

THE ORISSA



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PART VI

Bills introduced into the Council of the Governor General of India and
Bills published before introduction in that Council

LAW, COMMERCE AND LABOUR DEPARTMENT

NOTIFICATION

The 11th May 1943

The following Bill as introduced in the Central Legislative Assembly is republished for general information. Any person or public body desiring to submit an opinion on the Bill should do so through the Provincial Government only and any opinion thereon which is submitted direct to the Central Legislative Assembly Department or to any other Department of the Government of India will not be accepted.

By order of the Governor
N. NANDA

Assistant Secretary to Government

A

BILL

to abolish the punishment of Whipping.

WHEREAS the punishment of Whipping has come to be regarded as a relic of less civilised times, it is expedient to abolish it altogether; it is hereby enacted as follows:—

Short title and extent

1. (1) This Act may be called the Abolition of Whipping Act, 1943.

(2) It extends to the whole of British India, inclusive of British Baluchistan and the Sonthal Parganas.

Whipping on illegal punishment

2. Notwithstanding anything contained in any Act or Rules or other provision having the force of law; whipping is not a legal punishment in British India.

Repeal of Act IV of 1909

3. The Whipping Act, 1909, is hereby repealed.

IV of 1909

STATEMENT OF OBJECTS AND REASONS

Whipping as a legal punishment is a relic of barbarous days and lowers both the Government who suffer it to be inflicted on offenders, and the people who endure it in the scale of civilized humanity. Nearly all civilized Governments have abolished it altogether and where it is retained, it is reserved for extremely heinous offences attended with revolting cruelty. The Whipping Act

No. IV of 1939 prescribes whipping for the pettiest of offences no less than for a few grave offences. Whipping is quite frequently resorted to in petty cases of theft, etc., and is often attended by extreme barbarity and excruciating bodily pain. The object of this Bill is to abolish whipping as a legal punishment.

MOHD. AHMAD KAZMI