

COUNCIL OF STATES

Friday, 27th November 1953

The Council met at half past one of the clock, MR. CHAIRMAN in the Chair.

MEMBER SWORN

DR. P. V. KANE (Nominated).

PAPERS LAID ON THE TABLE

(1) THE PEPSU GENERAL CLAUSES ACT, 1953.

(2) THE PEPSU TENANCY AND AGRICULTURAL LANDS ACT, 1953.

THE MINISTER FOR HOME AFFAIRS AND STATES (DR. K. N. KATJU): Sir, I lay on the Table a copy of each of the following Acts under sub-section (3) of section 3 of the Patiala and East Punjab States Union Legislature (Delegation of Powers) Act, 1953:—

(i) The Patiala and East Punjab States Union General Clauses Act, 1953. [Placed in Library, see No. S-171/53.]

(ii) The Patiala and East Punjab States Union Tenancy and Agricultural Lands Act, 1953. [Placed in Library, see No. S-172/53.]

STATEMENTS SHOWING ACTION TAKEN ON ASSURANCES, PROMISES AND UNDERTAKINGS GIVEN DURING THE LAST FOUR SESSIONS OF THE COUNCIL.

THE MINISTER FOR LAW AND MINORITY AFFAIRS (SHRI C. C. BISWAS): Sir, in the absence of Shri Satya Narayan Sinha, I beg to lay on the Table the following statements showing the action taken by the Government on the various assurances, promises and undertakings given during the sessions shown against each:—

(i) Supplementary Statement No IV.—First Session, 1952, of the Council of States. [See Appendix VI, Annexure No. 23.]

95 C.S.D.

(ii) Statement No. VI.—Second Session, 1952, of the Council of States. [See Appendix VI, Annexure No. 24.]

(iii) Supplementary Statement No. V.—Third Session, 1953, of the Council of States. [See Appendix VI, Annexure No. 25.]

(iv) Consolidated Statement.—Fourth Session, 1953, of the Council of States. [See Appendix VI, Annexure No. 26.]

RESOLUTION RE APPOINTMENT OF A COMMITTEE TO EXAMINE THE PROVISIONS OF THE CODE OF CRIMINAL PROCEDURE AND THE INDIAN PENAL CODE.

SHRI M. P. N. SINHA (Bihar): Sir, I move:

“That this Council is of opinion that the Government of India should appoint a committee consisting of official and non-official members of both Houses of Parliament, with the Minister for Home Affairs as Chairman, to examine the relevant provisions of the Code of Criminal Procedure and the Indian Penal Code and to suggest amendments, where necessary, for ensuring speedy disposal of criminal cases.”

Sir, my Resolution is quite clear. In bringing forward this Resolution I had in my mind the experience which we in India have gained for the last several years during the course of which we have been independent. We have found on experience that the administration of justice, which is the main stake of a government, is not what it ought to be at present. There have been instances where cases have been kept pending for years, and there have been instances where cases have been so conducted that there has been miscarriage of justice. Speaking on the Resolution, we have found that owing to certain provisions in the Criminal Procedure Code things which should have been expeditiously finished, take a long time to complete. Take, for example,