

[Shri C. R. Pattabhi Raman.]

people whose terms have expired shall be deemed to have continued so that this period of lag will be there. I do not think I will be justified in taking the time of the House more. I commend this Bill to the House for consideration.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): The question is:

"That the Bill further to amend the Advocates Act, 1961, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): We shall now take up the clause by clause consideration of the Bill.

*Clauses 2 to 5 were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI C. R. PATTABHI RAMAN: Sir, I move:

"That the Bill be passed."

*The question was put and the motion was adopted.*

#### THE CRIMINAL LAW AMENDMENT (AMENDING) BILL, 1966

THE MINISTER OF STATE IN THE  
MINISTRY OF HOME AFFAIRS (SHRI  
JAISUKHLAL HATHI): Sir, I move:

"That the Bill further to amend the Criminal Law Amendment Act, 1952, as passed by the Lok Sabha, be taken into consideration."

Mr. Vice-Chairman, this is, as the Members will see, a small Bill consisting of six clauses. I may mention, and the Members must have seen, that this Bill, though its name is the Criminal Law Amendment Bill, has nothing to do with arrests or criminal proceedings or any such thing. This Bill deals with a procedural matter and that too it mainly relates to the armed personnel. The Army Act provides for trial of

armed personnel by court-martials and these court-martials can always try civil as well as military offences, offences under section 161 of the Penal Code and section 5 of the Prevention of Corruption Act, that means if you put it in the category of offences relating to bribery and corruption. They are, under the Criminal Law Amendment Act, 1952, triable only by a Sessions Judge. Under the Army Act the armed personnel could be tried by court-martial but a question arose that in view of section 7 covering these offences under sections 161 to 165 of the I.P.C. and section 5 of the Prevention of Corruption Act, whether these armed personnel subject to the Army Act could be tried by a special judge only or they could be tried also by a court-martial. The language of section 7 of the Criminal Law Amendment Act is this:

"Notwithstanding anything contained in the Code of Criminal Procedure or in any other law, the offences specified in sub-section (1) of section 6 shall be tried by a special judge only."

Therefore there is a conflict of jurisdiction of the court-martial and the special judge. The Defence Ministry's view is and I am sure the Members will agree that the army personnel serving in the different parts of the country on the frontiers, if they are charged with offences of corruption or any other offence, they will have to come all the way to be tried in the civil courts which will mean delay. Therefore this Act aims at giving exclusive jurisdiction to the court-martial so far as the armed personnel are concerned. I may make it clear that this has nothing to do with the civilians. This is purely meant for the armed personnel and the main operative clause is clause 3 of the Bill which says:

"Nothing in this Act shall affect the jurisdiction exercisable by, or the procedure applicable to, any court or other authority under any military, naval or air force law."

That means that the armed personnel will be tried by the court-martial. They need not be tried by the special judges. This is the operational part.

Clause 4 is a validating clause. If up till now trials have already been held, then they will be deemed to have been valid trials; otherwise it will mean that

all these people who have been sentenced or fined will again have to be tried by the special judges and they will have to undergo a lot of hardship.

Clause 5 is an important clause inasmuch as provision has been made for pending cases. That is provided that where in an offence a civilian and an armed personnel are charged and the cases are pending before a special judge, and the proceedings are with the special judge because both the armed personnel and the civilian personnel are concerned, then they will continue.

The second thing is, if a charge is already framed in a trial pending before a special judge, the proceedings will go on because we do not want again a fresh trial for the armed personnel because it will again mean hardship for them. The third provision is that if a charge is framed by any revision or appeal and a re-trial is ordered, then the re-trial will be by the court-martial. They will not have to go to the special judges. These are the three main provisions—clauses 3, 5 and 6. Therefore, as I submitted in the beginning, this is a simple Bill. It does not affect the civilians. It mainly affects the armed personnel. It is a procedural matter correcting the existing procedure in the Criminal Law Amendment Act, 1952, the existing procedure being that under section 7 of the Criminal Law Amendment Act, 1952, the offences of corruption and bribery could be only tried by special judges. For the armed personnel we are making now a provision that they can be tried by court-martial, so that they would have better facilities of trial and quick disposal of cases.

**SHRI K. P. MALLIKARJUNUDU** (Andhra Pradesh) : May I seek a clarification? If it comes to a question of re-trial, will it go before the court-martial or before the special judge, and what is to become of the evidence already recorded?

