

18.01 hrs.

STATEMENT OF SRI LANKA

[English]

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI KHURSHEED ALAM KHAN) : Sir, as Members are aware, Shri K. Anand, the correspondent of the Press Turst of India based in Colombo, was arrested by the Sri Lankan authorities yesterday morning. According to information received, he was taken away around 9 A.M. and prevented from contacting the Indian High Commission by the Sri Lankan police. He was in detention for $5\frac{1}{2}$ hours at an investigation centre. In spite of his requests, Shri Anand was allowed to speak very briefly to our Deputy High Commissioner in Colombo only at 2.30 P.M. As soon as the High Commission came to know of Shri Anand's arrest they lodged a strong protest with the Sri Lankan Government. Later in the evening Shri Anand was placed on judicial remand and taken to the Wellikade prison in Colombo. Consular access has been allowed by the Sri Lankan authorities this morning. We understand that Shri Anand has been charged under the Emergency Regulations of the Government of Sri Lanka. He has now been released on bail.

Government have taken up this matter strongly with the Sri Lankan Government both in New Delhi and Colombo and expressed their deep concern over Shri Anand's arrest as well as for his personal safety. We have pointed out to the Sri Lankan Government that the arrest and the treatment meted out to an Indian national representing a well-known Indian press agency has been high-handed and deplorable.

Our High Commissioner who was to proceed yesterday on transfer has been asked to stay on to deal with this emergent situation. The High Commission is

doing everything possible to provide legal and other assistance to Shri Anand and is in constant touch with the Ministry of External Affairs. The House will be informed as soon as we receive any further reports in the matter.

Day before yesterday, the Sri Lankan Minister of State and Government's spokesman made certain regrettable remarks on the replies given by me in the debate in the Rajya Sabha. We have conveyed to the Sri Lankan Government our distress over the Sri Lankan Minister's statement. As Members are aware, we have always made constructive and positive suggestions and efforts to facilitate political solution to the ethnic problem in Sri Lanka within the framework of Sri Lanka's unity, sovereignty and territorial integrity. It is therefore, disappointing and unfortunate that through observations of senior and responsible members of the Sri Lankan Government anti-Indian sentiments are being whipped up in Sri Lanka.

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18.04 hrs.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

(Amendment of Section 125 and 127)
by Shri G.M. Banatwalla

[English]

MR. CHAIRMAN : We will now take up the Code of Criminal Procedure (Amendment) Bill of Shri G. M. Banatwalla. Before we take up the Bill for consideration, we may fix two hours time initially. Then we will see.

SHRI G. M. BANATWALLA (Ponnani) : I beg to move :

“That the Bill further to amend Code of Criminal Procedure

(Amendment) Bill be taken into consideration."

The Bill to amend the Criminal Procedure Code 1973 is necessitated by the decisions of the Supreme Court in certain recent cases. Sir, Section 488 (3) of the Criminal Procedure Code of 1898 empowered criminal courts to pass orders for maintenance in favour of wives whose husbands neglected to provide the same. This Criminal Procedure Code was revised in the year 1973 and Section 488 (3) was re-enacted with an important modification. The term 'wife' was defined to include a woman who has been divorced by or has obtained a divorce from her husband and is not remarried.

PROF. MADHU DANDAVATE : (Rajapur) That is the definition of every wife !

SHRI G.M. BANATWALLA : So, now you are shocked.

So, the courts could also make an order for maintenance of a divorced wife till she marries or dies. Mr. Chairman Sir, as you know the amendment was vehemently opposed by Muslims on the ground that under Islamic Law, a husband is bound to maintain a divorced wife only during the period of *Idda*, which is nearly three months and not thereafter. There were so many articles in the press. The Muslims were restive. Consequently, in responses to the Muslim opinion, the discussion was reopened in the Parliament. I must emphasise that this reopening of the discussion in the Parliament at a very unusual stage was one of the rare instances in the legislative history of India and it was done in order to maintain and protect the rule of Muslim Law. Clause (b) was specifically added to Sub-section (3) of Section 127 to protect the Muslim Law, the amendment provided for the cancellation of order of maintenance till re-marriage or death in case where the divorcee has received before or after the date of the

said order the whole of the sum which was payable under any customary or personal law applicable to the parties of such order.

I shall continue next time.

MR. CHAIRMAN : Will continue on the next occasion.

19.8 hrs.

HALF AN-HOUR DISCUSSION

Educated Unemployed Registered With Employment Exchanges

[English]

MR. CHAIRMAN : The next item is Half an hour discussion to be raised by Shri Jitendra Prasada.

SHRI JITENDRA PRASADA (Shahjahanpur) : I rise to raise a discussion on the points arising from the reply given by the Minister to my Starred Question No. 334.

Sir, before I come to specifics, I would like to say that unemployment is a major problem being faced by the country. The Government of Shri Rajiv Gandhi is committed to reduce unemployment. Shri Anjiah, the hon Minister of Labour is a senior person who was the Chief Minister of Andhra Pradesh also. Now he is holding a very important portfolio. But some how, after listening to the reply given to my question and I also listened to him when he was replying to Demands of the Labour Ministry . . . I have a notion that he has not taken this problem very seriously.

I would like to quote his speech during the Demands of the Labour Ministry, that is when he was replying to it. He mentioned something about the employment exchanges. He said—I quote :