

Prisoners (Bihar Amendment) Act, 2003

1 of 2004

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Prisoners (Bihar Amendment) Act, 2003

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An act to amend the Prisoners Act, 1900 (Act 3 of 1900) Be it enacted by the Legislature of the State of Bihar in the fifty fourth year of the Republic of India, as follows:- 1. Published in Bihar Gazette (Ex. ord.) No. 27, dated 16th January, 2004.

1. Short Title, Extent And Commencement :-

- (1) This Act may be called the Prisoners (Bihar Amendment) Act, 2003.
- (2) It shall extend to the whole of the State of Bihar.
- (3) It shall come into force from the date of its notification in the Official Gazette.

2. Amendment Of Section 29 Of The Act, 3,1900 :-

The following sub-section (3) shall be added after sub-section (2) of Section 29 of the said Act:-

"(3) Subject to the orders, and under the control, of the State Government any person who is detained in custody in a prison due to pending inquiry; investigation or trial under any writ, warrant or order of any Court may, be order, be directed to be removed-

- (a) from one subsidiary jail to another subsidiary jail or district jail in the district, by the District Magistrate;
- (b) from the one district Jail to another subsidiary Jail in the district, by the District Magistrate;
- (c) from a subsidiary jail or a district Jail in one district to a subsidiary Jail or a district Jail in another district, by the District

Magistrate of the District from which the person is removed with the consent of the District Magistrate of such other district;

(d) by the State Government or the Inspector General of Prisons :-

(i) from the Central Jail to another Central Jail or to a District Jail or a subsidiary Jail;

(ii) from the district Jail to another district Jail or a Central Jail or a subsidiary Jail; or

(iii) from one subsidiary Jail to another subsidiary Jail or to a district Jail or a Central Jail."

3. Repeal And Savings :-

(1) Prisoners (Bihar amendment) Ordinance, 2003 (Bihar Ordinance No. 1,2003) is hereby repealed.

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