

Act Name : _1*[THE JUDICIAL OFFICERS PROTECTION ACT, 1850]

Act title : ACT NO. 18 OF 1850

Enactment date : [4th April, 1850.]

1*[THE JUDICIAL OFFICERS PROTECTION ACT, 1850] ACT NO. 18 OF 1850 [4th April, 1850.] An Act for the protection of Judicial Officers. Preamble.--For the greater protection of Magistrates and others acting judicially. It is enacted as follows:- 1. Non-liability to suit of officers acting judicially, for official acts done in good faith, and of officers executing warrants and orders.--No Judge, Magistrate, Justice of -----

----- 1. Short title given by the Indian Short Titles Act, 1897 (14 of 1897). The Act has been declared to be in force in all the Provinces of India, except the Scheduled Districts, by the laws Local Extent Act, 1874 (15 of 1874), s. 3. It has been declared in force in the Sonthal Parganas by the Sonthal Parganas Settlement Regulation, 1872 (3 of 1872), s. 3 ; in the Khondmals District by the Khondmals Laws Regulation, 1936 (4 of 1936), s. 3 and Sch; in the Angul District, by the Angul Laws Regulation, 1936 (5 of 1936), s. 3 and Sch; and in Panth Piploda by the Panth Piploda Laws Regulation, 1929 (1 of 1929), s. 2. It has also been declared by notification under s. 3 (a) of the Scheduled Districts Act, 1874 (14 of 1874) to be in force in the following Scheduled Districts, namely:- The Taluqs of Bhadrachalam, Rakapilli and the Rampa CountrySee Gazette of India, 1879, Pt. I, p. 630. The Scheduled Districts in Ganjam and Vizagapatam . Ditto 1898, Pt. I, p. 870. and Fort St. George Gazette, 1898, Pt. I, p. 666. The Districts of Hazaribagh, Lohardaga (now the Ranchi District, see Calcutta Gazette, 1899, Pt. I, p. 44), and Man- bhum, and Pargana Dhalbhum and the Kolhan in the District of Singhbhum . . See Gazette of India, 1881, Pt. I, 504. West Jalpaiguri and the Wes- tern Hills of Darjiling, the Darjiling Tarai and the Damson Sub- Division of the Darjiling District Ditto [A 1881, Pt. I, p. 74. Kumaon and Garhwal . Ditto 1876, Pt. I, p. 605. The Scheduled portion of the Mirzapur District . . Ditto 1879, Pt. I, p. 383. Jaunsar Bawar . . Ditto 1879, Pt. I, p. 382. The District of Lahaul . Ditto 1886, Pt. I, p. 301. The Scheduled Districts of the Central Provinces . . Ditto 1879, Pt. I, p. 630. Coorg. . . . Ditto 1879, Pt. I, p. 747. 18 the Peace, Collector or other person acting judicially shall be liable to be sued in any Civil Court for any act done or ordered to be done by him in the discharge of his judicial duty whether or not within the limits of his jurisdiction: Provided that he at the time, in good faith, believed himself to have jurisdiction to do or order the act complained of; and no officer of any Court or other person, bound to execute the lawful warrants or orders of any such Judge, Magistrate, Justice of the Peace, Collector or other person acting judicially shall be liable to be sued in any Civil Court, for the execution of any warrant or order, which he would be bound to execute, if within the jurisdiction of the person issuing the same *1. -----

----- The Districts of Kamrup, Nowgong, Darrange, Sibsagar, Lakhimpur, Goalpara (exclud- ing the Eastern Duars) and Cachar (excluding the North Cachar Hills) . . See Gazette of India, 1878, Pt. I, p. 633. The Garo Hills, the Khasi and Jaintia Hills, the Naga Hills, the North Cachar Hills in the Cachar District and the East- ern Duars in the Goalpara District Ditto 1897, Pt. I, p. 299. The Porahat Estate in the Singhbhum District . . Ditto 1897, Pt. I, p. 1059. It has been extended, by notification under s. 5 of the last- mentioned Act, to the following Scheduled Districts, namely:- The Tarai of the Province of Agra See Gazette of India, 1876, Pt. I, p.

505. Ajmer and Merwara . . Ditto 1879, Pt. I, p. 380. It has also been extended to the New Provinces and Merged States, see Act 59 of 1949. Rep. in its application to Bellary District by Mysore Act, 14 of 1955. The Act has been extended, to Laccadive, Minicoy and Amindivi Islands by Reg. 8 of 1965, s. 3 and Sch., to the Union territory of Pondicherry by Act 26 of 1968, s. 3 and sch., and to the State of Sikkim vide Notification No. S.O. 268 (E), dated 26-6-1975. 1. As to procedure for instituting criminal prosecutions against Judges and public servants, see the Code of Criminal Procedure, 1973 (Act 2 of 1974), s. 197.

1. Non-liability to suit of officers. No Judge, Magistrate, Justice of the Peace, Collector or other person acting judicially shall be liable to be sued in any Civil -----

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----- 1 Rep. in its application to Bellary District by Mysore Act 14 of 1955. 2 Extended to the State of Sikkim (w.e.f. 20.6.1975) vide Notifn. No. S.O.268(E), dated 20.6.1975. 3 Extended to Laccadive, Minicoy and Amindivi Islands (w.e.f. 1.10.1967) vide Reg. 8 of 1965, s.3 & Sch. 4 Extended to the Union territory of Pondicherry by Act 26 of 1968 , s.3 and Schedule. -----

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----- The Scheduled Districts of the Central Provinces See Gazette of India, 1879, Pt.I, p.630. Coorg Ditto 1879, Pt. I, p. 747. The Districts of

Kamrup, Nowgong, Darrang, Sibsagar, Lakhimpur, Goalpara (excluding the Eastern Duars) and Cachar (excluding the North Cachar Hills) Ditto 1878, Pt. I, p. 633. The Garo Hills, the Khasi and Jaintia Hills, the Naga Hills, the North Cachar Hills in the Cachar District and the Eastern Duars in the Goalpara District Ditto 1897, Pt. I, p. 299. The Porahat Estate in the Singbhum District Ditto 1897, Pt. I, p. 1059. It has been extended, by notification under s. 5 of the last-mentioned Act to the following Scheduled Districts, namely:- The Tarai of the Province of Agra See Gazette of India, 1876, Pt. I, p. 505. Ajmer and Merwara Ditto 1879, Pt. I, p. 380. It has also been extended to the New Provinces and Merged States see of 1949. 1 As to procedure for instituting criminal prosecutions against Judges and public servants, see the Code of Criminal Procedure, 1898 (Act 5 of 1898), s. 197. -----