

**Mr. Deputy-Speaker:** The question is:

"The Bill, as amended, be passed."

The motion was adopted.

## PROBATION OF OFFENDERS BILL

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** I beg to move:<sup>a</sup>

"That the Bill to provide for the release of offenders on probation or after due admonition and for matters connected therewith, be taken into consideration."

**Shri Tangamani (Madurai):** May I know how much time has been allotted for this Bill?

**Mr. Deputy-Speaker:** No decision has yet been taken. It is to be decided tomorrow.

**Shri Datar:** So, what is the suggestion?

**Shri Easwara Iyer (Trivandrum):** This being a very important Bill and of a novel character, at least four hours may be allotted.

**Mr. Deputy-Speaker:** It is for the Business Advisory Committee to decide, and then it would be put before the House also.

**Shri Tangamani:** One full day may be necessary.

**Mr. Deputy-Speaker:** Perhaps before the Business Advisory Committee meets this might be discussed also. So, the House is empowered to decide it. According to the sense of the House we will fix the time. The proposal made was that four hours be allocated.

**Shri Narayanankutty Menon (Mukandapuram):** Four hours for the first reading. It is a very important Bill.

**Pandit Thakur Das Bhargava:** I would suggest that unless the Bill is sent to the Select Committee or for eliciting public opinion, at least two days should be given. It is a very important Bill.

**Mr. Deputy-Speaker:** I recollect that there will be tomorrow non-official business also. Therefore, we have to continue up to 2-30. Then the Committee will have time to consider and make a recommendation, and it will be placed before the House and then hon. Members can urge their proposals. Even in the Business Advisory Committee the representatives of all parties would be there and they can press their viewpoints.

**Shri Datar:** This Bill is based on certain principles relating to the reform of reformation of guilty persons. The ordinary law is that when a man commits an offence and is convicted, either he is sent to jail or he is fined. This was as a result of one approach which was that whenever a man commits an offence he ought to be placed behind the prison bars for a certain period so that society might not have the disadvantage of further criminal acts by him. This can be called the deterrent aspect of imprisonment, but there are other aspects also to which our attention has been drawn, and this question has been considered not only in India but by the United Nations Organisation also.

On a number of occasions the Inspectors-General of Prisons in the various States have met. From 1925 onwards there were a number of meetings and the Inspectors-General who are in close touch with the life of the convict behind the prison bars found that oftentimes the particular rigour to which the convict has been subjected or the life that he leads there produces certain results other than those expected. The expected result would be that the man must reform himself, and that after he comes out of jail, he ought to lead a reformed life, he ought to return to

<sup>a</sup>Moved with the recommendation of the President.

[Shri Datar]

the proper or social life to which every citizen has to confine himself. But oftentimes on account of the long period behind the prison bars, the man does not improve; on the other hand, he shows certain signs of a deterioration or worse results. That was the reason why it was considered necessary that the question of prison reform or the question of the reform of the convict or the prisoner ought to be considered not only from the point of view of the administration as such, not only from the point of view of its having a deterrent effect upon him, but also from the point of view of improving this particular man, namely the convict.

The principle that is followed in this connection is that a man becomes a criminal on account of certain circumstances or on account of certain tendencies, which are anti-social

and which are criminal, so far as he is concerned. So the way to reform him and to bring him back to human standards is to find out certain items of reform by means of which he would become a good man, and after some time, he would become a better man.

These are the two standards that we have taken into account.

**Mr. Deputy-Speaker:** I am sure the Minister has much to say yet.

**Shri Datar:** Yes.

**Mr. Deputy-Speaker:** Then, he may continue tomorrow.

17.00 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Friday, the 15th November, 1957.*