



Bills Passed in Haryana Assembly

Why in News?

Recently, Haryana Assembly has passed various bills including **Haryana lease of agricultural land Bill 2024**, **Bharatiya Nagarik Suraksha Sanhita (Haryana amendment) Bill 2024**, **Haryana Appropriation (number 3) Bill 2024**, **Haryana Goods and Services Tax (Amendment) Bill 2024**.

Key Points

- **Haryana Lease of Agricultural Land Bill 2024:**
 - **Objective:** Establishes a **framework for legalizing agricultural land leases to protect landowners' rights** and optimize land use.
 - **Issues:**
 - Landowners **avoid written lease agreements due to fears of lessees demanding occupancy rights.**
 - **Non-written leases prevent lessees from accessing relief** during natural calamities or securing crop loans.
 - **Expected Impact:**
 - Encourages **formal lease agreements** to benefit both landowners and lessees.
 - **Aims to boost agricultural productivity** by reducing barren land.
- **Bharatiya Nagarik Suraksha Sanhita (Haryana Amendment) Bill 2024:**
 - **Amendments to Section 23:**
 - **Section 23 of the [Bharatiya Nagarik Suraksha Sanhita \(BNSS\), 2023](#) outlines the sentencing authority of different magistrates.**
 - It specifies the types and limits of sentences that can be imposed by first-class, second-class, and Chief Judicial Magistrates.
 - Increased maximum fine for first-class magistrates from Rs 50,000 to Rs 5 lakh under **Section 23(2)**.
 - Raised fine limit under Section 23(3) from Rs 10,000 to Rs 1 lakh.
 - Higher fines align with cases under Acts like [the Negotiable Instruments Act 1881](#) where cheque amounts exceed previous limits.
 - Enhanced penalties are consistent with revised traffic fines under [the Motor Vehicles Act, 1988](#).
 - **Objective:** Strengthens deterrence and aligns fine limits with current economic realities.
- **Haryana Appropriation (Number 3) Bill 2024:**
 - **Purpose:** Authorizes **additional payment and appropriation from the state's consolidated fund for services** in the financial year ending 31st March 2025.
- **Haryana Goods and Services Tax (Amendment) Bill 2024:**
 - **Basis:** Reflects recommendations of the GST Council and amendments to the [Central GST Act, 2017](#) under [the Finance Act, 2024](#).
 - **Objective:** Ensures uniformity and alignment with national GST regulations to enhance tax governance

BHARATIYA NAGARIK SURAKSHA SANHITA (BNSS), 2023

BNSS replaces CrPC 1973 and consists of 531 sections with 177 sections revised, 9 new sections added, and 14 sections repealed.



Key Provisions

- ↘ **Hierarchy of Courts:** Eliminated distinction and role of Metropolitan Magistrates
- ↘ **Mandated Use of Electronic Mode:** At stages of investigation, inquiry, and trial
- ↘ **Detention of Undertrials:** Restriction on release on personal bond for accused persons (a) charged with life imprisonment or (b) facing multiple proceedings
- ↘ **Alternative to Arrest:** An accused doesn't have to be arrested; instead, the police can take a security bond for their appearance before a Judicial Magistrate
- ↘ **Community Service Defined:** 'Work which the Court may order a convict to perform as a form of punishment that benefits the community, for which he shall not be entitled to any remuneration'
- ↘ **Substitution of Terminology:** "Mental illness" replaced by "unsoundness of mind" in majority of provisions
- ↘ **Documentation Protocols:** Searches with/without warrants require mandatory audio-video documentation with recorded material promptly submitted to Magistrate
- ↘ **Timelines for Procedures:** Prescribes timelines for various procedures
 - E.g. Issuing verdict within 30 days post-argument
- ↘ **Medical Examination:** Can be requested by any police officer in certain cases
- ↘ **Sample Collection:** Magistrate can compel individuals to submit signature specimens, handwriting samples etc. even if they haven't been arrested
- ↘ **Forensic Investigation:** Mandated for offences punishable with ≥ 7 years of imprisonment
- ↘ **New Procedures w.r.t. FIR Registration:**
 - After filing a **Zero FIR**, relevant police station must transfer it to the jurisdictionally appropriate station for further investigation
 - **FIRs can be electronically registered**, and the information will be officially recorded upon the person's signature within 3 days
- ↘ **Rights of Victim/Informant:**
 - Police after filing charge sheet obligated to supply police report and other documents to victim
 - Witness protection scheme to be laid down by State Governments



Key Issues

- ↘ **Permitted 15 days of police custody** within initial 40 or 60 days
- ↘ **Doesn't mandate investigating officer to provide reasons** when seeking police custody
- ↘ **Allows use of handcuffs during arrests**, contradicting SC rulings and NHRC guidelines
- ↘ Scope of **mandatory bail limited** in case of multiple charges
- ↘ **Limits plea bargaining in India** to sentence bargaining
- ↘ Restricting bail, and limiting scope for plea bargaining could **deter decongesting of prisons**
- ↘ **Power to seize property expanded** to immovable property apart from movable property
- ↘ Several provisions **overlap** with existing laws
- ↘ **BNSS retains CrPC provisions** related to public order, raising the question of whether laws governing trial procedure and public order maintenance should be unified or treated separately, considering their distinct functions



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