



# Standing Committee Report Summary

## The Repatriation of Prisoners (Amendment) Bill, 2010

- The Department-Related Parliamentary Standing Committee on Home Affairs submitted its 147<sup>th</sup> Report on 'The Repatriation of Prisoners (Amendment) Bill, 2010' on November 10, 2010. The Chairperson was Shri Venkaiah Naidu.
- The Bill seeks to amend the Repatriation of Prisoners Act, 2003. The Act allows foreign prisoners to be transferred to the country of their origin to serve the remaining part of their sentence, and prisoners of Indian origin convicted by foreign courts to serve their sentence in India.
- The Act sets certain conditions to be met for the repatriation of a prisoner from one country to another. Among these is the condition that the "prisoner has not been convicted for an offence under the martial law."
- The Bill seeks to amend the Act by substituting the words "martial law" with the words "military law". In testimony to the Committee, the Home Secretary noted that the words "martial law" are not relevant in the Indian context and are present in the Act as a result of clerical error. The Home Secretary explained that 'military law' means the law applicable to Armed Forces, and 'martial law' is the law which is declared by the Army when it takes over a country.
- Noting that the term "martial law" in the original Act is undesirable, the Committee concurred with the proposed Amendment.

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