

**Bill No. XXIX of 2006**

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT)  
AMENDING BILL, 2006

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BILL

*further to amend the Code of Criminal Procedure (Amendment) Act, 2005.*

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Code of Criminal Procedure (Amendment) Amending Act, 2006. Short title.

5        2. In the Code of Criminal Procedure (Amendment) Act, 2005, in section 1, in sub-section (2), after the words “by notification in the Official Gazette, appoint”, the words “; and different dates may be appointed for different provisions of this Act” shall be inserted. Amendment of section 1 of Act 25 of 2005.

## STATEMENT OF OBJECTS AND REASONS

Sub-section (2) of section 1 of the Code of Criminal Procedure (Amendment) Act, 2005 (25 of 2005) provides that save as otherwise provided the provisions of the Act shall come into effect on the date on which the Central Government may appoint through a notification. Section 3 of the said Act provides that the amendments to section 24 shall be deemed to have come into force retrospectively with effect from the 18th day of December, 1978. For remaining provisions, issue of the said notification bringing the Act into force has been kept in abeyance because a number of representations from various lawyers' organisations, mainly from the State of Tamil Nadu, were received protesting against some of the provisions of the Act.

2. Different provisions of the Act cannot be brought into force on different dates in the absence of a specific provision to that effect. Considering the fact that the Code of Criminal Procedure (Amendment) Act, 2005 contains several important provisions for streamlining and reforming the law of criminal procedure, it is felt that withholding implementation of the said Act due to only a few controversial provisions is not proper. Accordingly, it has been decided to give effect to those provisions of the Act which have not been objected to by a large section.

3. Therefore, it is necessary to amend sub-section (2) of section 1 of the Code of Criminal Procedure (Amendment) Act, 2005 to empower the Central Government to notify different dates for implementation of various provisions of the said Act.

4. The Bill seeks to achieve the above objective.

SHIVRAJ V. PATIL.

NEW DELHI;  
12th March, 2006.

ANNEXURE

EXTRACT FROM THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) ACT, 2005

(25 OF 2005)

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**1. (1)** \* \* \* \* \*

Short title and commencement.

(2) Save as otherwise provided in this Act, it shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

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RAJYA SABHA

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further to amend the Code of Criminal Procedure (Amendment) Act, 2005.

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*(Shri Shivraj Vishwanath Patil, Minister of Home Affairs)*