

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:302

ANSWERED ON:21.02.2006

INTERROGATION SYSTEM

Chavda Shri Harisinh Pratapsinh;Thummar Shri Virjibhai

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government has studied the prevailing provisions with regard to the system of interrogation, inquiry and litigation in criminal cases;

(b) if so, the results thereof; and

(c) the action taken by the Government in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY)

(a) to (c): A statement is attached.

STATEMENT AS REFERRED TO IN REPLY TO LOKSABHA UNSTARRED QUESTION NO. 302 FOR 21ST FEBRUARY 2006 BY SHRI V.K. THUMMAR, M.P. REGARDING INTERROGATION SYSTEM

(a) to (c): The Committee which was set up by the Government, under the Chairmanship of Justice V.S. Malimath to consider measures to revamp the Criminal Justice System, was mandated, inter alia, to make specific recommendations on simplifying judicial procedures and practices and for making the delivery of justice to the common man closer, faster, uncomplicated and inexpensive and to suggest ways and means of developing such synergy among the Judiciary, the Prosecution and the Police as to restore the confidence of the common man in the Criminal Justice System by protecting the innocent and the victims and by punishing unsparingly the guilty and the criminal.

The Committee made various recommendations to improve the quality of investigation, like separation of Investigation Wing from Law and Order Wing, strengthening of training infrastructure, audio/video recording of statement of witnesses, mandatory use of forensic science and modern technology right from the commencement of investigation etc.

With regard to interrogation, the Committee recommended that interrogation centers should be setup at the District Headquarters in each District where they do not exist and strengthen where they exist with the facilities like tape-recording, videography or photography etc.

Advisories were issued to State Governments with regard to those recommendations, which were to be implemented through administrative measures.

As regards those recommendations, which require amendment to various laws, views/comments of State Governments/UT Administrations have been sought as the Criminal Law and the Criminal Procedure are on the Concurrent List of the Seventh Schedule to the Constitution of India. Views/Comments from many States/UT Administrations are still awaited.