgh]

While the safeguards built into the Bill have been generally welcomed, certain misgivings have continued to find expression against this measure both in the House and outside. With the traumatic experiences of the Emergency still afresh in our minds there is understandable apprehension in the public mind that powers of preventive detention could be misused by the executive notwithstanding the safeguards. Having shared these experiences myself I cannot say that these fears are wholly without any basis. There is also a feeling that the Janata Party having received the people's mandate on the restoration of democracy and removal of the curbs on civil liberties should not have recourse to such extraordinary laws. The true test of the health of a democracy is the responsiveness of the Government to public opinion. The question of the Government standing on prestige in such matters does not arise.

The Government has therefore reconsidered the matter and propose to withdraw the Code of Criminal Procedure (Amendment) Bill 1977 introduced in the House on 23rd December 1977 and to bring forward a separate legislation for the repeal of the Maintenance of Internal Security Act 1971.

I expect—I hope Shri Sathe will listen to it much more carefully—that this decision would be welcomed by all sections of the House. It must however be recognised that this places an additional responsibility on both the Government and the people. We would all like that the country should be governed with minimal restraint on the citizen, but this can be possible only if the people are vigilant and everyone exercises the necessary self-discipline and self-restraint. It would be my earnest appeal to all sections of the House to cooperate with the Government in curbing the activities of all groups and forces which may be or prove to be inimical to national security and public order.

SHRI VASANT SATHE (Akola) I only hope that you will practice what you preach.

AN HON MEMBER He will, because he is not Indira.

SHRI VASANT SATHE Indira practised what she preached.

12 40 hrs

RE BUSINESS OF THE HOUSE

PROF P G MAVALANKAR (Gandhinagar) Sir, before you proceed to the next business I would like, with your permission to raise a point of order about the List of Business for today.

MR SPEAKER The Minister of Parliamentary Affairs is not making a statement.

PROF P G MAVALANKAR You will see that the Order of Business for every day is prepared by the Secretariat as per rules 25 and 31 and according to the Directions given by the Speaker. There is an order of precedence as to which item comes first which follows etc. You will see that at the moment we are on sub-head 19 of the Directions of the Speaker No 2—I am referring to page 3 under which I suppose the Home Minister has made a statement already. We welcome that statement one year after the Janata Government came to power and we congratulate him for that.

My submission is about the statement which comes every Friday—tomorrow being a holiday, it will have to come today—by the Minister of Parliamentary Affairs giving the business of the House for the next week, which is missing today. Sir you have perhaps rightly anticipated my point and said that he is not making a statement. It is precisely on that point that I wish to make my submission. I feel that the established practice has always been that every Friday and if the Friday happens to be a holiday then on Thursday, the Minister of Parliamentary Affairs