**SHRI JAISUKHLAL HATHI** : It will not be a *de novo* trial; it will be a fresh trial, and therefore the court-martial will have it. Let us make a distinction between a fresh trial and a *de novo* trial. It is not a *de novo* trial under section 350 of the Criminal Procedure Code.

Mr. Vice-Chairman, Sir, this is a small Bill and I commend it to the House.

*The question was proposed.*

**DR. B. N. ANTANI** (Gujarat) : Sir, I rise to welcome this amending Bill as I consider that uniformity of jurisdiction is very necessary, and this will remove a sort of discrimination of jurisdiction between the two. But when I consider this amending Bill, the question to my mind is this. There are the provisions in the Criminal Procedure Code for prevention of offences embodied in sections 107 to 113. The jurisdiction to try these cases is vested in executive revenue officers called executive magistrates. Now this gives a handle to the executive authorities to suppress the legitimate activities of people . . .

**SHRI JAISUKHLAL HATHI** : May I intervene for a minute, Dr. Antani? As I said in the beginning, this Bill does not interfere with section 107 or any other section. This is only a procedure for trial of armed personnel.

**DR. B. N. ANTANI** : I quite see that, but I rise to suggest to the hon. Minister to consider this disparity and remove this jurisdiction from the executive authority so that, for peace and security, legitimate judicial recourse could be had by the people.

With these words I support the Bill.

**श्री बी० एन० मंडल** : (बिहार) उप-सभाध्यक्ष महोदय, यह जो क्रिमिनल ला अमेंडमेंट (अमैंडिंग) बिल लाया गया है इसके पहले भी एक अमेंडमेंट बिल लाया गया था और जब लास्ट सेशन में वह पास नहीं हो सका तो उसके बाद आर्डिनेंस हुआ है और उसी आर्डिनेंस को रिलेस करने के लिये यह बिल यहां लाया गया है। इस बिल को देखने से मुझे ऐसा लगता है कि पहले जो आर्मी एक्ट था उस आर्मी एक्ट के अन्तर्गत जो कोर्ट था उसे आर्माइड पर्सनल के सर्टेन

[ श्री बी० एन० मंडल ]

ओफसेज को द्राई करने का अख्तियार था जब कि क्रिमिनल ला अमेंडमेंट एक्ट जो 1952 ई० में पास हुआ तो उसके अन्दर भी उनका ट्रायल हो सकता था और ट्रायल दोनों कोर्टों का बराबर चलता रहा और जब सुप्रीम कोर्ट में एक केस इसको लेकर गया तो उस केस के सिलसिले में सुप्रीम कोर्ट का फसला हुआ कि एक ऐसे केस का ट्रायल सिर्फ स्पेशल जज के जरिये जो कि क्रिमिनल ला अमेंडमेंट एक्ट के अन्तर्गत होता है—उसके जरिये ही हो सकता है। अन्यथा किसी दूसरे कोर्ट द्वारा नहीं; इसीलिये जो पहला क्रिमिनल ला अमेंडमेंट बिल का अमेंडमेंट था वह लाया गया था।

मेरा कहना यह है कि मैं इस बिल का विरोध करता हूं। मेरे विरोध करने का कारण यह है कि एक ही ओफसेज के लिये दोनों कोर्ट का ज्यूरिस्ट्रिक्शन होना, आर्मी एक्ट के अन्तर्गत जो कोर्ट है जो अथॉरिटी है उसके जरिये से ट्रायल होना और फिर क्रिमिनल ला अमेंडमेंट एक्ट के अन्तर्गत जो स्पेशल कोर्ट या स्पेशल जज है उसके जरिये से ट्रायल होना, एक ही ओफसेज के लिये दो कोर्ट का ज्यूरिस्ट्रिक्शन होना कि दोनों द्राई करें, यह हम समझते हैं कि नेचुरल जस्टिस के खिलाफ है। इसलिये इस ढंग से अमेंडमेंट आना चाहिये कि आर्मी पर्सनल का ट्रायल सिर्फ आर्मी कोर्ट में ही होगा और अगर इस कोर्ट में नहीं होगा तो इस तरह का प्राविजन बनना चाहिये था कि आर्मी कोर्ट के ज्यूरिस्ट्रिक्शन को हटा कर सिर्फ क्रिमिनल ला अमेंडमेंट एक्ट के अन्दर जो स्पेशल जज बना है उस कोर्ट के अन्दर ही होगा। यही मैं चाहता हूं। मैं चाहता हूं कि जो ट्रायल हो वह सिर्फ एक तरह के कोर्ट में हो, दोनों कोर्ट में होने का जो ज्यूरिस्ट्रिक्शन है ऐसा नहीं हो। यही मैं चाहता हूं। इसलिये मैं चाहता हूं कि यह बिल वापस लेकर के एक दूसरा बिल लायें जिसमें कि इस तरह का प्राविजन हो।

