

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3064
ANSWERED ON:15.03.2011
RESTRICTION ON PROTESTS
Kashyap Shri Virender;Thakur Shri Anurag Singh

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether there are any restriction on holding protests or political campaigns in the country;
- (b) if so, the details thereof;
- (c) whether there are also reports of the stopping and turning back of a train carrying political activists in Maharashtra and repatriating them back to Karnataka; and
- (d) if so, the details thereof and the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI GURUDAS KAMAT)

(a) & (b): The right to hold protests or campaigns, as part of the freedom of speech and expression, is subject to the restrictions contained in clause (2) of Article 19 of the Constitution of India. Law & Order being a State subject, the State Government is empowered to take all preventive measures including imposing of restrictive / prohibitive orders based on security/law & order concerns, to maintain public order.

(c) & (d): In response to the call given by Bharatiya Yuva Janta Morcha to hoist National Flag at Lal Chowk, Srinagar on Republic Day 2011 on the culmination of 'Rashtriya Ekta Yatra', activists of Bhartiya Yuva Janta Morcha were to move from various parts of the country to J&K. State Government inputs revealed that the movement of activists from different parts of the country could have had serious implications on the law & order situation in the State. The Government of J&K had requested that necessary instructions be issued to all concerned to immediately stop/prevent the movement of Railway Special/Special Trains to J&K. The Ministry of Home Affairs endorsed the request of the J&K Government. Accordingly, the Ministry of Railways / Railway authorities short terminated and returned back the special train which had already moved from Yesvantpur.