

The Amending Act, 1897

UNION OF INDIA

India

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Act 5 of 1897

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An Act to amend and facilitate the citation of certain enactments. WHEREAS it is expedient that certain formal amendments should be made in the enactments specified in the second schedule to this Act; AND WHEREAS it is also expedient to facilitate the citation of the enactments specified in the third schedule to this Act; It is hereby enacted as follows:--

1. Title.-

(1) This Act may be called the ⁶ Amending Act, 1897 ;⁷⁷

2. [Enactments repealed and amended.] Rep. partly by the Repealing and Amending Act, 1903 (1 of 1903), s. 4 and Sch. III and partly by the Repealing Act, 1938 (1 of 1938), s. 2 and Sch.

3. [Savings.]-

Rep. by the Repealing and Amending Act, 1903 (1 of 1903), s. 4 and Sch. III.

4. Citation of certain enactments.-

Each of the enactments described in the first three columns of the third schedule may, without prejudice to any other mode of citation, be cited for all purposes by the short title mentioned in that behalf in the fourth column thereof. SCHEDULE I[Repealed.] THE FIRST SCHEDULE.--[Repeals.] Rep. by the Repealing and Amending Act, 1903 (1 of 1903), s. 4 and Sch. III. SCHEDULE II[Repealed] THE SECOND SCHEDULE.--[Amendments.] Rep. by the Repealing Act, 1938 (1 of 1938), s. 2 and Sch.

1. The words" to repeal certain obsolete enactments and" omitted by Act 1 of 1903, s. 4 and Sch. III. 2. The word" other" omitted by s. 4 and Sch. III, ibid. 3. The first recital of the preamble rep. by s. 4 and Sch. III, ibid. 4. The word" And" omitted by s. 4 and Sch. III, ibid. 5. The word" also" omitted by s. 4 and Sch. III, ibid. 6. The words" Repealing and" omitted by s. 4 and Sch. III, ibid. 7. The word" and" at the end of sub- section (1), and sub- section (2), omitted by Act 10 of 1914, s. 3 and Sch. II.

III THE THIRD SCHEDULEYear No Subject Short title Part I.-- Local Acts of the Governor General in Council in force in Assam.

1850. XXV For the forfeiture to Government of The Forfeited deposits made on incomplete sales Deposits Act, of land under Regulation VIII, 1819. 1850. 1

1853. VI Relating to summary suits for arrears The Rent of rent, to sales of patni taluqs and Recovery other saleable tenures, and to sales Act, 1853. of land in satisfaction of summary decrees for rent.

1853. XIX To amend the law of evidence in the The Recusant Civil Courts of the East India Com- Witnesses Act, pany in the Bengal Presidency. 1853.

1856. XII To amend the law respecting the The Civil employment of Amins by the Civil Courts Courts in the Presidency of Fort Amins Act, 1856 William.

1867. III To provide for the punishment of The Public public gambling and the keeping Gambling of common gaming- houses in the Act, 1867. North- Western Provinces of the Presidency of Fort William, and in the Punjab, Oudh, the Central Provinces and British Burma. 2

1874. VIII To provide for the exercise of the The Assam powers hitherto exercised by the Chief Com- Lieutenant- Governor and Board of missionership Revenue of Bengal in the territories Act, 1874. forming the Chief Commissionership of Assam. 3

1886. III To amend the Northern India Ferries The Northern Act, 1878. India Ferries Act, Amendment Act, 1886.

1892. IV To amend the Bengal Court of Wards The Court of Act, 1879 Act IX (B. C.) of 1879]. Wards Act (Bengal) Amend- ment Act, 1892. 1. The entries relating to Act 33 of 1850 rep. by Act 12 of 1927, s. 2 and Sch. 2. The entries relating to Act 19 of 1871 rep. by s. 2 and Sch, ibid. 3. The entries relating to Act 12 of 1874 rep. by Act 35 of 1950, s. 3 and Sch. II.

