The Extradition Act, 1962

Act 34 of 1962. 40 sections. Bare Act with the official footnotes.

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Contents

CHAPTER I PRELIMINARY (Sections 1 to 3)
CHAPTER II EXTRADITION OF FUGITIVE CRIMINALS TO FOREIGN STATE TO WHICH CHAPTER III DOES NOT APPLY (Sections 4 to 11)
CHAPTER III RETURN OF FUGITIVE CRIMINALS TO FOREIGN STATES WITH EXTRADITION ARRANGEMENTS (Sections 12 to 18)
CHAPTER IV SURRENDER OR RETURN OF ACCUSED OR CONVICTED PERSONS FROM FOREIGN STATES (Sections 19 to 21)
CHAPTER V MISCELLANEOUS (Sections 22 to 37)
Schedules (1): see the end of this PDF

[15th September, 1962.]

An Act to consolidate and amend the law relating to the extradition of fugitive criminals

[and to provide for matters connected therewith or incidental thereto.]

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:

CHAPTER I PRELIMINARY

Section 1. Short title, extent and commencement

(1) This Act may be called the Extradition Act, 1962.

(2) It extends to the whole of India.

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

Section 2. Definitions

In this Act, unless the context otherwise requires,

[(a) "composite offence" means an act or conduct of a person occurred, wholly or in part, in a foreign State or in india but its effects or Intended effects, taken as a whole, would constitute an extradition offence in India or in a foreign State, as the case may be;]

(b) "conviction" and "convicted" do not include or refer to a conviction which under foreign law is a conviction for contumacy, but the term "person accused" includes a person so convicted for contumacy;

[1][(c) "extradition offence" means

(i) in relation to a foreign State, being a treaty State, an offence provided for in the extradition treaty with that State;

(ii) in relation to a foreign State other than a treaty State an offence punishable with imprisonment for a term which shall not be less than one year under the laws of India or of a foreign State and includes a composite offence;]

(d) "extradition treaty" means a treaty [2][,agreement or arrangement) made by India with a foreign State relating to the extradition of fugitive criminals, and includes any treaty [2][,agreement or arrangement] relating to the extradition of fugitive criminals made before the 15th day of August, 1947, which extends to, and is binding on, India;

(e) "foreign State" means any State outside India [3]* * * and includes every constituent part, colony or dependency of such State;

[4][(f) "fugitive criminal" means a person who is accused or convicted of an extradition offence within the jurisdiction

of a foreign State and includes a person who, while in India, conspires, attempts to commit or incites or participates as an accomplice in the commission of an extradition offence in a foreign State;]

(g) "magistrate" means a magistrate of the first class or a presidency magistrate;

(h) "notified order" means an order notified in the Official Gazette;

(i) "prescribed" means prescribed by rules made under this Act; and

(j) "treaty State" means a foreign State with which an extradition treaty is in operation.

[1] Subs. by s. 4, ibid., for clause (c) (w.e.f.18-12-1993).
[2] Subs. by s. 4, ibid., for "or agreement" (w.e.f.18-12-1993).
[3] The words "other than a commonwealth country," omitted by s. 4, ibid. (w.e.f. 18-12-1993).
[4] Subs. by s. 4, ibid., for clause (f) (w.e.f. 18-12-1993).

Section 3. Application of Act

[1][(1) The Central Government may, by notified order, direct that the provisions of this Act, other than Chapter III, shall apply, to such foreign State or part thereof as may be specified in the order.]

(2) The Central Government may, by the same notified order as is referred to in sub-section (1) or any subsequent notified order, restrict such application to fugitive criminals found, or suspected to be, in such part of India as may be specified in the order.

(3) Where the notified order relates to a treaty State,

(a) it shall set out in full the extradition treaty with that State ;

(b) it shall not remain in force for any period longer than that treaty; and

(c) the Central Government may, by the same or any subsequent notified order, render the application of this Act subject to such modifications, exceptions, conditions and qualifications as may be deemed expedient for implementing the treaty with that State.

[2][(4) Where there is no extradition treaty made by India with any foreign State, the Central Government may, by notified order, treat any Convention to which India and a foreign State are parties, as an extradition treaty made by India with that foreign State providing for extradition in respect of the offences specified in that Convention.]

[1] Subs. by Act 66 of 1993, s. 5, for sub-section (1) (w.e.f. 18-12-1993).
[2] Ins. by s. 5, ibid. (w.e.f. 18-12-1993).