SHRI A. P. CHATTERJEE (West Bengal): Mr. Vice-Chairman, Sir, I must with respect disagree with the hon. Minister that it is merely a procedural law. I must say that really this Bill has far-reaching consequences. Now on that matter really I was expecting, when Dr. Antani began by saying that really there must be one uniform jurisdiction, I expected that he would oppose the Bill. Really, from that point of view of uniform jurisdiction I oppose this Bill.

Now as far as civil offences are concerned, there must be one court, and that must be the court established for both civil and military persons. In my humble submission there cannot be any reason whatsoever for either distinguishing the military personnel from civilian personnel in the matter of such offences as offences under section 161 of the Indian Penal Code, or under section 5 of the Prevention of Corruption Act, because these offences do not relate to military discipline; these offences are basically civil offences. A military officer, or a military personnel, if he takes a bribe and if he thereby contravenes the provisions of section 161 of the Indian Penal Code, he really commits an offence which does not substantially contravene any code of discipline as far as the armed personnel are concerned. He contravenes a provision which is the moral fibre of the entire society as such, and the entire society, as such, consists of both military personnel and civilian personnel. And if it is such a moral offence, a moral offence which concerns the entire society, then the entire society must try that offence, and the mouthpiece and spokesman of that entire society is the civil court. Therefore, to take the jurisdiction away from a civil court in respect of offences under section 161 of the Indian Penal Code, or under section 5 of the Prevention of Corruption Act is, in my submission, a retrograde measure. Mr. Vice-Chairman, Sir, that is exactly the *raison d'être* of the decision, of the Supreme Court, after which this Bill is being sought to be moved by the hon. Minister. The Supreme Court also said this that it is true that armed personnel are subject to the jurisdiction of the Army Act, but looking at the Criminal Law Amendment Act, 1952, as it is, and

looking at the nature of the offence which is made punishable under the Criminal Law Amendment Act, there should be no distinction between the military personnel and the civilian personnel. They should be subject to the same jurisdiction, to the same court, to the same laws of the land. Mr. Vice-Chairman, this is a very serious matter for this reason that I have found in this country as well as in certain other countries neighbouring our country, that the military personnel are becoming more and more touchy as far as certain matters are concerned. It is quite a patent fact that where there is no martial law, where the constitutional government reigns supreme, there it is the civil administration which is supreme and the military acts under and in accordance with the orders given to it by the civil administration. According to our Constitution, the President of India is the highest general commanding the entire military forces of our country. When we say that the President is the Commander of the entire Indian armed forces, that is merely a recognition of the fact that it is the civil administration which should control the military and it is not the other way about. This is a very salutary provision because history has shown and we know it to our cost that whenever the military gets beyond the control of the civil authority, they fascism appears, then military dictatorship appears. All these things come and they disturb the social texture of society. In order that that may not happen, in all the constitutions of civilised countries, in all civilised society, in the constitution of the United States of America and even in the constitution of the United Kingdom where though it is an unwritten constitution they have got written provisions and written Acts, in fact, in the constitution of every civilised country, we find that the military is subject to the civil administration. Therefore, wherever possible the military personnel are subjected to the civil law of the land. And that was the decision of the Supreme Court also, that if a military personnel, if a member of the armed forces commits an act which is a civil offence *per se* it is a civil offence and he must await trial in the civil court, he must surrender himself to trial before the civil court. But then I find that the military people are so

