

**Bill No. 30 of 2025**

THE DEATH PENALTY ABOLITION BILL, 2025

By

SMT. KANIMOZHI KARUNANIDHI , M.P.

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BILL

*to abolish death penalty in the country.*

BE it enacted by Parliament in the Seventy-sixth Year of the Republic of India as follows:—

1.(1) This Act may be called the Death Penalty (Abolition) Act, 2025.

Short title,  
extent and  
commencement.

(2) It extends to the whole of India.

5 (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2.(1) Notwithstanding anything in any other law for the time being in force, death penalty is hereby abolished.

Abolition of  
death penalty.

(2) On and from the commencement of this Act, provision of punishment of

death in any enactment shall be deemed to have been substituted by penalty of imprisonment for life.

(3) The provisions of this Act apply in relation to offences being tried at the commencement of this Act.

## STATEMENT OF OBJECTS AND REASONS

The Indian Criminal Laws retain capital punishment for a number of serious offences. However, death penalty is not only unjust and inhuman but also inconsistent with the fundamental rights and the dignity and worth of the human being.

The opposition to the continuation of capital punishment has been from as early as the 1950s. Many of the founding fathers of India were firmly opposed to the death penalty. The architect of the Constitution, Babasaheb Ambedkar, himself admitted in the Constituent Assembly that people may not follow non-violence in practice but “they certainly adhere to the principle of non-violence as a moral mandate which they ought to observe as far as they possibly can”. With this in mind, he said, “the proper thing for this country to do is to abolish the death sentence altogether”.

Miscarriage of justice is one of the biggest concerns about death penalty. There have been cases of executions of innocent people. No matter how developed a justice system is, it will always remain susceptible to human failure. Unlike prison sentences, the death penalty is irreversible and irreparable. The Supreme Court has itself admitted on several occasions that there is confusion and contradiction in the application of the death penalty. Last year, fourteen eminent retired judges wrote to the President, pointing out that the Supreme Court had erroneously given the death penalty to fifteen persons since 1996, of whom two were hanged. The judges called this “the gravest known miscarriage of justice in the history of crime and punishment in independent India”.

The death penalty lacks the deterrent effect. As recently stated by the General Assembly of the United Nations, “there is no conclusive evidence of the deterrent value of the death penalty” (UNGA Resolution 65/206). Capital punishment is merely revenge masquerading as justice. When the Government is trying to create a just society where there is less violence and murder, it cannot be allowed to commit the same crime against its citizens in the name of justice.

The world is moving away from using the death penalty. The European Union has made “abolition of death penalty” a pre-requisite for membership. In November 2012, the United Nations adopted a resolution to establish a moratorium on executions and abolition of death penalty for the fourth time. Amnesty International reports that about one hundred and forty countries have abolished death penalty either in law or in practice. This accounts for more than two thirds of the countries of the world.

The Law Commission of India, in its 243rd Report, has recommended the abolition of death penalty in all but two instances — crimes of terrorism and waging war against the State. However, the Parliament should go one step further by passing a legislation to abolish death penalty once and for all.

The continuation of death penalty is a stain on our society built on the values of non-violence, love and justice. Hence, in this land of Mahatma Gandhi and Gautama Buddha, it is necessary to abolish this barbaric punishment in order to be in consonance with our own inherent morals and the global trend.

Hence this Bill.

NEW DELHI;  
*January 20, 2025.*

KANIMOZHI KARUNANIDHI

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*(Shrimati Kanimozhi Karunanidhi, M.P.)*