CHAPTER II EXTRADITION OF FUGITIVE CRIMINALS TO FOREIGN STATE TO WHICH CHAPTER III DOES NOT APPLY

Section 4. Requisition for surrender

A requisition for the surrender of a fugitive criminal of a foreign State [1]* * * may be made to the Central Government

(a) by a diplomatic representative of the foreign State [1]* * * at Delhi; or

(b) by the Government of that foreign State [1]* * * communicating with the Central Government through its diplomatic representative in that State [2]***;

and if neither of these modes is convenient, the requisition shall be made in such other mode as is settled by arrangement made by the Government of the foreign State [1]* * * with the Government of India.

[1] The words "or commonwealth country" omitted by s. 3, ibid. (w.e.f.18-12-1993).
[2] The words "or country" omitted by s. 3, ibid. (w.e.f. 18-12-1993).

Section 5. Order for magisterial Inquiry

Where such requisition is made, the Central Government may, if it thinks fit, issue an order to any Magistrate who would have had jurisdiction to inquire into the offence if it had been an offence committed within the local limits of his jurisdiction directing him to inquire into the case.

Section 6. Issue of warrant for arrest

On receipt of an order of the Central Government under section 5, the magistrate shall issue a warrant for the arrest of the fugitive criminal.

Section 7. Procedure before magistrate

(1) When the fugitive criminal appears or is brought before the magistrate, the magistrate shall inquire into the case in the same manner and shall have the same jurisdiction and powers, as nearly as may be, as if the case were one

triable by a court of session or High Court.

(2) Without prejudice to the generality of the foregoing provisions, the magistrate shall, in particular, take such evidence as may be produced in support of the requisition of the foreign State [1]* * * and on behalf of the fugitive criminal, including any evidence to show that the offence of which the fugitive criminal accused or has been convicted is an offence of political character or is not an extradition offence.

(3) If the Magistrate is of opinion that a prima facie case is not made out in support of the requisition of the foreign State [1]* * *, he shall discharge the fugitive criminal.

(4) If the Magistrate is of opinion that a prima facie case is made out in support of the requisition of the foreign State [1]* * * he may commit the fugitive criminal to prison to await the orders of the Central Government and shall report the result of his inquiry to the Central Government, and shall forward together with such report, and written statement which the fugitive criminal may desire to submit for the consideration of the Central Government.

[1] The words "or commonwealth country" omitted by Act 66 of 1993, s. 3 (w.e.f. 18-12-1993).

Section 8. Surrender of fugitive criminal

If upon receipt of the report and statement under sub-section (4) of section 7, the Central Government is of opinion that the fugitive criminal ought to be surrendered to the foreign State[1]* * *, it may issue a warrant for the custody and removal of the fugitive criminal and for his delivery at a place and to a person to be named in the warrant.

[1] The words "or commonwealth country" omitted by Act 66 of 1993, s. 3 (w.e.f. 18-12-1993).

Section 9. Power of magistrate to issue warrant of arrest in certain cases

(1) Where it appears to any magistrate that a person within the local limits of his jurisdiction, is a fugitive criminal of a foreign State [1]* * *, he may, if he thinks fit, issue a warrant for the arrest of that person on such information and on such evidence as would, in his opinion, justify the issue of a warrant if the offence of which the person is accused or has been convicted had been committed within the local limits of his jurisdiction.

(2) The magistrate shall forthwith report the issue of a warrant under sub-section (1) to the Central Government and shall forward the information, and the evidence or certified copies thereof to that Government.

(3) A person arrested on a warrant issued under sub-section (1) shall not be detained for more than three months unless within that period the magistrate receives from the Central Government an order made with reference to such person under section 5.

[1] The words "or commonwealth country" omitted by Act 66 of 1993, s. 3 (w.e.f. 18-12-1993).

Section 10. Receipt in evidence of exhibits depositions and other documents and authentication thereof

(1) In any proceedings against a fugitive criminal of a foreign State [1]* * * under this chapter, exhibits and depositions (whether received or taken in the presence of the person against whom they are used or not) and copies thereof and official certificates of facts and judicial documents stating facts may, if duly authenticated, be received as evidence.

