

ACT No. XXVI OF 1946

[PASSED BY THE INDIAN LEGISLATURE]

(Received the assent of the Governor General on the 22nd November, 1946)

An Act to make certain provisions in relation to sentences and orders passed by Special Tribunals constituted under the Criminal Law Amendment Ordinance, 1943, on such Tribunals ceasing to function.

WHEREAS it is expedient to make certain provisions in relation to sentences and orders passed by Special Tribunals constituted under the Criminal Law Amendment Ordinance, 1943, on such Tribunals ceasing to function;

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It is hereby enacted as follows :—

1. (1) This Act may be called the Special Tribunals (Supplementary Provisions) Act, 1946. Short title and extent.

(2) It extends to ~~the whole of British India.~~ *all the Provinces of India*

2. In this Act, "Special Tribunal" means a Special Tribunal constituted under the Criminal Law Amendment Ordinance, 1943. Interpretation.

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3. When any Special Tribunal ceases to function, the sentences or orders passed by it in any case shall, for the purposes of the provisions of the Code of Criminal Procedure, 1898, applicable in respect of those sentences or orders, be deemed to have been passed by the Court of Session within the local limits of whose jurisdiction the offences charged in the case are alleged to have taken place, or, if there be more than one such Court of Session, by such one of them as the High Court, either in appeal or in revision or on a reference made to it specially in this behalf, may determine :

Provision regarding sentences and orders of Special Tribunals which cease to function.

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Provided that the references in this section to a Court of Session shall, where the offences charged in the case are alleged to have taken place in a Presidency town, be construed as references to the Chief Presidency Magistrate.

4. The Special Tribunals (Supplementary Provisions) Ordinance, 1946, is hereby repealed. Repeal of Ord XXIII of 1946

Subs. by the A.O. 1948.

Price anna 1 or 1½d.

GIPD-S1-1237 LD-6.5-47-5,000.