

**JOINT /SELECT
COMMITTEE REPORTS OF
LEGISLATIVE ASSEMBLY -
1949**

**The Indian Judicial
Procedure Bill, 1948**

List of Reports of Select Committees presented
to the Constituent Assembly of India
(Legislative) in 1949.

S. No.	Short title of the Bill.	Date of presen- tation.	Date of publica- tion.
1.	The Banking Companies Bill, 1948.	1.2.49.	26.2.49.
2.	The Payment of Taxes (Transfer of Property) Bill, 1948.	10.2.49.	26.2.49.
3.	The Public Companies (Limita- tion of Dividends) Bill, 1949.	21.2.49.	16.4.49.
4.	The Chartered Accountants Bill, 1948.	1.3.49.	12.3.49.
5.	The Central Tea Board Bill, 1949.	1.3.49.	12.3.49.
6.	The Indian Penal Code and the Code of Criminal Procedure (Amendment) Bill, 1947.	21.3.49.	16.4.49.
7.	The Ajmer-Merwara Tenancy and Land Records Bill, 1948.	21.3.49.	16.4.49.
8.	The Indian Finance Bill, 1949.	25.3.49.	2.4.49.
9.	The Hindu Marriages Validity Bill, 1948.	25.3.49.	2.4.49.
10.	The Child Marriage Restraint (Amendment) Bill, 1947.	25.3.49.	2.4.49
11.	The Estate Duty Bill, 1948. (FINAL REPORT)	31.3.49.	16.4.49
12.	The Indian Railways (Amendment) Bill, 1949.	28.11.49.	3.12.49
13.	<i>The Indian Judicial Procedure Bill, 1948</i>	<i>28.11.49</i>	<i>3.12.49</i>
14.	The Delhi Road Transport Authority Bill, 1949.	12.12.49.	24.12.49
15.	The Taxation Laws (Extension to Merged States and Amendment) Bill, 1949.	16.12.49.	24.12.49

THE CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

REPORT OF THE SELECT COMMITTEE ON THE INDIAN JUDICIAL PROCEDURE BILL.

WE, the undersigned, members of the Select Committee, to which the Bill to clarify and modify the law in practice hitherto followed in Criminal applications for special leave to appeal to His Majesty in Council for Criminal cases decided by the Indian Courts was referred, have considered the Bill (copy annexed) and have now the honour to submit this our Report.

2. In our opinion, the passing of the Abolition of Privy Council Jurisdiction Act, 1949 (Constituent Assembly Act No. V of 1949), which covers the subject matter of this Bill and which has already come into force, has rendered further consideration of this Bill unnecessary, and we recommend that the mover of the Bill be granted permission to withdraw the Bill.

3. The Bill was published in Part V of the *Gazette of India*, dated the 6th of March, 1948.

THAKUR DAS BHARGAVA
G. DURGABAI
TEK CHAND
C. SUBRAMANIAM,
BRAJESHWAR PRASAD
NAZIRUDDIN AHMAD
UPENDRA NATH BARMAN
L. KRISHNASWAMI BEARATHI,
FRANK ANTHONY
M. ANANTHASAYANAM AYYANGAR
MUKUT BIHARI LAL BHARGAVA

NEW DELHI;
The 28th November, 1949.

BILL

to clarify and modify the law in practice hitherto followed in Criminal applications for special leave to appeal to His Majesty in Council for Criminal cases decided by the Indian Courts.

WHEREAS it is expedient to clarify and modify the law in practice hitherto followed in criminal applications for special leave to appeal to His Majesty in Council for criminal cases decided by the Indian Courts.

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Indian Judicial Procedure Act, 194 .

(2) It shall come into force at once.

2. Criminal Appellate Jurisdiction of Privy Council to be transferred to Federal Court.—(1) Whereas His Majesty in Council has for the exercise of its criminal jurisdiction to advise His Majesty on the subject of criminal applications from India granting leave to hear applications and appeals in all criminal cases from British India, and whereas it is now necessary that this law in practice should be transferred over to the Federal Court of India, it is hereby declared that all applications of the kind and character made to His Majesty's Judicial Committee of the Privy Council shall hereafter be made to and heard by the Federal Court.

(2) The procedure and practice in vogue in the said His Majesty's Judicial Committee of the Privy Council, which shall cease to exercise the jurisdiction it has hitherto exercised, shall be followed in all such cases.

THE CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

Report of the Select Committee on the Bill to clarify and modify the law in practice hitherto followed in Criminal applications for special leave to appeal to His Majesty in Council for Criminal cases decided by the Indian Courts, with the Bill as considered.

(As considered by the Select Committee)