

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3337
ANSWERED ON:23.08.2011
SUPREME COURT DIRECTION ON STRIKES
Majumdar Shri Prasanta Kumar; Tirkey Shri Manohar

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether inspite of the directions of the Supreme Court and the High Courts, strikes are called out at times by various political and non-political organizations which throws general life out of gears;
- (b) if so, the details thereof;
- (c) whether the Union Government has instructed the State Governments and Union Territory Administrations to follow the said instructions in letter and spirit;
- (d) if so, whether the State Governments have followed the instructions;
- (e) if so, the details thereof; and
- (f) if not, the action taken by the Union Government in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH)

(a) to (f): The Hon`ble Supreme Court of India and the Delhi High Court have issued detailed guidelines regarding the conduct of rallies, processions, demonstrations & protests etc. The onus of maintaining peace during the protest has been laid on the organizers.

The Hon`ble Supreme Court has clearly laid down that the organizers will meet the police to discuss the conditions in which the protest can be organized and will give an undertaking that they shall maintain peace during the event and have also been banned from carrying any kind of weapon. The guidelines are:

- i) The organizer shall meet the police to review and revise the route to be taken and to lay down conditions for a peaceful march or protest.
- ii) An undertaking is to be provided by the organizers to ensure a peaceful march with marshals at each relevant junction.
- iii) All weapons including knives, lathis & the like shall be prohibited.
- iv) The Police and State Government shall ensure videograph of such protests to the maximum extent possible.
- v) In the event that demonstrations turns violent, the officer-in-charge shall ensure that the events are properly videographed through private operators and also request such further information from the media and others on the incidents in question.
- vi) The Police shall immediately inform the State Government with reports on the events, including damage, if any, caused.

`Police` and `Public Order` are state subject and State Governments/Union Territory Administrations are expected to ensure compliance of the above directions of the Hon`ble Supreme Court and Hon`ble Delhi High Court.