touchy. They have become so touchy and I think that our Government is also encouraging this touchiness of the military personnel and of the military administration. They think that their status will be denigrated if they come before the civil court. And if that feeling gains ground in the military personnel then it is dangerous for the entire civil administration of the country, it is a dangerous position and it is dangerous for the civil order of the country. The military must be put in its place. The military must be told that as far as the questions of military discipline and other such things are concerned, it is true that the military personnel will be tried under the Army Act. If the man does not attend parade properly, or if he has not obeyed the command of his Commanding Officer or if he does not do the duty which his Commanding Officer has imposed upon him, then, you try him under the Army Act. Or try him in court martial. But these offences that we are now thinking of are different. To give an example, there is an officer who is in the Commissariat, the officer who will have to arrange for the supplies for the army by entering into agreements with contractors, by dealing with civil contractors and so on. If that man takes money as bribe from the contractor for the purpose of supplying these things, then he must surrender himself before a civil court because it is a civil offence *per se*. He really commits an offence which really touches the entire society, not merely the military but the entire society. Therefore, Sir, there is no question of making a distinction between military personnel and the others as far as these offences are concerned. Therefore, I submit the Supreme Court was absolutely right when it said in its judgment of 1961, if I am not mistaken, that if the offence is under section 161 of the Indian Penal Code or under section 5 of the Prevention of Corruption Act, it does not matter whether the person belongs to the army or whether he belongs to the navy or whether he belongs to the air force, he must surrender himself before a civil court. That was a very salutary decision of the Supreme Court. That really was also a decision that would have increased the health of the entire society. But, Sir, the Government always surrenders to pressures, it appears, either pressures from

[Shri A. P. Chatterjee.]

America or pressures from the military personnel. I do not know whether the two are strung on the same thread. I do not know and I am not going to say that. But what I would like to ask the Government is this. Why are you throwing away this salutary principle that was enunciated by the Supreme Court? Why are you going back on the Supreme Court's decision and trying to nullify that very healthy decision of the Supreme Court by bringing forward this Bill? Therefore, Sir, with all the solemnity that I can command I beseech the hon. Minister to withdraw this Bill. Let him not disturb the decision of the Supreme Court. Let the military personnel come and live in the healthy invigorating atmosphere of civil society and come before the civil court when they commit offences of this kind. Let them not be put off and cloistered in the ivory tower of the barracks where an atmosphere of isolation is maintained by their military commanders. Let them come into the open and breathe the fresh air of ordinary life and let them appear before the civil courts. Therefore, let the hon. Minister withdraw this Bill and let him not disturb that very moral and healthy decision of the Supreme Court. That is my submission.

SHRI M. N. GOVINDAN NAIR (Kerala) : Mr. Vice-Chairman, Sir, you are very generous to the Opposition in the discussion on this Bill.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : I am always.

SHRI M. N. GOVINDAN NAIR : I wish you were in the Chair yesterday also.

Coming now to this Bill, there is much strength in the argument put forward by Shri Chatterjee. I do not want to enter into the points that he had already dealt with and I want to speak on this Bill because I want to draw the attention of the House and also of the hon. Minister to certain other aspects of this question.

Sir, it now nearing some twenty years since we got independence. We have inherited a law which has been given to us by our former rulers, the British. Now, the Government in all their professions say that

they stand for democracy, that they stand for socialism and so on. All these are good professions. But the test is this. If you believe in the rule of law and if you believe in all the ideals which you are professing, then it is absolutely necessary that the law should be changed in such a way that it suits the objectives for which, you say, you stand. I need not quote examples to show that the values in a feudal society or the values that are attached to many things when the country is under foreign domination, and the values which should attach to things when we are a free nation and when we are trying to build up a democratic society, these two sets of values are entirely different. The laws that we have inherited are based on the values of a colonial regime. That is why I say that instead of bringing in this kind of an amendment the Government should come forward with a commission which will go thoroughly into the entire criminal law in this country and suggest such changes in the law as will make it suited for attaining our objectives and suited to the needs of present-day society.

Whenever a Bill is introduced by Mr. Hathi he has a special knack of putting things in the most innocent way, in the most non-controversial way, so that after hearing him one is apt to feel why he should oppose it. But it is only when you heard Mr. Chatterjee that you knew the clever move behind this Bill. This Bill is to circumvent or rather nullify a Supreme Court judgment and that is why he has come forward with this. But he said in a very humanitarian way that some of the provisions are to see that the military personnel who have already been tried may not again be put to another trial. Normally when a Bill is brought forward it becomes a law only after it gets accepted but Mr. Hathi suavely wants us to accept that this Bill may have retrospective effect. And the reason he put forward was, why the military personnel should be put to two trials. But from what we have heard from Mr. Chatterjee—since I am not a lawyer I rely heavily on him—it is clear . . .

