

¹[THE JUDICIAL OFFICERS' PROTECTION ACT, 1850]

ACT No. XVIII 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 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 same².

¹Short title given by the Short Titles Act, 1897 (14 of 1897).

The Act has been declared to be in force in all the Provinces and the Capital of the Federation except the Scheduled Districts, by the Laws Local Extent Act, 1874 (15 of 1874), s. 3.

It has been declared in force in the Baluchistan by the British Baluchistan Laws Regulation, 1913 (2 of 1913), s. 3.

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:-

Sind. See Gazette of India, 1878, Pt. I, p. 482.

The Districts of Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan and Dera Ghazi Khan. [*Portions of the Districts of Hazara, Bannu, Dera Ismail Khan and Dera Ghazi Khan and the Districts of Peshawar and Kohat now form the N.W.F.P.. see Gazette of India. 1901 Pt. I, p. 857. and ibid., 1902. Pt. I, p. 575; but its application has been barred in that part of the Hazara District know as Upper Tanawal, by the Hazara (Upper Tanawal) Regulation, 1900 (2 of 1900), s. 3.*]

²As to procedure for instituting criminal prosecutions against Judges and public servants, see the Code of Criminal Procedure, 1898 (Act 5 of 1898), section 197.