

ARTICLE 11

Provisional Arrest

1. In cases of urgency a contracting State may request the provisional arrest of the person sought.

2. The request for provisional arrest may be made through diplomatic channels, directly between the Department of Justice of Canada and the Ministry of Home Affairs of India, through the International Criminal Police Organization (INTERPOL), or by any other means acceptable to the requested State.

3. The request for provisional arrest shall be supported by:

- (a) information concerning the identity, description and location of the person sought,
- (b) a brief statement of the facts of the case,
- (c) an indication that the requesting State will request the extradition of the person sought,
- (d) a statement of the existence of a warrant for the arrest or order of conviction against the person sought, and
- (e) such further information, if any, to justify the issuance of a warrant of arrest had the extradition offence been committed or the person sought been convicted, in or within the jurisdiction of the requested State.

4. On receipt of a request for provisional arrest, the requested State shall take appropriate steps to arrest the person sought, and to promptly notify the requesting State of the results of its efforts.

5. The person sought shall be discharged and set at liberty if the requested State has not received a request for extradition within 30 days and the supporting documents and evidence within 90 days from the date of arrest.

6. Notwithstanding paragraph 5, the person sought may be re-arrested for the same or other extradition offence if a request for extradition is subsequently received by the requested State.

ARTICLE 12

Surrender

1. The requested State shall notify the requesting State as soon as possible of its decision with regard to the request for extradition.

2. If extradition is granted, the requested State shall make the person sought available to the persons authorized by the requesting State to receive him at the time and place agreed to by both contracting States.