

CURBING SECESSION: BILL IN LOK SABHA

"The Times of India" News Service

NEW DELHI, August 1.

THE Bill to curb effectively secessionist and other anti-national activities was introduced in the Lok Sabha today amidst loud cries

of 'shame' from the Opposition benches.

It seeks to replace the Unlawful Activities (Prevention) Ordinance promulgated by the President on June 17.

The Union Home Minister, Mr. G. L. Nanda, sought the permission of the House to introduce this Bill in the face of vehement protests from the Opposition benches. The motion for introduction was carried by 213 votes to 63 after the Opposition had pressed a division.

Another Bill seeking to restrict the application of the Defence of India Rules to sensitive border areas was also introduced by Mr. Nanda. It did not evoke much opposition.

The Home Minister explained that the anti-secession law was necessary in view of what was happening in some parts of the country, specially, in Assam. He had obviously in mind the recent Mizo rebellion.

Apart from dealing with the secessionist movement, the Bill also sought to curb activities timed at overthrow-

maximum extent possible to the normal laws.

With this decision, the necessity to have a law to deal with secessionist and other activity directed against the integrity of the Union became urgent. As Parliament had adjourned by then, an ordinance was promulgated on June 17.

Under the Bill, the unlawful activity in relation to an individual or association means any action aimed at secession of a Part of the territory of India or its secession from the Union; which incites any individual or group of individuals to bring about such secession or secession, which propagates the cause of any enemy country, questions the sovereignty of India and disrupts its integrity and is intended to overthrow the lawfully-established Government by force or violence or under direction of any foreign Power.

The Bill provides for the appointment of a tribunal to decide whether there is sufficient ground for declaring an association unlawful. The reference has to be made to the tribunal within 30 days of the Government notification declaring a particular association as unlawful.

Any person or association who preaches or works for secession of a part of the country is liable to punishment in the form of fine and imprisonment for a term extending up to ten years.

The relevant provision in the Bill says: whoever takes part in or commits or advocates, abets, advises or incites the commission of any unlawful activity shall be punishable with imprisonment for a term which may extend to ten years and shall also be liable to fine, and (b) whoever in any way assists any unlawful activity of any association, declared unlawful, shall be punishable with imprisonment for a term which may extend to seven years or with fine or with both.

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ing the Government by force or violence or under the influence of any foreign Power. The action under the Bill would be subject to judicial review and that was a sufficient guarantee against any misuse of the powers.

Mr. Tridib Kumar Chaudhury made a frontal attack on the Government for arming itself with "dictatorial" powers and said the Opposition would oppose the measure "lock, stock and barrel."

When Mr. Nanda sought leave to introduce the Defence of India (Amendment) Bill, Mr. Chaudhury demanded that the whole Act should be scrapped and the emergency withdrawn.

The Home Minister explained that this Bill had been brought before the House in pursuance of the decisions announced in the House during the last session.

UNLAWFUL ACTIVITY

According to the statement of objects and reasons, the Unlawful Activities (Prevention) Bill was meant to deal with individuals and associations engaged in secessionist and other activities directed against the integrity and sovereignty of the Union. The Bill could not be introduced in the last session owing to the pressure of legislative business.

Meanwhile the Government had decided to restrict the application of the Defence of India Act and Rules to certain States and territories and for certain purposes connected with defence and to have recourse to the