SHRI JAISUKHLAL HATHI : You rely on me also.

**SHRI M. N. GOVINDAN NAIR :** But you are a lawyer on whom we cannot very much rely because a good lawyer is one who will suppress or who will not speak about the weak points of his clients.

**DIWAN CHAMAN LALL (Punjab) :** You are quite mistaken.

**SHRI M. N. GOVINDAN NAIR :** You are not a lawyer.

(Interruptions)

**DIWAN CHAMAN LALL :** I am and for a good lawyer I can assure you that the weak points are the most important points.

**SHRI M. N. GOVINDAN NAIR :** I mean your client's weak points. They will be covered up by you and you will be silent over them.

**DIWAN CHAMAN LALL :** No, no. Where did you get all this from? Commonsense?

**SHRI M. N. GOVINDAN NAIR :** As one who has seen the performance of lawyers like you.

**DIWAN CHAMAN LALL :** Unfortunately you have not seen any performance by me. If you had, you would have been better informed.

**SHRI M. N. GOVINDAN NAIR :** When I say 'like you' it does not mean you. I mean lawyers, barristers and others.

**DIWAN CHAMAN LALL :** You have seen nothing

**SHRI M. N. GOVINDAN NAIR :** My point is that as far as this Bill is concerned, he has not only wanted to circumvent the decision of the Supreme Court but he also wants to give it retrospective effect. That in itself is a dangerous proposition but the main point that I want to stress is that it is high time that the Government thinks in terms of setting up a Commission for revising the entire Penal Code to suit the present-day society, the objectives for which you and I stand.

Thank you.

**THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) :** In the Commission you want lawyers or non-lawyers?

**SHRI JAISUKHLAL HATHI :** I am thankful to Shri Nair for one suggestion of his at least that there should be a Commission to see what changes are necessary in the Penal Code. Well, the Law Commission is already functioning and that suggestion I shall certainly pass on to the authorities concerned. I may also say that we have now not only penal offences but now we have also economic offences because as times change the circumstances and the society also change. As I said I am thankful to him for his suggestion and I shall convey it to them.

So far as Mr. Chatterjee is concerned—he is not here I am sorry—he was rather touchy about the military personnel being touchy. We should remember the difficulties and hardships, the stress and strain under which our jawans and our armed personnel are working. It is no use complaining if we give them some facilities for being tried by court-martial at their units. If they are in Ladakh, Kashmir or NEFA and other places on the frontiers, do we want them to come back here all the way for some offence of bribery or corruption? If it is a crime against society, if it is a crime of that nature, anybody who commits such a crime will be punished. Mr. Chatterjee referred to a judgment of the Supreme Court. I have with me a copy of the Supreme Court judgment. They have studied the whole scheme of the Army Act and they have never disapproved of that scheme. They say :

"The scheme of the Act therefore is self-evident. It applies to offences committed by army personnel described in section 2 of the Act; it creates new offences with specified punishments, imposes higher punishments to pre-existing offences, and enables civil offences by a fiction to be treated as offences under the Act; it provides a satisfactory machinery for resolving the conflict of jurisdiction. Further it enables, subject to certain conditions, an accused to be tried successively both by court-martial and by a criminal court. It does not

[Shri Jaisukhlal Hathi.]

expressly bar the jurisdiction of criminal courts in respect of acts or omissions punishable under the Act, if they are also punishable under any other law in force in India; nor is it possible to infer any prohibition by necessary implication. Sections 125, 126 and 127 exclude any such inference, for they in express terms provide not only for resolving conflict of jurisdiction between a criminal court and a court-martial in respect of the same offence but also provide for successive trials of an accused in respect of the same offence."

Therefore if a person commits a crime against the society and if the Government finds that in the particular case the sentence by the court-martial is not adequate there is provision here to see that he is duly punished. It does not also bar the jurisdiction of the ordinary courts. Therefore let us not think that they are exclusively being tried under the Army Act and they will not be subject to the jurisdiction of the criminal courts.

The other point that Mr. Chatterjee made was that this amendment was being brought under pressure from somebody and if I heard him right he used the expression 'pressure from America'. I am not quite sure whether . . .

SHRI A. P. CHATTERJEE : I did not say that this was brought under pressure from America but I said that as they were submitting to pressures from America on other things they were submitting to pressure from the military in this respect.

SHRI B. N. ANTANI : He means pressure from the military.

