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PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 1165-L.—16th July, 2018.—The Governor having been pleased to order, under rule 66 of the Rules

of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Kolkata Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 15 of 2018

**THE CODE OF CRIMINAL PROCEDURE (WEST BENGAL
AMENDMENT) BILL, 2018.**

**A
BILL**

to amend the Code of Criminal Procedure, 1973, in its application to the State of West Bengal.

WHEREAS it is expedient to amend the Code of Criminal Procedure, 1973, in its application to the State of West Bengal, for the purposes and in the manner hereinafter appearing;

2 of 1974.

It is hereby enacted in the Sixty-ninth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title and commencement.

1. (1) This Act may be called the Code of Criminal Procedure (West Bengal Amendment) Act, 2018.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

*The Code of Criminal Procedure (West Bengal
Amendment) Bill, 2018.*

(Clauses 2, 3.)

Application of
the Act.

2. The Code of Criminal Procedure, 1973 (hereinafter referred to as the principal Act) shall, in its application to West Bengal, be amended for the purposes and in the manner hereinafter provided.

Amendment of
section 24 of Act
2 of 1974.

3. In section 24 of the principal Act,—

- (1) in sub-section (1), for the words “For every High Court, the Central Government or the State Government shall, after consultation with the High Court, appoint”, the words “For every High Court, the Central Government, after consultation with the High Court, or the State Government, shall appoint” shall be substituted;
- (2) in sub-section (4), for the words “The District Magistrate shall, in consultation with the Sessions Judge”, the words “The State Government shall” shall be substituted;
- (3) for sub-section (5), the following sub-section shall be substituted:—

“(5) No person shall be appointed by the State Government as the Public Prosecutor or Additional Public Prosecutor for the district unless his name appears in the panel of names prepared by the State Government under sub-section (4)”;
- (4) sub-section (6) shall be omitted;
- (5) in sub-section (7), for the words, figures and brackets “sub-section (3) or sub-section (6)”, the words, figure and brackets “sub-section (3)” shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

It is considered necessary and expedient to amend section 24 of the Code of Criminal Procedure, 1973, in order to making the appointment and empanelment of the Public Prosecutors (including Additional Public Prosecutors) in the High Court and in every district, respectively, through a single window system so as to lessen the process and time consumption of appointment of Public Prosecutors (including Additional Public Prosecutors) in the High Court and in every district, respectively and in order to introducing a central system in the public interest with regard to the appointment of Public Prosecutors (including Additional Public Prosecutors) so as to ensuring the justice delivery system without halt and the effective monitoring of

*The Code of Criminal Procedure (West Bengal
Amendment) Bill, 2018.*

the appointment of Public Prosecutors (including Additional Public Prosecutors) and also monitoring the process of cases so that no case on behalf of the State is unrepresented before any legal forum.

2. The Bill has been framed with the above objects in view.
3. There is no financial implication involved in the Bill.

KOLKATA,
The 16th July, 2018.

MOLOY GHATAK,
Member-in-Charge.

By order of the Governor.

SANDIP KUMAR RAY CHAUDHURI,
*Secy. to the Govt. of West Bengal,
Law Department.*