(2) Warrants, depositions or statements on oath, which purport to have been issued or taken by any court of Justice outside India or copies thereof, certificates of, or judicial documents stating the facts of conviction before any such court shall be deemed to be duly authenticated if

(a) the warrant purports to be signed by a judge, magistrate or officer of the State [2]* * * where the same was issued or acting in or of such State [2]* * *;

(b) the depositions of statements or copies thereof purport to be certified, under the hand of a judge, magistrate or officer of the State [2]* * * where the same were taken, or acting in or for such State [2]* * *, to be original depositions or statements or to be true copies thereof, as the case may require ;

(c) the certificate of, or judicial document stating the fact of, a conviction purports to be certified by a judge, magistrate or officer of the State [2]* * * where the conviction took place or acting in or for such State ;

(d) the warrants, depositions, statements, copies, certificates and judicial documents, as the case may be, are authenticated by the oath of some witness or by the official seal of a Minister of the State[2]* * * where the same were [3]* * * issued, taken or given.

[1] The words "or commonwealth country" omitted by Act 66 of 1993, s. 3 (w.e.f. 18-12-1993).

[2] The words "or country" omitted by Act 66 of 1993, s. 3 (w.e.f. 18-12-1993).

[3] The word "respectively" omitted by s. 7, ibid. (w.e.f. 18-12-1993).

Section 11. Chapter not to apply to Commonwealth countries to which Chapter III applies

Nothing contained in this Chapter shall apply to fugitive criminals [1]* * * to which Chapter III applies.

[1] The words "of a commonwealth country" omitted by s. 8, ibid. (w.e.f. 18-12-1993).

CHAPTER III RETURN OF FUGITIVE CRIMINALS TO FOREIGN STATES WITH EXTRADITION ARRANGEMENTS

Section 12. Application of Chapter

(1) This Chapter shall apply only to any such [1][foreign state] to which, by reason of an extradition arrangement entered into with that [2][State], it may seem expedient to the Central Government to apply the same.

(2) Every such application shall be by notified order, and the Central Government may, by the same or any subsequent notified order, direct that this Chapter and Chapters I, IV and V shall, in relation to any such [1][foreign State], apply subject to such modifications, exceptions, conditions and qualifications as it may think fit to specify in the order for the purpose of implementing the arrangement.

[1] Subs. by s. 3, ibid., for "commonwealth country" (w.e.f. 18-12-1993).
[2] Subs. by s. 10, ibid., for "country" (w.e.f. 18-12-1993).

Section 13. Liability of fugitive criminals from foreign States to be apprehended and returned

Where a fugitive criminal of any [1][foreign State] to which this Chapter applies is found in India, he shall be liable to be apprehended and returned in the manner provided by this Chapter to that [1][foreign State].

[1] Subs. by s. 3, ibid., for "commonwealth country" (w.e.f. 18-12-1993).

Section 14. Endorsed and provisional warrants

A fugitive criminal may be apprehended in India under an endorsed warrant or a provisional warrant.

Section 15. Endorsed warrant for apprehension of fugitive criminal

Where a warrant for the apprehension of a fugitive criminal has been issued in any [1][foreign State] to which this Chapter applies and such fugitive criminal is, or is suspected to be, in India, the Central Government may, if satisfied that the warrant was issued by a person having lawful authority to issue the same, endorse such warrant in the manner prescribed, and the warrant so endorsed shall be sufficient authority to apprehend the person named in the warrant and to bring him before and magistrate in India.

[1] Subs. by s. 3, ibid., for "commonwealth country" (w.e.f. 18-12-1993).

Section 16. Provisional warrant for apprehension of fugitive criminal

(1) Any magistrate may issue a provisional warrant for the apprehension of a fugitive criminal from any [1][foreign State] to which this Chapter applies who is, or is suspected to be, in or on his way to India, on such information and under such circumstances as would, in his opinion, justify the issue of a warrant, if the offence of which the fugitive criminal is accused or has been convicted had been committed within his jurisdiction and such warrant may be executed accordingly.

(2) A magistrate issuing a provisional warrant shall forthwith send a report of the issue of the warrant together with the information or a certified copy thereof to the Central Government, and the Central Government may, if it thinks fit, discharge the person apprehended under such warrant.

(3) A fugitive criminal apprehended on a provisional warrant may, from time to time, be remanded for such reasonable time, not exceeding seven days at any one time, as under the circumstances seems requisite for the production of an endorsed warrant.

[1] Subs. by Act 66 of 1993, s. 3, for "commonwealth country" (w.e.f. 18-12-1993).

Section 17. Dealing with fugitive criminal when apprehended

(1) If the magistrate, before whom a person apprehended under this Chapter is brought, is satisfied on inquiry that the endorsed warrant for the apprehension of the fugitive criminal is duly authenticated and that the offence of which the person is accused or has been convicted is an extradition offence, the magistrate shall commit the fugitive criminal to prison to await his return and shall forthwith send to the Central Government a certificate of the committal.

