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A COLLECTION
OF
THE ACTS

PASSED BY

THE GOVERNOR GENERAL OF INDIA IN COUNCIL

IN THE YEAR

1914.

CALCUTTA
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
1915

[Price three annas and three pies.]

TITLES OF ACTS

PASSED BY

THE GOVERNOR GENERAL OF INDIA IN COUNCIL

IN THE YEAR 1914.

- I. An Act further to amend the Code of Civil Procedure, 1908.
- II. „ to prevent the introduction into British India of any insect, fungus or other pest, which is or may be destructive to crops.
- ~~III.~~ „ to modify and add to the provisions of the Copyright Act, 1911.
- IV. „ to decentralize and otherwise to facilitate the administration of certain enactments.
- V. „ further to amend the Negotiable Instruments Act, 1881.
- VI. „ to amend the Provincial Small Cause Courts Act, 1887.
- VII. „ further to amend the Indian Telegraph Act, 1885.
- ~~VIII.~~ „ to consolidate and amend the law relating to Motor Vehicles in British India.
- ~~IX.~~ „ to consolidate and amend the law relating to the grant of loans to Local Authorities.
- X. „ to amend certain enactments and to repeal certain other enactments.
- XI. „ to amend the Indian Companies Act, 1913.
- XII. „ further to amend the Sea Customs Act, 1878.
- XIII. „ to amend the Indian Life Assurance Companies Act, 1912.
- XIV. „ further to amend the Indian Telegraph Act, 1885, and the Indian Post Office Act, 1898.
- XV. „ to amend the Indian Army Act, 1911.
- XVI. „ to amend the Indian Airships Act, 1911.
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CALCUTTA
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
8, HASTINGS STREET

ACT No. I OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 16th
January, 1914.)

An Act further to amend the Code of Civil Procedure, 1908.

V of 1908. **W**HEREAS it is expedient further to amend the Code of Civil Procedure, 1908; It is hereby enacted as follows:—

1. This Act may be called the Code of Civil Procedure (Amendment) Act, 1914. Short title.

V of 1908. 2. To section 8 of the Code of Civil Procedure, 1908 (hereinafter referred to as "the said Code"), the following provisos shall be added, namely:— Addition of provisos to section 8, Code of Civil Procedure, 1908.

" Provided that—

XV of 1882. (1) the High Courts of Judicature at Fort William, Madras and Bombay, as the case may be, may from time to time, by notification in the local official Gazette, direct that any such provisions not inconsistent with the express provisions of the Presidency Small Cause Courts Act, 1882, and with such modifications and adaptations as may be specified in the notification, shall extend to suits or proceedings or any class of suits or proceedings in such Court.

XV of 1882. (2) All rules heretofore made by any of the said High Courts under section 9 of the Presidency Small Cause Courts Act, 1882, shall be deemed to have been validly made."

3. Section

[Price one anna and three pies.]

Amendment
of section 67,
Code of Civil
Procedure,
1908.

3. Section 67 of the said Code shall be renumbered section 67 (1) and to the same section the following sub-section (2) shall be added, namely :—

“(2) When on the date on which this Code came into operation in any local area, any special rules as to sale of land in execution of decrees were in force therein, the Local Government may, by notification in the local official Gazette, declare such rules to be in force, or may, with the previous sanction of the Governor General in Council, by a like notification, modify the same.

“Every notification issued in the exercise of the powers conferred by this sub-section shall set out the rules so continued or modified.”

ACT No. II OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 3rd.
February, 1914.)

An Act to prevent the introduction into British India of any insect, fungus or other pest, which is or may be destructive to crops.

WHEREAS it is expedient to make provision for preventing the introduction into British India of any insect, fungus or other pest, which is or may be destructive to crops; It is hereby enacted as follows:—

1. This Act may be called the Destructive Insects Short title and Pests Act, 1914.

2. In this Act, unless there is anything repugnant Definitions. in the subject or context,—

- (a) "crops" includes all agricultural or horticultural crops, and trees or bushes;
- (b) "import" means the bringing or taking by sea or land; and
- (c) "infection" means infection by any insect, fungus or other pest injurious to a crop.

