

Borstal School Act, 1963

Section 8 - Procedure when Magistrate is Not Empowered to Pass an Order for Detention Under This Act

- (1) When any Magistrate not empowered to pass an order for detention under this Act is of the opinion that an offender before him is a young offender to be detained in a Borstal School, he may, when passing any order, record such opinion and submit his proceedings and forward the offender to the Court of the District Magistrate or to the Court of Session, to which he is subordinate, as the case may be.
 - (2) The Court of Session to which the proceedings are submitted under sub-section (1) may transfer such proceedings to any competent court to pass an order under this Act.
 - (3) The Court of the District Magistrate to which the proceedings are submitted under sub-section (1) or the competent court to which the proceedings are transferred under sub-section (2) may make such further inquiry, if any, as it may think fit, and may pass such order for the detention of the offender in a Borstal School, or such other sentence or order as it might have passed if such offender had originally been brought before or tried by it.
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