(2) If on such inquiry the magistrate is of opinion that the endorsed warrant is not duly authenticated or that the offence of which such person is accused or has been convicted is not an extradition offence, the magistrate may, pending the receipt of the orders of the Central Government, detain such person in custody or release him on bail.

(3) The magistrate shall report the result of his inquiry to the Central Government and shall forward together with

such report any written statement which the fugitive criminal may desire to submit for the consideration of that Government.

Section 18. Return of fugitive criminal by warrant

The Central Government may, at any time after a fugitive criminal has been committed to prison under this Chapter, issue a warrant for the custody and removal to the [1][foreign State] concerned of the fugitive criminal and for his delivery at a place and to a person to be named in the warrant.

[1] Subs. by Act 66 of 1993, s. 3, for "commonwealth country" (w.e.f. 18-12-1993).

CHAPTER IV SURRENDER OR RETURN OF ACCUSED OR CONVICTED PERSONS FROM FOREIGN STATES

Section 19. Mode of requisition or form of warrant for the surrender or return to India of accused or convicted person who is in a foreign State [1]* * *

(1) A requisition for the surrender of a person accused or convicted of an extradition offence committed in India and who is or is suspected to be, in any foreign State [2]* * * to which Chapter III does not apply, may be made by the Central Government

(a) to a diplomatic representative of that State [3]* * * at Delhi; or

(b) to the Government of that State [3]* * * through the diplomatic representative of India in that State [3]* * *;

and if neither of these modes is convenient, the requisition shall be made in such other mode as is settled by arrangement made by the Government of India with that State [3]* * *.

(2) A warrant issued by a magistrate in India for the apprehension of any person who is, or is suspected to be, in any [4][foreign State] to which Chapter III applies shall be in such form as may be prescribed.

[1] The words "or commonwealth country" omitted by s. 3, ibid. (w.e.f. 18-12-1993).
[2] The words "or a commonwealth country" omitted by s. 3, ibid. (w.e.f. 18-12-1993).
[3] The words "or country" omitted by s. 3, ibid. (w.e.f.18-12-1993).
[4] Subs. by Act 66 of 1993, s. 3, for "commonwealth country" (w.e.f. 18-12-1993).

Section 20. Conveyance of accused or convicted person surrendered or returned

Any person accused or convicted of an extradition offence who is surrendered or returned by a foreign State [1]*** may, under the warrant of arrest for his surrender or return issued in such State or country, be brought into India and delivered to the proper authority to be dealt with according to law.

[1] The words "or commonwealth country" omitted by s. 3, ibid. (w.e.f. 18-12-1993).

Section 21. Accused or convicted person surrendered or returned by foreign State not to be tried for certain offences

[1][Whenever any person accused or convicted of an offence, which, if committed in India would be an extradition offence, is surrendered or returned by a foreign State, such person shall not, until he has been restored or has had an opportunity of returning to that State, be tried in India for an offence other than

(a) the extradition offence in relation to which he was surrendered or returned; or

(b) any lesser offence disclosed by the facts proved for the purposes of securing his surrender or return other than an offence in relation to which an order for his surrender or return could not be lawfully made; or

(c) the offence in respect of which the foreign State has given its consent.]

[1] Subs. by s. 12, ibid., for section 21 (w.e.f. 18-12-1993).

CHAPTER V MISCELLANEOUS

Section 22. Liability of fugitive criminals to be arrested and surrendered or returned

Every fugitive criminal of a foreign State [1]* * * shall, subject to the provisions of this Act, be liable to be arrested and surrendered or returned, whether the offence in respect of which the surrender or return is sought was committed before or after the commencement of this Act, and whether or not a court in India has jurisdiction to try that offence.

[1] The words "or commonwealth country" omitted by s. 3, ibid. (w.e.f. 18-12-1993).

Section 23. Jurisdiction as to offences committed at sea or in air

Where the offence in respect of which the surrender or return of a fugitive criminal is sought was committed on board any vessel on the high seas or any aircraft while in the air outside India or the Indian territorial waters which comes

into any port or aerodrome of India, the Central Government and any magistrate having jurisdiction in such port or aerodrome may exercise the powers conferred by this Act.