3. (1) The Governor General in Council may, by Power of Governor General in Council to regulate or prohibit the import of articles likely to infect. notification in the Gazette of India, prohibit or regulate, subject to such restrictions and conditions as he may impose, the import into British India, or any part thereof, or any specified place therein, of any article or class of articles likely to cause infection to any crop.

(2) A notification

[Price one anna and three pies.]

Destructive Insects and Pests. [ACT II OF 1914.]

(2) A notification under this section may specify any article or class of articles, either generally or in any particular manner, whether with reference to the country of origin, or the route by which imported or otherwise.

Operation of notification under section 3.

4. A notification under section 3 shall operate as if it had been issued under section 19 of the Sea Customs Act, 1878, and the officers of Customs at every port shall have the same powers in respect of any article with regard to the importation of which such a notification has been issued as they have for the time being in respect of any article the importation of which is regulated, restricted or prohibited by the law relating to Sea Customs, and the law for the time being in force relating to Sea Customs or any such article shall apply accordingly.

VIII of 1873.

Power of Local Government to make rules.

5. (1) The Local Government may, subject to the control of the Governor General in Council, make rules for the detention, inspection, disinfection or destruction of any article or class of articles in respect of which a notification has been issued under section 3 or of any article which may have been in contact or proximity thereto, and for regulating the powers and duties of the officers whom it may appoint in this behalf.

(2) In making any rule under this section the Local Government may direct that a breach thereof shall be punishable with fine, which may extend to one thousand rupees.

Protection to persons acting under Act.

6. No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

THE INDIAN COPYRIGHT ACT, 1914.

(ACT No. III OF 1914)

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INDIA.

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REPEAL OF ENACTMENTS.

ACT No. III OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN
COUNCIL.

(Received the assent of the Governor General on the 24th
February, 1914.)

An Act to modify and add to the provisions of the
Copyright Act, 1911.

1 & 2, Geo.
5, c. 46.

WHEREAS it is expedient to modify and add
to the provisions of the Copyright Act, 1911,
in its application to British India; It is hereby
enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Act may be called the Indian Copy- Short title
and extent.
right Act, 1914.

(2) It extends to the whole of British India
including British Baluchistan, the District of Angul
and the Sonthal Parganas.

2. In this Act, unless there is anything repugnant Definitions
in the subject or context,—

1 & 2, Geo.
5, c. 46.

(1) "the Copyright Act" means the Act of
Parliament entitled the Copyright Act,
1911: and

(2) words and expressions defined in the Copy-
right Act have the same meanings as in
that Act.

CHAPTER II.

CONSTRUCTION AND MODIFICATION OF THE COPY-
RIGHT ACT.

3. In the application to British India of the Application
of Copyright
Act to
British India
with
the
adaptations.
Copyright Act (a copy of which Act, except such of
the provisions thereof as are expressly restricted to

(Chapter II.—Construction and Modification of the
Copyright Act.)

the United Kingdom, is set out in the First Schedule), the following modifications shall be made, namely:—

- (1) the powers of the Board of Trade under section 3 shall, in the case of works first published in British India, be exercised by the Governor General in Council;
- (2) the powers of the Board of Trade under section 19 shall, as regards records, perforated rolls and other contrivances, the original plate of which was made in British India, be exercised by the Governor General in Council; and the confirmation of Parliament shall not be necessary to the exercise of any of these powers;
- (3) the references in section 19, sub-section (4), and in section 24, sub-section (1), to arbitration shall be read as references to arbitration in accordance with the law for the time being in force in that part of British India in which the dispute occurs;
- (4) as regards works the authors whereof were at the time of the making of the works resident in British India, and as regards works first published in British India, the reference in section 22 to the Patents and Designs Act, 1907, shall be construed as a reference to the Indian Patents and Designs Act, 1911, and the reference in the said section to section 86 of the Patents and Designs Act, 1907, shall be construed as a reference to section 77 of the Indian Patents and Designs Act, 1911;

7 Edw. VII,
Cap. 22.
11 of 1911.
7 Edw. VII,
Cap. 22.
11 of 1911.
- (5) as regards works first published in British India, the reference in section 24, sub-section (1), proviso (a), to the London Gazette and two London newspapers shall be construed as a reference to the Gazette
of

(Chapter II.—Construction and Modification of the Copyright Act.)

of India and two newspapers published in British India ; and the reference in proviso (b) of the same sub-section of the same section to the 26th day of July, 1910, shall, as regards works the authors whereof were at the time of the making of the works resident in British India, and as regards works first published in British India, be construed as a reference to the 30th day of October, 1912.

