

RECEIVED ASSENT ON 6-12-49. Act No XLVIII of 1949  
Repealed by 60/1957  
[AS PASSED BY THE DOMINION LEGISLATURE]

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BILL

to provide for the removal from one unit to another unit of persons subjected to preventive detention for reasons connected with the maintenance of public order;

WHEREAS it is expedient to provide for the removal from one unit to another unit of persons subjected to preventive detention for reasons connected with the maintenance of public order;

It is hereby enacted as follows:—

**1. Short title and extent.**—(1) This Act may be called the Transfer of Detained Persons Act, 1949.

(2) It extends to all the Provinces of India, and also to every Acceding State to the extent to which the Dominion Legislature has power to make laws for that State with respect to the matters dealt with in this Act.

**2. Removal of detained persons from one unit to another.**—(1) Where any person is subjected to preventive detention for reasons connected with the maintenance of public order in any Province under a law for the time being in force in that Province, the Government of that Province may, with the consent of the Government of any other Province and the approval of the Central Government, provide by order for the removal of such person to any place of detention in that other Province; and the person so removed shall be detained in that other Province in accordance with the provisions of the order.

(2) Notwithstanding the removal of any person from one Province to another Province under this section, the provisions of the law under which his preventive detention was ordered and regulated in the first Province shall, so far as applicable and subject to the necessary modifications, continue to apply to him as if he had not been removed from that Province.

(3) In this section "Province" includes any Acceding State to which this Act extends.

**3. Repeal of Ordinance XVI of 1949.**—(1) The Transfer of Detained Persons Ordinance, 1949 (XVI of 1949) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by this Act, as if this Act were in force on the day on which such thing was done or action was taken.