

**CODE OF CRIMINAL PROCEDURE
(AMENDMENT) BILL**

(Omission of Section 144)

श्री अवालथी (बिलहूर) : अध्यक्ष महोदय मैं प्रस्ताव करता हूँ कि मुझे डेढ़ प्रतिशत संहिता (संशोधन) बिल (धारा १४४ का लोप) पेश करने की अनुमति दी जाए।

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898."

The motion was adopted.

Shri Awasthi: Sir, I introduce the Bill.

**CODE OF CRIMINAL PROCEDURE
(AMENDMENT) BILL**

*Omission of Sections 107, 109 and 110
and amendment of Section 161)*

श्री अवालथी (बिलहूर) : अध्यक्ष महोदय, मैं प्रस्ताव करता हूँ कि मुझे डेढ़ प्रतिशत संहिता (संशोधन) बिल (धारा १०७, १०९ और ११० का लोप और धारा १६१ का संशोधन) पेश करने की अनुमति दी जाए।

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898."

The motion was adopted.

Shri Awasthi: Sir, I introduce the Bill.

PREVENTIVE DETENTION (REPEALING) BILL

15 hrs.

Shri Naushir Bharucha (East Khandesh): I beg to move for leave to introduce a Bill to repeal the Preventive Detention Act, 1950.

Mr. Speaker: Motion moved:

"That leave be granted to introduce a Bill to repeal the Preventive Detention Act, 1950."

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to oppose the introduction of the Bill on two grounds. One is that the Bill, as it now stands, would expire by the end of December, that is, by the end of next month and before this Bill, if at all, becomes law. So, it will have no purpose at all because, unless something is further done, the Preventive Detention Act would expire by the end of December. That is the first point.

Secondly, the Prime Minister has already informed this House that during this session a Bill to extend the life of the present Preventive Detention Act is going to be placed before Parliament for consideration. Under these circumstances, I oppose the introduction of this Bill so that there can be no further technical objection on any ground.

Shri Naushir Bharucha: What are the technical objections? I should like to know the point of order.

Shri Datar: The point of order is that I oppose the Bill.

Shri Naushir Bharucha: You are opposing it only?

Shri Datar: Yes.

Shri Naushir Bharucha: That is a different thing. I thought there was a point of order.

Shri Datar: I have stated very clearly that I am opposing it.

Shri Naushir Bharucha: Let the Government know clearly that this is a game which the other side can also play.

The Lok Sabha divided Ayes 38; Noes 104.

Division No. 4

Awasthi, Shri
Banerjee, Shri S. M.
Beck, Shri Ignace
Bharucha, Shri Naushir
Chaudhuri, Shri T. K.
Dasgupta, Shri
Deo, Shri P. K.
Dwivedy, Shri Suren
Ella, Shri M.
Ghodasar, Shri Fatchesinh
Ghosal, Shri
Ghose, Shri Bimal
Godsora, Shri S. C.

AYES

Gopalan Shri, A. K.
Gupta, Shri Sadhan
Halder, Shri
Iyer, Shri Easwara
Kar, Shri Prabhat
Kodiyam, Shri
Kumbhar, Shri
Kuanan, Shri
Majhi, Shri R. C.
Manay, Shri
Matera, Shri
Matin, Shri
Menon, Dr K B.

15.06 hrs.

Nath Pei, Shri
Nayar, Shri V. P.
Panigrahi, Shri
Patel, Shri P. R.
Prodhan, Shri B. C.
Salunke, Shri Balasabeb
Sampath, Shri
Singh, Shri L. Achaw
Soren, Shri
Tangamani, Shri
Valvi, Shri
Yajnik, Shri

NOES

Abdul, Lateef, Shri
Arumugham, Shri R. S.
Badan Singh, Ch.
Bahadur Singh, Shri
Baogshi Thakur, Shri
Basappa, Shri
Bhaget, Shri B. R.
Birbal Singh, Shri
Brajeshwar Prasad, Shri
Chettiar, Shri R. Ramanathan
Chuni Lal, Shri
Damani, Shri
Dasappa, Shri
Das, Shri Ramdhani
Das, Shri Shree Narayan
Datar, Shri
Desai, Shri Morari
Dube, Shri Mulchand
Dwivedi, Shri M. L.
Eacharan, Shri I.
Elayaperumal, Shri
Ganapathy, Shri
Gandhi, Feroze, Shri
Ganpati Ram, Shri
Ghosh, Shri M. K.
Hajarnavis, Shri
Hasda, Shri Sobodh
Heda, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Jain, Shri M. C.
Jang Bahadur Singh
Joshi, Shri A. C.
Joshi, Shrimati Subhad
Kalika Singh, Shri

Kanakasabai, Shri
Karmakar, Shri
Kastiwai, Shri
Keshava, Shri
Khan, Shri Sbahnawaz
Krishna, Shri M. R.
Krishnamachari, Shri T. T.
Lahiri, Shri
Lal, Shri R. S.
Mallik, Shri U. S.
Maniyaganan, Shri
Masuriya Din, Shri
Mishra, Shri B. D.
Mishra, Shri L. N.
Mohan Swarup, Shri
Munisamy, Shri N. R.
Muthukrishnan, Shri
Naidu, Shri Govindarajulu
Naik, Shri C. K.
Naldurgker, Shri
Narasimhan, Shri
Narayanasamy, Shri R.
Nayar, Dr. Sushila
Nehru, Shri Jawaharlal
Padam Dev, Shri
Palchoudhuri, Shrimati Ila
Parmal, Shri Y. S.
Patel, Shrimati Maniben
Raj Bahadur, Shri
Raju, Shri D. S.
Raman, Shri Pattabhi
Ramaswami, Shri S. V.
Ramaswamy, Shri K. S.
Ram Krishan, Shri
Ranbir Singh, Ch.

Rane, Shri
Rao, Shri Jaganatha
Reddy, Shri Vjawanatha
Rungnung Sulss, Shri
Seegal, Sardar A. S.
Samanta, Shri S. C.
Samant Sinhar, Dr.
Sambandam, Shri
Sanganana, Shri
Sarhadi, Shri A. S.
Satyabhama Devi, Shrimati
Sen, Shri A. K.
Shankaraiya, Shri
Sharma, Shri D. C.
Sharma, Shri R. C.
Shukla, Shri V. C.
Siddananjappa, Shri
Singh, Shri D. N.
Singh, Shri T. N.
Sinha, Shri Gajendra Prasad
Sinha, Shri Jhulan
Subbaraman, Dr. P.
Subramanyam, Shri T.
Swaran Singh, Sardar
Tahir, Shri Mohammed
Tewari, Shri Dwarikanath
Thimmaiah, Shri
Thirumala Rao, Shri
Tula Ram, Shri
Tyagi, Shri
Uike, Shri
Umroo Singh, Shri
Upadhyaya, Shri Shiva Datt
Wadiwa, Shri

The motion was negatived.