4. (1) In the case of works first published in British India, copyright shall be subject to this limitation that the sole right to produce, reproduce, perform or publish a translation of the work shall subsist only for a period of ten years from the date of the first publication of the work :

Modification of copyright as regards translation of works first published in British India.

Provided that if within the said period the author, or any person to whom he has granted permission so to do, publishes a translation of any such work in any language, copyright in such work as regards the sole right to produce, reproduce, perform or publish a translation in that language shall not be subject to the limitation prescribed in this sub-section.

(2) For the purposes of sub-section (1) the expression "author" includes the legal representative of a deceased author.

5. In the application of the Copyright Act to musical works the authors whereof were at the time of the making of the works resident in British India, or to musical works first published in British India, the term "musical work" shall, save as otherwise expressly provided by the Copyright Act, mean "any combination of melody and harmony, or either of them, which has been reduced to writing."

Musical works made by resident of, or first published in, British India.

6. (1) Copies made out of British India of any work in which copyright subsists which if made in British India would infringe copyright, and as to which the owner of the copyright gives notice in writing by himself or his agent to the Chief Customs

Importation of copies.

officer

(Chapter II.—Construction and Modification of the
Copyright Act.)

VIII of 1878. officer, as defined in the Sea Customs Act, 1878, that he is desirous that such copies should not be imported into British India, shall not be so imported, and shall, subject to the provisions of this section, be deemed to be prohibited imports within the meaning of section 18 of the Sea Customs Act, 1878.

VIII of 1878.

(2) Before detaining any such copies, or taking any further proceedings with a view to the confiscation thereof, such Chief Customs officer, or any other officer appointed by the Local Government in this behalf, may require the regulations under this section, whether as to information, security, conditions or other matters, to be complied with, and may satisfy himself, in accordance with these regulations, that the copies are such as are prohibited by this section to be imported.

(3) The Governor General in Council may, by notification in the Gazette of India, make regulations, either general or special, respecting the detention and confiscation of copies the importation of which is prohibited by this section, and the conditions, if any, to be fulfilled before such detention and confiscation; and may, by such regulations, determine the information, notices and security to be given, and the evidence requisite for any of the purposes of this section, and the mode of verification of such evidence.

(4) Such regulations may apply to copies of all works the importation of copies of which is prohibited by this section, or different regulations may be made respecting different classes of such works.

(5) The regulations may provide for the informant re-imbursing the Secretary of State for India in Council all expenses and damages incurred in respect of any detention made on his information, and of any proceedings consequent on such detention; and may provide that notices given under the Copyright Act to the Commissioners of Customs and Excise of the
United

(Chapter II.—Construction and Modification of the Copyright Act. Chapter III.—Penalties.)

United Kingdom, and communicated by that authority to any authority in British India, shall be deemed to have been given by the owner to the said Chief Customs officer.

(6) This section shall have effect as the necessary modification of section 14 of the Copyright Act.

CHAPTER III.

PENALTIES.

7. If any person knowingly—

- (a) makes for sale or hire any infringing copy of a work in which copyright subsists; Offences in respect of infringing copies.
- or
- (b) sells or lets for hire, or by way of trade exposes or offers for sale or hire, any infringing copy of any such work; or
- (c) distributes infringing copies of any such work, either for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright; or
- (d) by way of trade exhibits in public any infringing copy of any such work; or
- (e) imports for sale or hire into British India any infringing copy of any such work;

he shall be punishable with fine which may extend to twenty rupees for every copy dealt with in contravention of this section, but not exceeding five hundred rupees in respect of the same transaction.

8. If any person knowingly makes, or has, in his possession, any plate for the purpose of making infringing copies of any work in which copyright subsists, or knowingly and for his private profit causes any such work to be performed in public without the consent of the owner of the copyright, he shall be punishable with fine which may extend to five hundred rupees.

