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Government of India  
Ministry of Home Affairs

New Delhi, the 17th September, 1969.

NOTIFICATIONS

S.O. 3836 - In exercise of the powers conferred by sub-section (3) of section 1 of the Union Territories (Separation of Judicial and Executive Functions) Act, 1969 (19 of 1969), the Central Government hereby appoints the 2nd day of October, 1969, as the date on which the said Act shall come into force in all the areas of the Union territory of Delhi.

No.F.13/2/69-UTL7

  
(K. R. Prabhu)

Joint Secretary to the Government of India.

231 S.O. 3837 - In pursuance of clause (1) of article 239 of the Constitution and in partial modification of the notification of the Government of India in the Ministry of Home Affairs No. S.O. 1615, dated the 6th May, 1968, in so far as it relates to the exercise of powers and discharge of functions by the Administrator of the Union territory of Delhi, the President hereby directs that the said Administrator 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), as amended by the Union Territories (Separation of Judicial and Executive Functions) Act, 1969 (19 of 1969), in relation to the Union territory of Delhi, specified in column 1 of the Schedule hereto annexed, subject to the general 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, and subject to the special conditions, if any, specified in column 2 of the said Schedule.

2. This notification shall have effect from the 2nd October, 1969.

Schedule showing the delegation of powers and functions under the Code of Criminal Procedure, 1898 (5 of 1898), as amended by the Union Territories (Separation of Judicial and Executive Functions) Act, 1969 (19 of 1969), to the Administrator of the Union territory of Delhi.

<u>Powers and functions</u>	<u>Conditions subject to which exercisable</u>
(1)	(2)

(i) All powers and functions of the	The power to empower an Executive Magistrate under sub-section (1A)
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P. T. O.

(1)

(2)

State Government except those under section 14.

of section 164 shall be exercised only when the Judicial Magistrate is not available to record the statement or confession.

(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 the Union territory of Delhi.

(iii) Powers and functions of the appropriate Government under section 401, except in respect of -

(a) cases involving the sentence of death where such sentence has not been commuted;

(b) 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

(c) 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.2/6/69-UTL]

(K. R. Prabhu)

Joint Secretary to the Govt. of India.

No.F.2/6/69-UTL New Delhi, the September, 1969.

/ 1. Copy (with 10 spare copies) forwarded to the Chief Secretary, Delhi Administration, DELHI.

/ 2. Copy (with 60 spare copies) to the Ministry of Law (Leg. Deptt. - Correction Section), NEW DELHI for record and reference.