

*Letter of India, Sec. 3 (ii)  
 P. II, Dec. 6-5-68*

*(54) 42*

Government of India  
 Ministry of Home Affairs

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NOTIFICATION

New Delhi, the 6th May, 1968.

S.O. *1615*.- In pursuance of clause (1) of article 239 of the Constitution and all other powers enabling him in this behalf and in supersession of all the previous notifications withdrawing powers and functions under the Code of Criminal Procedure, 1898 (5 of 1898) from the Administrators of the Union territories of Delhi and Andaman and Nicobar Islands, and the notifications of the Government of India in the Ministry of Home Affairs No. S.R.O. 446 dated the 15th February, 1956, No. S.O. 3891 dated the 19th December, 1966 and No. S.O. 3896 dated the 23rd October, 1967, and in partial modification of -

- (a) the notification of the Government of India in the late Home Department No. F.126/37 dated the 1st April, 1937,
- (b) the notification of the Government of India in the late Ministry of States No. S.R.O. 460 dated the 24th August, 1950, and
- (c) the notifications of the Government of India in the Ministry of Home Affairs No. S.R.O. 1864 dated the 3rd June, 1957, No. S.O. 3269 dated the 1st November, 1966 and No. S.O. 3371 dated the 1st November, 1966,

in so far as they relate to the exercise of powers and discharge of functions under the Code of Criminal Procedure, 1898 (5 of 1898) by the Administrators of Union territories, the President hereby directs that the Administrators of Union territories (whether known as Administrator, Chief Commissioner or Lieutenant Governor) shall, subject to the control of the President and until further orders, exercise the powers and discharge the functions under the Code of Criminal Procedure, 1898 (5 of 1898), within their respective Union territories, as mentioned in the Schedule hereto annexed, subject to the condition that the Central Government may itself exercise all or any of those powers and discharge all or any of those functions, should it deem necessary so to do.

Schedule showing the delegation of powers under the Code of Criminal Procedure, 1898 (5 of 1898) to the Administrators of Union territories

Administrator of the Union territory	Powers
1	2

Administrators of all Union territories. (i) All powers and functions of the State Government; and

(ii) powers and functions of the Central Government under sub-section (3) of section 198B, in respect of persons employed in connection with the administration of their respective Union territories.

Administrators of the Union territories of Delhi, Himachal Pradesh, Manipur, Tripura, Goa, Daman and Diu and Pondicherry.

The powers and functions of the appropriate Government under section 401, except in respect of -

- (i) cases involving the sentence of death where such sentence has not been commuted;
- (ii) cases where the sentence is for an offence against any law relating to any of the matters enumerated in List I in the Seventh Schedule to the Constitution; and
- (iii) cases where the order referred to in sub-section (4A) of section 401 is passed under any law relating to any of the matters enumerated in List I in the Seventh Schedule to the Constitution.

[No. F. 2/3/68-UTL]

(K. R. Prabhu)

Joint Secretary to the Government of India.

No. F. 2/3/68-UTL

New Delhi, the 6th May, 1968.

1. Copy (with 10 spare copies) forwarded to -

- (a) the Chief Secretary, A & N Islands, PORT BLAIR;
- (b) the Home Secretary, Chandigarh Admn., CHANDIGARH;
- (c) the Secretary to the Administrator, Dadra and Nagar Haveli, SILVASSA (Via Vapi, Distt. Surat, W. P.Y.);
- (d) the Chief Secretary, Delhi Administration, DELHI;
- (e) the Chief Secretary, Goa, Daman and Diu, PANJIM;

P. T. O.