

Extradition Act, 1962

Section 3 - APPLICATION OF ACT 7[

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.- 8[(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.] CHAPTER 2 EXTRADITION OF FUGITIVE CRIMINALS TO FOREIGN STATES [* * *] TO WHICH CHAPTER III DOES NOT APPLY OBJECTS AND REASONS "Clause 4.- This clause prescribes the channel through which a requisition for the surrender of a fugitive criminal of a foreign State or Commonwealth country to which Chap. III does not apply may be made to the Central Government."-S.O.R.OBJECTS AND REASONS "Clause 5.- This clause empowers the Central Government to issue an order to a Magistrate having jurisdiction to enquire into the offence in respect of which requisition has been received under clause 4. This clause follows sub-section (1) of section 3 of the Indian Extradition Act, 1903.-S.O.R.OBJECTS AND REASONS "Clauses 6 and 7.- These clauses prescribe the procedure to be followed by a Magistrate when order is received by him under clause 5. These clauses more or less are based on sub-sections (2), (3), (4) and (6) of section 3 of the Extradition Act, 1903."- S.O.R.OBJECTS AND REASONS See under section 6.-OBJECTS AND REASONS "Clause 8.- This clause is based on sub-section (8) of section 3 of the Indian Extradition Act, 1903."- S. O. R.OBJECTS AND REASONS Clause 9.- This clause more or less reproducessection 4 of the Indian Extradition Act, 1903.OBJECTS AND REASONS Clause 10.- This clause reproducessection 17 of the Indian Extradition Act, 1903.