SHRI JAISUKHLAL HATHI : So what you said was irrelevant here; that is what you are accepting. I am sorry I misunderstood you and I am glad that you have clarified it now.

I say it is not pressure from the military; as I said in the very beginning itself

it is consideration for the military personnel. When they are in active service in distant parts of the country in the borders, to bring them here for trial all the way would be a hardship for them. That

is the position; let us be clear 4 P.M. about it. That does not mean that we are doing something to placate these military personnel or armed personnel. These people should get justice and we should see that they also live as people in the civilian society. The theme of the Army Act itself is that. I quoted from the Supreme Court judgment. The whole theme of the Army Act is that it creates certain offences which are termed as civil offences. It also tries to resolve the conflict of jurisdiction between court-martial and the ordinary courts. Here the only thing that we are doing is that we are amending the exclusive jurisdiction of the Special Judge. That does not mean that the ordinary criminal courts will not have any jurisdiction. In fact, if he reads it, being a very eminent lawyer, he will find that if there are grave offences against society like murder, etc., these are to be tried by ordinary courts. Therefore, it is not in order to create compartments between the civil and the military that this amending Bill is being brought forward. Nor is it intended to circumvent the jurisdiction of the Supreme Court. The officer here was tried by an ordinary court and he took the plea that he could only be tried by court-martial. The Supreme Court has decided in the case of Major Barsay that under section 7 of the Criminal Law Amendment Act, which says that notwithstanding anything contained in any other Act, etc., these offences shall be tried by a Special Judge only. Therefore, although here there is a conflict, the Army Act says these are civil offences. They have termed them as civil offences, i.e. :—

"Subject to the provisions of section 70, any person subject to this Act who at any place in or beyond India commits any civil offence shall be deemed to be guilty of an offence against this Act and, if charged therewith under this section, shall be liable to be tried by a court-martial . . . "

Now, all the civil offences shall be punishable as follows :—

“(a) if the offence is one which would be punishable under any law in force in India with death or with transportation he shall be liable to suffer any punishment, other than whipping, assigned for the offence, by the aforesaid law and such less . . . ”

Therefore, in the case of punishment also there is no such distinction. But as he said rightly, any offence against society is a serious offence. We know that there are certain offences which are punishable with death or imprisonment. They may not be connected with the official duty. Here we have to see whether the offence is bribery or corruption or illegal gratification arising out of an official transaction which they have to do in their official capacity. That is something different. But if they commit any other act such as murder, etc. they will not be tried by a court-martial. That is also provided here. I would like to make it clear. Section 70 says :

“A person subject to this Act who commits an offence of murder against a person not subject to military, naval or air force law, or of culpable homicide not amounting to murder against such a person or of rape in relation to such a person, shall not be deemed to be guilty of an offence against this Act and shall not be tried by a court-martial . . . ”

Therefore, it is not that we are creating something. We are only providing for these offences of corruption or bribery done in their official capacity or it may not be in their official capacity. So, we are simply providing that they can be tried by a court-martial. i.e., the exclusive jurisdiction is being taken away.

So far as the distinction is concerned, perhaps Mr. Chatterjee knows that even the Constitution provides that we can make such distinctions between the Armed Forces and civilians for certain purposes. It is there in article 33 or so and the very fact that the Army Act provides for a separate trial is enough to show that it

can be done. I need not go into the position of law. As I said, this is no discrimination. Of course, one thing is there. We are giving certain facilities. If Mr. Chatterjee feels that they are touchy and we are feeding their sentiments, he may think so, but it is not from that point of view. It is from the point of view of convenience and for speedy trials that we are bringing forward this measure. I have tried to convince Mr. Chatterjee. I thank, Dr. Antani for welcoming the Bill.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : The question is :

“That the Bill further to amend the Criminal Law Amendment Act, 1952, as passed by the Lok Sabha, be taken into consideration.”

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : We shall now take up the clause-by-clause consideration of the Bill.

*Clauses 2 to 6 were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI JAISUKHLAL HATHI : Sir, I move :

“That the Bill be passed.”

*The question was put and the motion was adopted.*

### THE APPROPRIATION (No. 3) BILL, 1966

THE DEPUTY MINISTER IN THE  
MINISTRY OF FINANCE (SHRI L. N.  
MISHRA) : Sir, I beg to move :

“That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1966-67, as passed by the Lok Sabha, be taken into consideration.”