

# Special Tribunals (Supplementary Provisions) Repeal Act, 2004

February 15, 2013

## **SPECIAL TRIBUNALS (SUPPLEMENTARY PROVISIONS) REPEAL ACT, 2004<sup>1</sup>**

**[No. 28 OF 2004]**

[December 24, 2004]

An Act to repeal the Special Tribunals (Supplementary Provisions) Act, 1946

Be it enacted by Parliament in the Fifty-fifth Year of the Republic of India as follows:-

**Prefatory Note-Statement of Objects and Reasons.**-The Commission on Review of Administrative Laws constituted by the Central Government had, inter alia, recommended repeal of the Special Tribunals (Supplementary Provisions) Act, 1946 (26 of 1946).

2. The Special Tribunals (Supplementary Provisions) Act, 1946 was enacted to make certain provisions in relation to sentences and orders passed by Special Tribunals constituted under the Criminal Law Amendment Ordinance, 1943 (Ord. XXIX of 1943) on cessation of functioning of such Tribunals. These Special Tribunals were constituted to provide for more speedy trial and more effective punishment of certain offences punishable under the Indian Penal Code involving certain public servants specified in the Schedule to the aforesaid Ordinance.

3. No Special Tribunal constituted under the Criminal Law Amendment Ordinance, 1943 is in existence now. The orders or sentences passed by the said Special Tribunals, would have been acted upon and sentences served by now. The enabling Criminal Law Amendment Ordinance, 1943 has also been repealed by the Repealing and Amending Act, 1957 (36 of 1957). Section 3 of the Prevention of Corruption Act, 1988 (49 of 1988) empowers the Central Government and the State Governments to appoint as many Special Judges as necessary to try and offence punishable under that Act and the offences involving public servants, referred to in the Schedule to the Criminal Law Amendment Ordinance, 1943, have been incorporated in the Prevention of Corruption Act, 1988. As the Special Tribunals (Supplementary Provisions) Act, 1946 has thus outlived its utility, it is no longer required to be kept in the statute book. It is, therefore, proposed to repeal the Special Tribunals (Supplementary Provisions) Act, 1946.

4. The Bill seeks to achieve the above objects.

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**1. Received the assent of the President on December 24, 2004 and published in the Gazette of India, Extra., Part II, Section I, dated 27th December, 2004, p. I, No. 41**

## **1. Short title**

This Act may be called the Special Tribunals (Supplementary Provisions) Repeal Act, 2004.

## **2. Repeal of Act 26 of 1946.**

The Special Tribunals (Supplementary Provisions) Act, 1946 is hereby repealed.