Possession of plates for purpose of making infringing copies

9. If

(Chapter III.—Penalties. Chapter IV.—
Miscellaneous.)Punishment
on second
conviction.

9. If any person, after having been previously convicted of an offence punishable under section 7 or section 8 is subsequently convicted of an offence punishable under either of these sections, he shall be punishable with simple imprisonment which may extend to one month, or with fine which may extend to one thousand rupees, or with both.

Power of
Court to dis-
pose of in-
fringing
copies or
plates for
purpose of
making in-
fringing
copies.

10. (1) The Court before which any offence under this Chapter is tried may, whether the alleged offender is convicted or not, order that all copies of the work or all plates in the possession of the alleged offender, which appear to it to be infringing copies, or plates for the purpose of making infringing copies, be destroyed or delivered up to the owner of the copyright, or otherwise dealt with as the Court may think fit.

(2) Any person affected by an order under subsection (1) may, within thirty days of the date of such order, appeal to the Court to which appeals from the Court making the order ordinarily lie; and such appellate Court may direct that execution of the order be stayed pending consideration of the appeal.

Cognizance of
offences.

11. No Court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence against this Act.

Saving in
case of in-
fringement by
construction
of building

12. The provisions of this Chapter shall not apply to any case to which section 9 of the Copyright Act, regarding the restrictions on remedies in the case of a work of architecture, applies.

CHAPTER IV.

MISCELLANEOUS.

Courts having
civil jurisdic-
tion regarding
infringement
of copyright.

13. Every suit or other civil proceeding regarding infringement of copyright shall be instituted and tried in the High Court or the Court of the District Judge.

14. No

(Chapter IV.—Miscellaneous.)

14. No suit or other civil proceeding instituted after the 30th of October, 1912, regarding infringement of copyright in any book the author whereof was at the time of making the book resident in British India, or of any book first published in British India, shall be dismissed by reason only that the registration of such book had not been effected in accordance with the provisions of the Indian Copyright Act, 1847.

Effect of non-registration under Act XX of 1847.

XX of 1847.

15. The enactments mentioned in the Second Schedule are hereby repealed to the extent specified in the fourth column thereof.

Repeals.

Copyright.

[ACT III,

(The First Schedule.--Portions of the Copyright Act, 1911, applicable to British India.)

THE FIRST SCHEDULE.

PORTIONS OF THE COPYRIGHT ACT APPLICABLE TO BRITISH INDIA.

(See section 3.)

COPYRIGHT ACT, 1911.

[1 & 2 GEO. 5, CH. 46.]

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Chapter 46.

AN ACT TO AMEND AND CONSOLIDATE THE LAW RELATING TO COPYRIGHT.

[16TH DECEMBER, 1911.]

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.

IMPERIAL COPYRIGHT.

Rights.

Copyright.

1. (1) Subject to the provisions of this Act, copyright shall subsist throughout the parts of His Majesty's dominions to which this Act extends for the term hereinafter mentioned in every original literary dramatic musical and artistic work, if—

(a) in the case of a published work, the work was first published within such parts of His Majesty's dominions as aforesaid; and

(b) in the case of an unpublished work, the author was at the date of the making of the work a British subject or resident within such parts of His Majesty's dominions as aforesaid;

but in no other works, except so far as the protection conferred by this Act is extended by Orders in Council thereunder relating to self-governing dominions to which this Act does not extend and to foreign countries.

(2) For

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

(2) For the purposes of this Act, "copyright" means the sole right to produce or reproduce the work or any substantial part thereof in any material form whatsoever, to perform, or in the case of a lecture to deliver, the work or any substantial part thereof in public; if the work is unpublished, to publish the work or any substantial part thereof; and shall include the sole right—

- (a) to produce, reproduce, perform, or publish any translation of the work;
- (b) in the case of a dramatic work, to convert it into a novel or other non-dramatic work;
- (c) in the case of a novel or other non-dramatic work, or of an artistic work, to convert it into a dramatic work, by way of performance in public or otherwise;
- (d) in the case of a literary dramatic or musical work, to make any record, perforated roll, cinematograph film, or other contrivance by means of which the work may be mechanically performed or delivered;

and to authorise any such acts as aforesaid.

