

Rep. by Act 36 of 1957, 2nd and First Schedule.

THE TRANSFER OF PRISONERS ACT, 1950

No. XXIX OF 1950



See India Code Vol.

B-B

An Act to provide for the removal from one State to another of persons confined in a prison

[12th April, 1950]

BE it enacted by Parliament as follows:—

1. 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.

2. Definitions.—In this Act,—

(a) "court" includes any officer lawfully exercising civil, criminal or revenue jurisdiction;

~~(b) "Government" or "State Government", in relation to a Part of State, means the Chief Commissioner of that State;~~

(c) "prison" includes any place which has been declared by a State Government, by general or special order, to be a subsidiary jail.

3. Removal of prisoners from one State to another.—(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;

the 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 removed in due course of law.

~~4. Amendment of section 29, Act III of 1900.—In sub-section (1) of section 29 of the Prisoners Act, 1900, the words "or, with the consent of the State Government concerned, to any prison in any other State" shall be omitted.~~

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Subs. by the A.O. (no. 3), 1956.