

Prevention of Smuggling Activities Act, 1974.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974."

The motion was adopted.

SHRI PRANAB KUMAR MUKHERJEE: Sir, I introduce the Bill.

STATEMENT RE. CONSERVATION OF FOREIGN EXCHANGE AND PREVENTION OF SMUGGLING ACTIVITIES (AMENDMENT) ORDINANCE

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Second Amendment) Ordinance, 1975, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha.

12.04 hrs.

MAINTENANCE OF INTERNAL SECURITY (AMENDMENT) BILL*

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN):

Sir, I beg to move for leave to introduce a Bill further to amend the Maintenance of Internal Security Act, 1971.

MR. SPEAKER: Motion moved:

"That leave be granted to introduce a Bill further to amend the Maintenance of Internal Security Act, 1971."

MR. S. M. BANERJEE.

SHRI S. M. BANERJEE (Kanpur): We supported the Maintenance of Internal Security Bill when it was introduced in the beginning to punish those who were putting hurdles in the way of implementation of progressive measures. At that time we were assured by the Home Minister, Shri Brahmananda Reddy, that this would be used judiciously and would not be used for political gains. And this had been amended and re-amended. If for the success of the 20-Point Programme, this Act is to be amended 20 times, we are not going to be a party to it—I want to make it clear—because many people who supported the 20-Point Programme have been arrested. Our party workers in Himachal Pradesh are rotting in jail, having been arrested on the basis of reports given by some Sub-Inspector or Head Constable. My objection to the Bill is this. I would like to invite your kind attention to the Statement of Objections and Reasons where it is said:

"...no detenu shall be entitled to the communication or disclosure of any such ground, information or material."

If I am arrested, I shall not be entitled to know the reason for it, no information will be given to me, no material will be given to me; there can be no representation, no question of going to High Court or Supreme Court, no Advisory Board. Who will write the report on the basis of which a person will be arrested? By whom will the warrant be signed? Not by

*Published in Gazette of India Extraordinary, Part II, section 2, dated 20-1-76.