Section 24. Discharge of person apprehended if not surrendered or returned within two months

if a fugitive criminal who, in pursuance of this Act, has been committed to prison to await his surrender or return to any foreign State [1]* * * is not conveyed out of India within two months after such committal, the High Court, upon application made to it by or on behalf of the fugitive criminal and upon proof that reasonable notice of the intention to make such application has been given to the Central Government, may order such prisoner to be discharged unless sufficient cause is shown to the contrary.

[1] The words "or country" omitted by s. 3, ibid. (w.e.f. 18-12-1993).

Section 25. Release of persons arrested on bail

In the case of a person who is a fugitive criminal arrested or detained under this Act, the provisions of [1][the Code of Criminal Procedure, 1973 (2 of 1974)] relating to bail shall apply in the same manner as they would apply if such person were accused of committing in India the offence of which he is accused or has been convicted, and in relation to such bail, the magistrate before whom the fugitive criminal is brought shall have, as far as may be, the same powers and jurisdiction as a court of session under that Code.

[1] Subs. by s. 13, ibid., for "the Code of Criminal Procedure, 1898 (5 of 1898)" (w.e.f. 18-12-1993).

Section 26. Abetment of extradition offences

A fugitive criminal who is accused or convicted of abetting [1][, conspiring, attempting to commit, inciting or participating as an accomplice in the commission of] any extradition offence shall be deemed for the purposes of this Act to be accused or convicted of having committed such offence and shall be liable to be arrested and surrendered accordingly.

[1] Ins. by Act 66 of 1993, s. 14 (w.e.f 18-12-1993).

Section 27. Lawfulness of, and re-taking on escape from, custody under warrants

It shall be lawful for any person to whom a warrant is directed for the apprehension of a fugitive criminal to hold in custody and convey the person mentioned in the warrant to the place named in the warrant, and if such person escapes out of any custody to which he may be delivered in pursuance of such warrant, he may be re-taken as a person accused of an offence against the law of India may be re-taken upon an escape.

Section 28. Property found on fugitive criminal

Everything found in the possession of a fugitive criminal at the time of his arrest which may be material as evidence in proving the extradition offence may be delivered up with the fugitive criminal on his surrender or return, subject to the rights, if any, of third parties with respect thereto.

Section 29. Power of Central Government to discharge any fugitive criminal

If it appears to the Central Government that by reason of the trivial nature of the case or by reason of the application for the surrender or return of a fugitive criminal not being made in good faith or in the interests of justice or for political reasons or otherwise, it is unjust or inexpedient to surrender or return the fugitive criminal, it may, by order, at any time stay any proceedings under this Act and direct any warrant issued or endorsed under this Act to be cancelled and the person for whose arrest the warrant has been issued or endorsed to be discharged.

Section 30. Simultaneous requisitions

If requisitions for the surrender of a fugitive criminal are received from more than one foreign State [1]***, the Central Government may, having regard to the circumstances of the case, surrender the fugitive criminal to such State or country as that Government thinks fit.

[1] The words "or commonwealth country or from any foreign State and any commonwealth country" omitted by s. 15, ibid. (w.e.f 18-12-1993).

Section 31. Restrictions on surrender

[1][(1)] A fugitive criminal shall not be surrendered or returned to a foreign State [2]***.

(a) if the offence in respect of which his surrender is sought is of a political character or if he proves to the satisfaction of the magistrate or court before whom he may be produced or of the Central Government that the requisition or warrant for his surrender has, in fact, been made with a view to try or punish him for an offence of a political character;

(b) if prosecution for the offence in respect of which his surrender is sought is according to the law of that State

[3]*** barred by time;

[4][(c) unless provision is made by that law of the foreign State or in the extradition treaty with the foreign State that the fugitive criminal shall not be determined or tried in that State for an offence other than-

(i) the extradition offence in relation to which he is to be surrendered or returned;

(ii) any lesser offence disclosed by the facts proved for the purposes of securing his surrender or return other than an offence in relation to which an order for his surrender or return could not be lawfully made; or

(iii) the offence in respect of which the Central Government has given its consent;]

(d) if he has been accused of some offence in India, not being the offence for which his surrender or return is sought, or is undergoing sentence under any conviction in India until after he has been discharged, whether by acquittal or on expiration of his sentence or otherwise;

(e) until after the expiration of fifteen days from the date of his being committed to prison by the magistrate.

[5][(2) For the purposes of sub-section (1), the offence specified in the Schedule shall not be regarded as offences of a political character.

(3) The Central Government having regard to the extradition treaty made by India with any foreign State may, by notified order, add or omit any offence from the list given in the Schedule.]

