

[Shri H. V. Koujalgi]

12.41 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

In foreign democratic countries, the laws are obeyed. If they do not like it, they take to constitutional methods to see that the laws are changed. Here the laws are observed more in breach than in obedience, with the only object of getting some personal benefit. They do not look to the interest of the country.

This Act has some safeguards also. An advisory body has been formed. The aggrieved party has a right to be heard; if there are any legal mistakes, he can go even to the High Court. It is the primary duty of the Government to maintain the security of the country. Since we see that there are pro-Pakistani activities and pro-Chinese activities, there are smugglers and blackmarketeers, it is the Government that knows whether this measure is necessary or not. In my humble opinion there are justifiable reasons for the continuance of this Bill on the statute book at least for some more time.

12.46 hrs.

POINT OF PROCEDURE

Shri Hari Vishnu Kamath (Hoshangabad): Mr. Deputy-Speaker, may I seek your ruling on one point? On the 11th of this month, last Wednesday, the Home Minister made a statement in the afternoon correcting a reply which he has given to a question in the morning. I objected to it at that time on the ground that proper notice had not been given to the Members who had raised that question. You overruled the objection and said that you would go into the matter later. I invite your attention to direction 115 of the Directions by the Speaker where the procedure in regard to this matter is clearly laid down.

“(1) A member wishing to point out any mistake or inaccuracy

in a statement made by a Minister or any other member shall, before referring to the matter in the House, write to the Speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House.

- (2) The member may place before the Speaker such evidence as he may have in support of his allegation.
- (3) The Speaker may, if he thinks fit, bring the matter to the notice of the Minister or the member concerned for the purpose of ascertaining the factual position in regard to the allegation made.”

Then comes the crucial part, the relevant part of the direction.

- (4) The Speaker may then, if he thinks it necessary, permit the members who made the allegation to raise the matter in the House and the member so permitted shall, before making the statement, inform the Minister or the Member concerned.”

Here, neither my colleague Mr. Dwivedy nor my hon. friend Mr. Ranga was informed. It was, therefore, not in order. But now it is a *fait accompli*; nothing can be done about it. It cannot be undone. But I hope that this will not be a precedent for the future.

Mr. Deputy-Speaker: I fully agree with the hon. Member. I am sorry for the omission in this matter. I will take care that such omissions will not occur again. **Mr. Frank Anthony.**

12.47 hrs.

PREVENTIVE DETENTION (CONTINUANCE) BILL—contd.

Shri Frank Anthony (Nominated—Anglo-Indians): Mr. Deputy-Speaker,