

श्री सभापति: कृपया आप बैठ जाइए।

डा. महेश शर्मा: मैं आपके concern पर अपनी सहमति ज़ाहिर करता हूँ, लेकिन एफ आई आर दर्ज करने से पहले उस पर पूरी जांच हो जाए। जांच होने के बाद अगर एफआईआर दर्ज करके हम आगे की कार्रवाई करेंगे, तो शायद बेहतर होगा। ...(व्यवधान)...

श्री जावेद अली खान: सर ...(व्यवधान)...

श्री सभापति: जावेद साहब, कृपया आप बैठ जाइए। ...(व्यवधान)...

श्रीमती कहकशां परवीन: एफआईआर दर्ज क्यों नहीं की जा रही है? ...(व्यवधान)...

श्री सभापति: कृपया आप बैठ जाइए। ...(व्यवधान)...

श्रीमती कहकशां परवीन: अगर कमेटी तय करेगी ...(व्यवधान).... यह अल्पसंख्यकों के साथ अन्याय है। ...(व्यवधान).... यह औरतों के साथ अन्याय है। ...(व्यवधान)...

MR. CHAIRMAN: Please sit down. ..(Interruptions).. Question 201.

Amendment to Indian Penal Code

*201. SHRIMATI NAZNIN FARUQUE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Ministry is considering to recommend or has recommended any amendment in the Indian Penal Code as it contains some archaic laws;

(b) if so, the details thereof, and if not, the reasons therefor;

(c) whether the Ministry has made some recommendations in this regard; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) to (d) Amendment in the criminal justice system is a continuous process to make the law in sync with the social changes. Amendments in the Indian Penal Code (IPC) and the Code of Criminal Procedure (CrPC) are carried out from time to time based on the recommendations of the Law Commission of India, various Court judgments and the reports of any other committees specially constituted for the purpose. The Departmental Related Parliamentary Standing Committee in its 146th Report dated June 2010 had observed that there should be a comprehensive review of the criminal justice system and introduction of composite draft legislation for revamping of the criminal justice system in the country.

Government is committed to bring in progressive changes in the criminal justice system according to the need and a broad consensus on the proposed changes.

SHRIMATI NAZNIN FARUQUE: Sir, through you, I would like to know whether the Ministry is considering to recommend or has recommended any amendment in the Indian Penal Code as it contains some archaic laws. If so, the details thereof; and if not, the reasons thereof.

SHRI KIREN RIJIJU: Yes, Sir. There are various proposals which are under consideration for amendment in the CrPC and IPC. Some of the important proposals under consideration I would like to read out in this august House. There is a proposal to decriminalize attempt to suicide. There is a section 309 under IPC. The Law Commission has already recommended this in the report 'Humanisation and Decriminalization of Attempt to Suicide'. There is another important proposal under consideration which is in the Report 'Legal Reforms to Combat Road Accidents'. This was a concern raised by various Members. So, this is amendment of Section 279 for rash and negligent driving and 304(a) causing death by negligence. These are the reasons where there are a lot of cases of death due to road accidents in India. Besides that, there are certain proposals which are a little bit controversial. But we all know that the matter has come up in this august House from time to time. If and when there are some final steps to be taken, we will definitely inform this House again.

SHRIMATI NAZNIN FARUQUE: Sir, through you, I want to know this again. My supplementary question is: Is the Government considering to abolish Section 377 which is also an archaic law in Indian Penal Code?

SHRI KIREN RIJIJU: Sir, regarding Section 377, as we all know, it has been widely discussed and the matter is in the Supreme Court. So, at this point of time, it being *sub judice* and Supreme Court scrutinizing the issue, I would rather not comment on that Section.

SHRI TIRUCHI SIVA: Sir, considering the fact that merely making amendments in IPC and CrPC is not suffice to cope up with the existing scenario in the society, would the Government consider of having a comprehensive review of the criminal justice system and introduction of a composite draft legislation for revamping the criminal justice system in the country?

SHRI KIREN RIJIJU: Sir, as for criminal justice system, as we all know, there is a certain dynamism in it. It is a continuous process and it takes into account, in sync with the time, the progress and the nature of society it evolves with. There have been various recommendations; as I have mentioned in the beginning of another related question also, that 42nd recommendation of the Law Commission and 156th recommendation also have agreed that there has to be a comprehensive review of

the various criminal laws in this country, especially, CrPC and IPC. This Ministry of Home Affairs is considering it actively. The persuasion is also being adopted and I hope that, as soon as possible, Law Commission will take it into account and a comprehensive draft will be available before us.

SHRI ANANDA BHASKAR RAPOLU: Respected Chairman, justice delayed is justice denied. The speed of delivery of justice is indication of satisfaction of the citizens of any nation. In our country, after Macaulay reforms, we are still in the process of codification of either Penal Code or the Criminal Procedure Code. The Law Commission has its own exorbitant task to look after, and several proposals are pending before the Union Government. Several nations are adopting to have Code Evaluation Commissions on a regular basis. Does our Government intend to have a Code Evaluation Commission to look into the reformation of the Penal Code and Criminal Procedure Code as well as the Cyber Security Act so that the speedy delivery of the justice can be possible in the country? Thank you, Sir.

SHRI KIREN RIJJU: Sir, this Government, after coming to the position, have taken various steps to ensure that all the piled up cases, which are spread over across the country, are dealt with effectively. There is a National Legal Reforms Committee headed by the Law Minister, where I am also the Vice-Chairman. We have already had three sittings. Besides that, the Law Minister has written to Chief Justices of various High Courts also to ensure the speedy disposal of the cases. The Home Minister has also written to various Chief Ministers. This is a very big issue. But we definitely share the concern raised by the hon. Member that there should be no delay, whatsoever, in terms of delivery of justice

Statutory Development Board for Konkan region

*202. DR. BHALCHANDRA MUNGEKAR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government has plans to constitute a Statutory Development Board for the Konkan region as unanimously recommended by the Maharashtra Legislature;

(b) if so, the time-frame for the same; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIBHAI PARTHIBHAI CHAUDHARY): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) No such proposal is under consideration at present.

(b) Does not arise.