[1] Section 31 re-numbered as sub-section (1) of that section by s. 16, ibid. (w.e.f. 18-12-1993).
[2] The words "or commonwealth country" omitted by s. 3, ibid. (w.e.f.18-12-1993).
[3] The words "or country" omitted by s. 3, ibid. (w.e.f. 18-12-1993).
[4] Subs. by s. 16, ibid., for clause (c) (w.e.f. 18-12-1993).
[5] Ins. by Act 66 of 1993, s. 16 (w.e.f. 18-12-1993).

Section 32. Sections 29 and 31 to apply without any modification thereof

Notwithstanding anything to the contrary contained in section 3 or section 12, the provisions of sections 29 and 31 shall apply without any modification to every foreign State [1]***.

[1] The words "or commonwealth country" omitted by s. 3, ibid. (w.e.f. 18-12-1993).

Section 33. Act not to affect the Foreigners Act, 1946

Nothing in this Act shall affect the provisions of the Foreigners Act, 1946 (31 of 1946), or any order made thereunder.

Section 34. Extra territorial jurisdiction

[1][An extradition offence committed by any person in a foreign State shall be deemed to have been committed in India and such person shall be liable to be prosecuted in India for such offence.

[1] Subs. by s. 17, ibid., for section 34 (w.e.f. 18-12-1993).

Section 34A. Prosecution on refusal to extradition

Where the Central Government is of the opinion that a fugitive criminal cannot be surrendered or returned pursuant to a request for extradition from a foreign State, it may, as it thinks fit, take steps to prosecute such fugitive criminal in India.

Section 34B. Provisional arrest

(1) On receipt of an urgent request from a foreign State for the immediate arrest of a fugitive criminal, the Central Government may request the Magistrate having competent jurisdiction to issue a provisional warrant for the arrest of such fugitive criminal.

(2) A fugitive criminal arrested under sub-section (1) shall be discharged upon the expiration of sixty days from the date of his arrest if no request for his surrender or return is received within the said period.

Section 34C. Provision of life imprisonment for death penalty

Notwithstanding anything contained in any other law for the time being in force, where a fugitive criminal, who has committed an extradition offence punishable with death in India, is surrendered or returned by a foreign State on the request of the Central Government and the laws of that foreign State do not provide for a death penalty for such an offence, such fugitive criminal shall be liable for punishment of imprisonment for life only for that offence.]

Section 35. Notified orders and notifications to be laid before Parliament

Every notified order made or notification issued under this Act shall, as soon as may be after it is made or issued, be laid before each House of Parliament.

Section 36. Power to make rules

(1) The central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:

(a) the form in which a requisition for the surrender of a fugitive criminal may be made;

(b) the form in which a warrant for the apprehension of any person in a [1][foreign State] to which Chapter III applies may be made;

(c) the manner in which any warrant may be endorsed or authenticated under this Act;

(d) the removal of fugitive criminals accused or in custody under this Act and their control and maintenance until such time as they are handed over to the persons named in the warrant as entitled to receive them;

(e) the seizure and disposition of any property which is the subject of, or required for proof of, any alleged offence to which this Act applies;

(f) the form and manner in which or the channel through which a magistrate may be required to make his report to the Central Government under this Act;

(g) any other matter which has to be, or may be, prescribed.

(3) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or [2][in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive session aforesaid], both Houses agree in making any modification in the rule or both Houses agree that the rule should not made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

[1] Subs. by s. 3, ibid., for "commonwealth country" (w.e.f. 18-12-1993).

[2] Subs. by Act 4 of 1986, s. 2 and the Schedule, for certain words (w.e.f 15-5-1986).

Section 37. Repeals and savings

(1) The Indian Extradition Act, 1903 (15 of 1903), and any law corresponding thereto in force at the commencement of this Act in the territories which, immediately before the 1st day of November, 1956, were comprised in Part B States and the North East Frontier Agency and Tuensang District (Extradition) Regulation, 1961 (3 of 1961), are hereby repealed.

(2) The Extradition Acts, 1870 to 1932 (33 and 34 Vict. c. 52; 36 and 37 Vict. c. 60; 6 Edw. 7, c. 15; 22 and 23 Geo. 5, c. 39, 44 and 45 Vict. c. 69) and the Fugitive Offenders Act, 1881, in so far as they apply to and operate as part of the law of India, are hereby repealed.

Schedules

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THE SCHEDULE (official file, page 12)

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