

Sixteenth Lok Sabha

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Title: Need to amend the British era laws and ensure justice for all.

SHRI RAMCHANDRA HANSDAH (MAYURBHANJ): Thank you, Respected Madam. ...  
(Interruptions)

It is a welcome step that the Central Government has, in-principle, agreed to setup 12 special courts in different parts of our country to fast-track criminal cases against the law-makers. ...  
(Interruptions)

**माननीय अध्यक्ष :** मैं जिसका नाम ले रही हूँ, केवल वही रिकार्ड में जाएगा।

... (Interruptions \*)

SHRI RAMCHANDRA HANSDAH: Madam, you know that the judiciary of the country is still accentuated more by the archaic British-era Criminal Procedure Code (CrPC) where traditionally, prosecution agencies are given more importance in the justice-delivery system than the defence. ...  
(Interruptions)

There are some anomalies in the CrPC of 1860 as well. Though, Section 167 has in a way mandated for time-bound completion of investigation by submitting charge-sheet of a case, Section 173 (8) on the contrary allows it to be open for further investigation, which is surprisingly not closed even after final verdicts of the cases come up in the trial courts. ... (Interruptions)

In such circumstances, when a people's representative is arraigned in a false and trumped-up case, and the judiciary being misled by the prosecution agencies becomes highly prejudicial against the accused for being a politician, he has to languish in jail for an indefinite period. ... (Interruptions) It not only curtails the fundamental right to life and liberty guaranteed under Article 21 of our Constitution, but also deprives the people he represents from their grievances being placed at the appropriate forums for redressal, which otherwise is required to be done by this elected representative. ... (Interruptions).

I would like to draw the attention of the Law Commission and the Ministry of Law and Justice to such anomalies in the British rule. The same should be done away with by tweaking appropriate laws of the criminal justice system so that irrespective of whether somebody is a lawmaker or a common citizen, justice could be ensured for all.

HON. SPEAKER:

Shri Kunwar Pushpendra Singh Chandel is allowed to be associated with the issue raised by Shri Ramchandra Hansdah.