

CITY SESSIONS COURT ACT, 1953

West Bengal Act XX of 1953 THE CITY SESSIONS COURT ACT, 1953. AMENDED West Ben. Act xxv of 1956. Act XXI of 1964. West Ben. Act of 1969 West Ben. Act of 1975. West Ben. Act XXXVIII of 1980. [Isr Sep'cmbr 1953.] An Act to establish a Court of Session for the Presidency-town of Calcutta. WHEREAS it is expedient to establish a Court of Session for the Presidency-town of Calcutta; It is hereby enacted as follows (1) Act may be called the City Sessions Court Act, 1953. (2) It shall come into force on the same date on which the City Civil Court Act, comes into force

2. In this Act, unless (here is anything repugnant in the subject or West Ben. Act xxi of 1953. Act of 1898. context,— (2) (3) (4) (7) "Chief Judge" means the Chief Judge of the City Sessions Court* appointed under sub-section (1) of section 4; "City Civil Court" means the Court established under section 3 of the City Civil Court Act, 1953; "City Sessions Court" means the Court established under section 3; "High Court" means the High Court at Calcutta, "the Code" means the Code of Criminal Procedure, 1898. Shon Lile tornnence- Ihfjnjlionsr Establishrrrnl Court. 3. (1) The State Government may, by notification in the Official Gazette, establish for the Presidency-town of Calcutta a Court of Session to be called the City Sessions Court. For Statement of Objects and Reasons. see the Calcutta Gazette. Extraordinary. dated the 3rd March 1953. Part IVA. page 468', for proceedings of the West Bengal Legislative Assembly, see the proceedings of the meetings of the West Bengal Legislative Assembly held on the 5th and 6th May, 1953; and for proceedings of the West Bengal Legislative Council. see the proceedings of the meeting of the West Bengal Legislative Council held on the 12th May. Act was brought into force with effect from the same date on which the City Civil Court Act, 1953 came into force. vide sec. 1 (2) of this Act, the Act came into force on the 23rd February, 1957, vide footnote 2 on page 403. puff, *Clauses (5) and (6) were omitted by s. 2 of the City Sessions Court (Amendment) Act, 1969 (West Bengal Act XXXIII of 1969). 4 The City Sessions Court was established with effect from the 23rd February, 1957. vide notification No. 1059-J. dated the 14th February, 1957. in the Judicial Department, published in the Calcutta Gazette, Extraordinary. of the 20th February

1957. Part page 586. 388 Appointment of Judges. Section 10 a CDU[t or Session and the Code 10 apply 10 such Court. City sessions Court not to have jurisdiction in certain The City Sessions Court Act 1953. [West Ben. Act (Sections 4-9.) (2) The City Sessions Court shall be deemed to be a Court subordinate to and subject to the superintendence of the High Court within the meaning of (the Letters Patent for the High Court and of the Code. 4. (1) There shall be appointed a Chief Judge of the City Sessions Court and as many District Judges of that Court as the State Government thinks fit. (2) The Chief Judge or the City Civil Court and the other Judges of that Court may be appointed in addition to their duties in that Court as the Chief Judge and the other Judges of the City Sessions Court. 5. For the purposes of the Code, the Presidency-town of Calcutta shall be deemed to be a sessions division and a district, the City Sessions Court shall be deemed to be a Court or Session established for such sessions division, and the Chief Judge and the other Judges of the City Sessions Court shall be deemed respectively to be the Sessions Judge and the Additional Sessions Judges appointed for such Court of Session; and save as otherwise provided in this Act all the provisions of the Code shall apply accordingly. all matters in respect of which the City Sessions Court has no jurisdiction, shall be tried, dealt with or disposed of as if this Act had not been passed. 7. by the City Sessions Court (Amendment) Act, 1959 Ben. Act of 8. [(High Court not to be by the City Sessions Act, 1969 Ben. of 1969).] 9. [(Trials before the City Sessions Court to be by the City Sessions Court (Amendment) Act, 1975 (West Ben. Act XXI of Sub-section 1 I was omitted by s. 2 of the City Sessions Court (Amendment) Act, 1975 Ben. Act xxxi of 'Sub-section (2) was omitted by s. 3(1) of the City Sessions Court (Amendment) Act, 1969 (West Ben. Act XXXIII of 1969). -The words and figures "Subject to the provisions of sections 7 and 8." were omitted by s. 3(2). ibid. The City Sessions Court Act, 1953. XX of 1953.] (Sections 10-14.) 10. (1) The State Government shall appoint a person to be the Registrar of the City Sessions Court. (2) The State Government shall fix the number of clerks and other ministerial officers for the City Sessions Court. The appointment of such clerks and other officers shall be made by the State Government or, if in any class or classes of cases the State Government so directs, by the Chief Judge. (3) The Registrar and any clerk or other ministerial officer may be common to the City Civil Court and the City Sessions Court. (4) The Chief Judge shall have administrative control

