

HARYANA VIDHAN SABHA

Bill No. 16— HLA of 2025

**THE HARYANA (EXCHANGE OF PRISONERS) REPEAL
BILL, 2025**

A

BILL

to repeal the Haryana (Exchange of Prisoners) Act, 1948.

Be it enacted by the Legislature of the State of Haryana in the Seventy-sixth Year of the Republic of India as follows:-

1. This Act may be called the Haryana (Exchange of Prisoners) Repeal Act, 2025. Short title.

2. The Haryana (Exchange of Prisoners) Act, 1948, is hereby repealed. Repeal of
Punjab Act 13
of 1948.

3. The repeal by this Act shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to; Savings.

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand or any indemnity already granted or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law or established jurisdiction, form or course of pleading, practice or procedure or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, in or from the Act hereby repealed;

nor shall the repeal of the Act revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

STATEMENT OF OBJECTS AND REASONS

Whereas, in pursuance of an agreement with Pakistan for the exchange of prisoners, for the transfer of certain prisoners from India to Pakistan and the reception in India of certain prisoners from Pakistan, the East Punjab (Exchange of Prisoners) Act, 1948 (Punjab Act No. 13 of 1948) was enacted. After about two years of the partition of India and Pakistan as well as after passing of 'The East Punjab (Exchange of Prisoners) Act, 1948 (Punjab Act No. 13 of 1948)', majority of the prisoners stood transferred. On account of creation of State of Haryana vide Punjab Reorganization Act, 1966, the East Punjab (Exchange of Prisoners) Act, 1948 was made applicable in the State of Haryana. The words 'East Punjab' in the title at said Act has been replaced with the words 'Haryana' vide Govt. notification dated 7 July, 2021. For the purpose of providing a contingency for transfer of prisoners from one state to another within India, the Transfer of Prisoners Act, 1950 (29 of 1950) was enacted and the Haryana Prisons Rules, 2022 have also been framed in the State of Haryana. Now, the Haryana (Exchange of Prisoners) Act, 1948 has become redundant. Haryana State Law Commission in its recommendation dated 25.01.2023 has recommended that this Act i.e. The Haryana (Exchange of Prisoners) Act, 1948 (Punjab Act No. 13 of 1948) may be repealed. Therefore, the Haryana (Exchange of Prisoners) Repeal Bill, 2025 is hereby proposed to repeal the Haryana (Exchange of Prisoner) Act, 1948 (Punjab Act No. 13 of 1948). Hence, the Bill.

DR. ARVIND KUMAR SHARMA,
Jails Minister, Haryana.

Chandigarh :
The 26th March, 2025.

DR. SATISH KUMAR,
Secretary.

N.B.— The above Bill was published in the Haryana Government Gazette (Extraordinary), dated the 26th March, 2025, under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly.