

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

RAJYA SABHA
STARRED QUESTION NO.†*591

TO BE ANSWERED ON THE 8TH MAY, 2013/VAISAKHA 18,1935 (SAKA)

IMPACT OF DHARNAS, AGITATIONS BY ORGANISATIONS ON CITIZENS

†*591. SHRI ASHK ALI TAK:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that dharnas, agitations and fast, etc., undertaken by a number of organisations on real or imaginary issues cornering Government, for the last two-three years may create feelings of revolt and separatism amongst the citizens of the country; and

(b) if so, the action plan chalked out by Government to avoid such a situation?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI R.P.N. SINGH)

(a) to (b): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (A) & (B) OF RAJYA SABHA
STARRED QUESTION NO. 591* FOR 08-05-2013.

(a): No, Sir. Legitimate means of protest are a part and parcel of the democratic system. Article 19 (1) (a) of the Constitution provides for the right to freedom of speech and expression; Article 19 (1)(b) gives the right to assemble peacefully and without arms; and Article 19 (1)(c) provides right to form associations or unions. Dharnas, agitations and fasts organized as protests are subject to the restrictions stipulated by laws enacted according to the restrictions contained in Article 19(2), 19(3) and 19(4) of the Constitution.

(b): Offences of creating disaffection towards the government have been made punishable under the IPC. 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India and therefore, the State Governments are primarily responsible for the maintenance of law and order and for protecting the life and property of the citizens, through the law enforcement machinery. The Union Government, supports the efforts of the State Governments/Union administrations by way of supplementing the forces wherever required for preservation of law and order. In this regard, an Advisory/Guidelines on Destruction and Damage to Public Properties in the name of agitations, Bandhs, Hartals etc.- guidelines for prevention of such destructive activities has also been issued on 6th May 2013 to all the State Governments/ UT Administrations.