over the Registrar of the City Sessions Court, and the clerks and ministerial officers referred to in sub-section (2), and may frame regulations prescribing the duties of such Registrar, clerks and ministerial officers. 11. (1) The Chief Judge shall, before the commencement or each year, draw up a list of holidays and vacations to be observed in the City Sessions Court, and shall submit the same for the approval of the High Court. (2) Such list, when it has received such approval, shall be published in the Official Gazette and the said holidays and vacations shall be observed accordingly. IX (1) All persons entered as attorneys-at-law on the roll of the High Court shall be entitled to act and plead in the City Sessions Court. (2) The provisions of sub-section (1) shall be in addition to and not in derogation of any law enabling a person to act and plead, or to plead, as the case may be, in the City Sessions Court

13. The City Sessions Court shall use a seal or such form and dimension as may, for the time being, be prescribed by the State Government.

14. (1) The High Court may, from time to time, with the approval of the Governor, make rules* for the purpose of giving effect to the provisions of this Act. For notification directing that the appointment of the clerks and other ministerial officers attached to the City Civil Court or the City Sessions Court shall be made by the Chief Judge, see notification No. 7 IOS dated 21.5.59. published in the Calcutta Gazette of 1959. Part 1. page 3184. For notification form and dimension of the seal used by the City Civil Court, see notification No. 1297 L. dated 21.2.57. published in the Calcutta Gazette, Extraordinary of 1957, Part 1. page 804. For "The Rules of the Calcutta City Sessions Court [1956]" made in exercise of the powers conferred by section 14. see Notification No. 1710 R.O. dated the 15th February, 1957. of the High Court. Appellate Side, published in the Calcutta Gazette. Extraordinary of the 20th March 1957. Appointment of Registrar and of clerks and other ministerial officers and (heir duties, Holidays and vacations of Attorneys entitled to act and plead in the City Sessions Court- Sec. 1. Rules. 390 Saving of cases and proceedings pending in High Court. Act to override other law including The City Sessions Court Act, 1953. [West Ben. Act XX of 1953.] (Sections 15-17 and The Schedules.) (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely, (a) the practice and procedure of the City Sessions Court so far as such rules are not inconsistent with the provisions of this Act as read with the Code; (b) registers, books, accounts and other records to be maintained by the City Sessions Court; (c) returns, statements and other information to be submitted by the City Sessions Court from time to time to the High Court, and also to the State Government if required by the State Government

15. Nothing in this Act shall affect any case or proceeding pending in the High Court on the date on which this Act comes into force, and every such case or proceeding shall be continued as if this Act had not been passed

16. The provisions of this Act shall have effect notwithstanding anything to the contrary in any other law, including in particular the Letters Patent of the High Court: Provided (that nothing in this Act shall be deemed to affect any provisions or the West Bengal Criminal Law Amendment (Special Courts) Act, 1949 or the Tribunals of Criminal Jurisdiction Act, 1952: Provided (unless it is nothing in this Act shall be deemed to confer any jurisdiction on the City Sessions Court to try any offence under the Indian Companies Act, 1913 or deemed to affect the jurisdiction of the High Court under the Banking Companies Act, 1949. 17. [(A*menanam to the by the City Sessions Court 1980 (West Ben. Act XXVIII of 1980).] [THE FIRST by s. 6 of the City Sessions Court (Amendment) Act, 1969 (West Ben. Act XXXI of 1969).] [THE SECOND the Code of Criminal Procedure, by s. 3 of the City Sessions Court (Amendment) Act, 1980 (West Ben. Act XXXVIII of 1980).] The Indian Companies Act, 1913 (VII of 1913) was repealed by the Companies Act, 1956 (I of Ben. Act XXI of 1949. West Ben. Act XIV of 1952. of 19B. x or 1949.