

APPENDIX

THE TRANSFER OF PRISONERS ACT, 1950

(Act, XXIX OF 1950) [12th April, 1950]

An Act to Provide for the Removal from one State to another of persons confined in a prison.

Be it enacted by Parliament as follows:—

Short title, and extent.

(1) This Act may be called the Transfer of Prisoners Act, 1950.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

In this Act :—

Definitions.

2. (a) “Court” includes any officer lawfully exercising civil, criminal or revenue jurisdiction;

*[(b) “Government” or “State Government”, in relation to a Union Territory, means the administrator thereof].

(c) “Prison” includes any place which has been declared by a State Government, by general or special order to be a subsidiary Jail.

Removal of Prisoners from one state to another.

3. (1) Where any person is confined in a prison in a State,

(a) under sentence of death, or

(b) under, or in lieu of, a sentence of imprisonment or transportation, or

(c) in default of payment of a fine, or,

(d) in default of giving security for keeping the peace or for maintaining good behaviour: Government of that State may, with the consent of the Government of any other State, by order provide for the removal of the prisoner from that prison to any prison in the other State.

(2) The Officer in charge of the prison to which any person is removed under sub-section (1) shall receive and detain him, so far as may be according to the exigency of any writ, warrant or order of the Court by which such person has been committed or until such person is discharged or removal in due course of law.

4. Rep. by the Repealing and Amending Act, 1957 (XXXVI of 1957) S. 2, Schedule I.

* Subs. by the Adaptation of Laws (No. 3) Order, 1956 for the former clause.