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**SPECIAL CRIMINAL COURTS (JURISDICTION) ACT, 1950**

**18 of 1950**

**[10th March, 1950]**

CONTENTS

1. Short title and extent
2. Definition
3. Jurisdiction of special Criminal Courts to try offences with respect to matters in the Union List
4. Power to add to Schedule
5. Repeal of Ordinance

**SCHEDULE 1 :- THE SCHEDULE**

**SPECIAL CRIMINAL COURTS (JURISDICTION) ACT, 1950**

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STATEMENT OF OBJECTS AND REASONS "With a view to speeding up the trial of certain offences against the public safety. Special Courts of criminal jurisdiction have been set up in some of the States under the State Laws. These Courts had no jurisdiction to try offences relating to matters enumerated in the Federal Legislative List under the Seventh Schedule to the Government of India Act, 1935; and, in order to confer upon them such jurisdiction, the Special Criminal Courts (Jurisdiction) Ordinance, 1950 (VII of 1950), was promulgated on the 21st January, 1950. The Ordinance will cease to operate in due course and the present Bill seeks to replace it, with changes consequent on the Constitution, by an Act of Parliament."-Gaz. of Ind., 25-2-1950, Pt. V, page 56.

**1. Short title and extent :-**

(1) This Act may be called The Special Criminal Courts (Jurisdiction) Act, 1950.

(2) It extends to the whole of India except<sup>1</sup> [the territories which, immediately before the 1st November, 1956, were comprised in Part B States].

1. Substituted for "Part B States" by 3A.L.O., 1956 (w.r.e.f. 1-11-1956). Immediately before the 1st of Nov., 1956, the following were Part-B States in India; Hyderabad, Jammu and Kashmir, Madhya Bharat, Mysore, Pepsu, Rajasthan, Saurashtra and Travancore-Cochin. Of these, Jammu and Kashmir, Mysore, Rajasthan and Travancore-Cochin (Kerala) are full fledged

States now. The rest have merged with adjoining State or States. See States Reorganisation Act, 1956 (37 of 1956).

**2. Definition :-**

In this Act, "special Criminal Court" means any special Court of criminal jurisdiction constituted by or under any law included in the Schedule.

**3. Jurisdiction of special Criminal Courts to try offences with respect to matters in the Union List :-**

Notwithstanding anything contained in law for the time being in force, it shall be lawful for any special Criminal Court to try offences against laws with respect to any of the matters enumerated in List I in the Seventh Schedule to the Constitution, if such court is otherwise competent to try such offence under the law constituting it.

**4. Power to add to Schedule :-**

The Central Government may, by notification in the Official Gazette, add to the Schedule any other State law providing for the trial of offences by special Criminal Courts, and any such addition shall take effect as if such law had been included in the Schedule by this Act.

**5. Repeal of Ordinance :-**

(1) The Special Criminal Courts (Jurisdiction) Ordinance, 1950, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the 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 was taken.

**SCHEDULE 1**

**THE SCHEDULE**

(See section 2 ) Year No Short title 1947 VI The Bombay Public Security Measures Act, 1947 1948 LXII The Central Provinces and Berar Public Safety Act, 1948.a 1949 III The West Bengal Special Courts Ordinance, 1949 b[1950 X The West Bengal Special Courts Act, 1950] c[1950 XIX The Assam Special Courts Act, 1950.] d[1949 XXI The West Bengal Criminal Law Amendment (Special Courts) Act, 1949.] e[1952 I The Tribunals of Criminal Jurisdiction Ordinance, 1952.] f[1952 XIV The Tribunals of Criminal Jurisdiction Act, 1952 (W.B. Act XIV of 1952).]
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