

[Shri Sadhan Gupta]

were involved in this kind of thing and the Prime Minister gave us an assurance that it was the policy of the Government not to allow foreigners to carry troops through our country. Now, this has happened again and there is no guarantee that it is not going to happen hereafter. In view of this, it is an infringement of our sovereignty and I submit it raises a matter of sufficient importance to merit discussion in this House.

Mr. Speaker: I am not inclined to agree with that view. There are bound to be individual breaches here and there and the best course is first to get the information before coming to the House for a discussion in the form of an adjournment motion.

Shri A. K. Gopalan (Cannanore): As far as the first adjournment motion is concerned, I have to make an explanation. It is not that I am saying that they are detained under the Preventive Detention Act. What I have said is that they are inside jail. I think that only a few are convicted; the others are not convicted, they are under trial. So what I meant was not that they were detained under the Preventive Detention Act.

Shri Jawaharlal Nehru: I know that. I did not understand it that way.

Shri Raghavaiah (Ongole): May I know when the report is going to be submitted to this House?

Mr. Speaker: As soon as possible. The whole point of the adjournment motion that is tabled is, as the hon. the Leader of the House has said, to invite the attention of the Government to the desirability of some kind of concession to those prisoners. That is the point he wants to urge. Let the factual situation be ascertained and then we shall see as to how....

Shri Sadhan Gupta: May I know if the Government are prepared to accept a short notice question?

Mr. Speaker: He may table it. Then I shall read it and ask them if they are prepared to accept it.

Shri Raghavaiah: With regard to the first adjournment motion, two of the persons put in prison are prospective candidates for the elections....

Mr. Speaker: Whatever it may be, *prima facie*, the position is that people who have acted against the law and are convicted in the course of the law have to take the results of their acts. (*Interruption*) The question involved is really about some kind of consideration and a political concession. That is entirely a different matter.

Shri Raghavaiah: The Governor of Andhra has promised....

Mr. Speaker: Order, order. I am not going into that question.

AUXILIARY TERRITORIAL FORCE BILL

The Minister of Defence Organisation (Shri Tyagi): I beg to move for leave to withdraw the Bill to provide for the constitution of an Auxiliary Territorial Force.

I had the privilege of introducing the Auxiliary Territorial Force Bill, 1954, on the 18th May last with the leave of this House. The object of the Bill was, to provide the legal basis for the imparting of training, and laying down the broad principles, for the establishment of training camps, and for the exercise of disciplinary control over the trainees while in camps held under the Auxiliary Territorial Force Scheme.

On the recommendation of the fourth meeting of the Central Advisory Committee for the Territorial Army, held on the 12th November 1954, it has been decided to revise the above scheme, and to have instead, a National Volunteer Force Scheme. Under the new scheme, the period of camps, which was initially 7 days and was lately increased to 10, will be 30

days. Apart from elementary military training, the trainees will be given instructions in miscellaneous subjects such as works of developmental nature. As the concept of the National Volunteer Force, which it is proposed to raise, is different from that of the Auxiliary Territorial Force, it has become necessary to introduce a new Bill, which will substantially alter the provisions contained in the Auxiliary Territorial Force Bill.

In view of this, I seek your permission to withdraw the Bill to provide for the constitution of an Auxiliary Territorial Force.

Mr. Speaker: The question is:

"That leave be granted to withdraw the Bill to provide for the constitution of an Auxiliary Territorial Force."

The motion was adopted.

Shri T. B. Vittal Rao (Khammam): When will the other Bill be introduced?

Mr. Speaker: That will come later. We are at present only concerned with the question of granting leave to withdraw.

CODE OF CRIMINAL PROCEDURE
(AMENDMENT) BILL—contd.

Clauses 20 to 24

Mr. Speaker: The House will now proceed with further clause by clause consideration of the motion in respect of the Code of Criminal Procedure (Amendment) Bill 1954. Discussion on clauses 20 to 24 is proceeding. Of the 5 hours allotted to this group, 2 hours and 39 minutes have already been availed of on the 26th November 1954, and 2 hours and 21 minutes now remain. This would mean that the discussion on this group of clauses will conclude by about 2-30 P.M. when the clauses will be put to the vote of the House.

Thereafter, the House will take up consideration of the next group which consists of clauses 25, 97 and 114 for which 5 hours have been allotted.

Before the House proceeds further, I shall dispose of the point raised the other day by Mr. Amjad Ali.

It is necessary to state the background to appreciate the precise point raised by Shri Amjad Ali on the 26th instant enquiring as to whether the decision taken by the House on the 25th instant adopting clause 17 of the Bill is open to review, in view of the assurance given by the Chair on the 25th instant that the summons case procedure and the warrant case procedure will be discussed later on, and in view of the fact that clause 2 of the Bill had been withheld for discussion at a later stage.

On going through carefully the proceedings of the House on the 24th and 25th November, I find that at the suggestion of Pandit Thakur Das Bhargava while clause 2 was under discussion, the Minister for Home Affairs stated on the 24th as follows:

"I suggest that you might put section 2, as open to discussion minus that bit relating to definition, and when we come to warrant and summons cases, then we might be pleased to discuss and change the definitions at that time."

Consequently, clause 2 of the Bill was not put to the vote of the House as will be seen from the later proceedings of 25th November. At the time of voting, Pandit Thakur Das Bhargava put the following query:

"May I submit one word, before you put the question? So far as section 4 is concerned—(he means clause 4)—"so far as warrant case and summons case are concerned, the voting on these should take place subsequently, and the Deputy-Speaker agreed to that yesterday. So, kindly do not put it to vote at this stage."