Part II – .--

Regulation made under the Government of India Act, 1870 (33 Vict., c. 3). 1884 III To empower the extension of the Assam The Assam Fro- Frontier Tracts Regulation, 1880 , to ntier Tracts certain tracts in Assam and to dec- Regulation, lare that Act X of 1872 (the Code 1884 . of Criminal Procedure) shall be deemed never to have come into force in the Garo Hills District, the Naga Hills District and the Khasi and Jaintia Hills District. Part III.-- Regulations of the Bengal Code in force in Assam. 1793 I For enacting into a Regulation certain The Bengal Articles of a Proclamation bearing Permanent date the 22nd March, 1793. Settlement Regulation, 1793. 1793 II For abolishing the Courts of Mal Ada- The Bengal lat or Revenue Courts, and transfer- Land- Revenue ring the trial of the suits which Regulation, were cognizable in those Courts, to 1793. the Courts of Dewani Adalat; and prescribing Rules for the conduct of the Board of Revenue and the Collectors. 1793 VIII For re-enacting, with modifications The Bengal and amendments, the rules for the Decennial Decennial Settlement of the public Settlement revenue payable from the lands of Regulation, the zamindars, independent taluq- 1793. dars and other actual proprietors of land, in Bengal, Behar and Ori- ssa, passed for those provinces respectively on the 18th September, 1789; the 25th November, 1789; and the 10th February, 1790, and subse- quent dates. 1793 XI For removing certain restrictions to The Bengal the operation of the Hindu and Mu- Inheritance hammadan laws with regard to the Regulation, inheritance of landed property 1793. subject to the payment of revenue to Government. 1793 XXXVIII For re- enacting, with modifications, The Indian such part of the rule passed on the Civil Service 27th June, 1787, as prohibits Cove- (Bengal) Loans nanted Civil Servants of the Com- Prohibition pany employed in the administration Regulation, of justice or the collection of the 1793. public revenue lending money to zam- indars, independent taluqdars or other actual proprietors of land, or depend- ent taluqdars or farmers of land hold- ing farms immediately of Government, or the under- farmers or raiats of the several descriptions of proprietors and farmers of land above mentioned, or their respective sureties. 1799 V To limit the interference of the Zila The Bengal Court of Dewani Adalat in the execu- Wills and tion of wills and administration to Intestacy the estates of persons dying Regulation, intestate. 1799. 1800 X For preventing the division of The Bengal landed estates in the Jangal Mahals Inheritance of the Zila of Midnapore and other Regulation, Districts. 1800. ¹ 1806 XI For facilitating the progress of The Bengal Tr- detachments of troops through the oops Transport Company' s territories for afford- and Travellers ing any requisite assistance to Assistance Re- persons travelling through those gulation, 1806 . territories. 1812 XI To empower the Governor General in The Bengal Council to order the removal of Foreign emigrants from foreign countries, Immigrants and their descendants, from any Regulation, place in the vicinity of the 1812 . frontier of the State from which they may have emigrated; and, in certain cases, to place and detain any such persons in safe custody; and likewise to provide for the trial of emigrants and their des- cendants who may excite disturb- ances in the countries from which they may have emigrated, and

of persons aiding them in the prosecution of such attempts. 1818 III For the confinement of State The Bengal Prisoners. State Prisoners Regulation, 1818 . 1819 VIII To declare the validity of The Bengal certain tenures, and to define Patni Taluqs the relative rights of zamindars and patni taluqdars; also 1819 . to establish a process for the sale of such taluqs in satisfaction of the zamindar's demand of rent. 1820 I For providing that all sales of The Bengal certain taluqs made answerable Patni Taluqs by sale for Regulation, 1820 .The entries relating to the Bengal State Offences Regulation, 1804 (10 of 1804) rep. by Act 4 of 1922, s. 3 and Sch. arrears by the zamindar's rent shall be conducted in the mode provided by Regulation VIII, 1819 , for the sales therein described. 1823 VII For prohibiting loans by Covenanted The Indian Civil Servants from persons subject Civil Service to their official authority and (Bengal) Loans influence. Prohibition Regulation, 1823 .1825 VI For rendering more effectual the The Bengal rules in force relative to supplies Troops Transport and preparations for troops port Regulation, ceeding through the British territories, 1825 . 1825 XI For declaring the rules to be observed The Bengal served in determining claims to Alluvion and lands gained by alluvion, or by Diluvion dereliction of a river or the sea. Regulation, 1825 . 1827 III For modifying and amending the The Bengal rules in force relative to the Corruption and law officers and ministerial Extortion native officers of the Courts Regulation, of Judicature, who may be 1827 . guilty of corruption or extortion. 1827 V For modifying the rules at present The Bengal in force for the management of es- Attached Estates under attachments by orders Management of the Courts of Justice in certain cases. Regulation, 1827 . 1829 XVII For declaring the practice of Sati The Bengal or of burning or burying alive Sati Regulation- the widows of Hindus illegal and punishable by the Criminal Courts. 1829 .