(3) For the purposes of this Act, publication, in relation to any work, means the issue of copies of the work to the public, and does not include the performance in public of a dramatic or musical work, the delivery in public of a lecture, the exhibition in public of an artistic work, or the construction of an architectural work of art, but, for the purposes of this provision, the issue of photographs and engravings of works of sculpture and architectural works of art shall not be deemed to be publication of such works.

2. (1) Copyright in a work shall be deemed to be infringed by any person who, without the consent of the owner of the copyright, does anything the sole right

Infringement
of copyright.

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

right to do which is by this Act conferred on the owner of the copyright: Provided that the following acts shall not constitute an infringement of copyright:—

- (i) Any fair dealing with any work for the purposes of private study, research, criticism, review, or newspaper summary:
- (ii) Where the author of an artistic work is not the owner of the copyright therein, the use by the author of any mould, cast, sketch, plan, model, or study made by him for the purpose of the work, provided that he does not thereby repeat or imitate the main design of that work:
- (iii) The making or publishing of paintings, drawings, engravings, or photographs of a work of sculpture or artistic craftsmanship, if permanently situate in a public place or building, or the making or publishing of paintings, drawings, engravings or photographs (which are not in the nature of architectural drawings or plans) of any architectural work of art:
- (iv) The publication in a collection, mainly composed of non-copyright matter, *bonâ fide* intended for the use of schools, and so described in the title and in any advertisements issued by the publisher, of short passages from published literary works not themselves published for the use of schools in which copyright subsists: Provided that not more than two of such passages from works by the same author are published by the same publisher within five years, and that the source from which such passages are taken is acknowledged:
- (v) The publication in a newspaper of a report of a lecture delivered in public, unless the report

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

report is prohibited by conspicuous written or printed notice affixed before and maintained during the lecture at or about the main entrance of the building in which the lecture is given, and, except whilst the building is being used for public worship, in a position near the lecturer; but nothing in this paragraph shall affect the provisions in paragraph (i) as to newspaper summaries:

(vi) The reading or recitation in public by one person of any reasonable extract from any published work.

(2) Copyright in a work shall also be deemed to be infringed by any person who—

- (a) sells or lets for hire, or by way of trade exposes or offers for sale or hire; or
- (b) distributes either for the purposes of trade or to such an extent as to affect prejudicially the owner of the copyright; or
- (c) by way of trade exhibits in public; or
- (d) imports for sale or hire into any part of His Majesty's dominions to which this Act extends,

any work which to his knowledge infringes copyright or would infringe copyright if it had been made within the part of His Majesty's dominions in or into which the sale or hiring, exposure, offering for sale or hire, distribution, exhibition, or importation took place.

(3) Copyright in a work shall also be deemed to be infringed by any person who for his private profit permits a theatre or other place of entertainment to be used for the performance in public of the work without the consent of the owner of the copyright, unless he was not aware, and had no reasonable ground

(The First Schedule.— Portions of the Copyright Act, 1911, applicable to British India.)

ground for suspecting, that the performance would be an infringement of copyright.

Term of
copyright.

3. The term for which copyright shall subsist shall, except as otherwise expressly provided by this Act, be the life of the author and a period of fifty years after his death :

Provided that at any time after the expiration of twenty-five years, or in the case of a work in which copyright subsists at the passing of this Act thirty years, from the death of the author of a published work, copyright in the work shall not be deemed to be infringed by the reproduction of the work for sale if the person reproducing the work proves that he has given the prescribed notice in writing of his intention to reproduce the work, and that he has paid in the prescribed manner to, or for the benefit of, the owner of the copyright royalties in respect of all copies of the work sold by him calculated at the rate of ten per cent on the price at which he publishes the work ; and, for the purposes of this proviso, the Board of Trade may make regulations prescribing the mode in which notices are to be given, and the particulars to be given in such notices, and the mode, time, and frequency of the payment of royalties, including (if they think fit) regulations requiring payment in advance or otherwise securing the payment of royalties.

Compulsory
licences.

4. If, at any time after the death of the author of a literary dramatic or musical work which has been published or performed in public, a complaint is made to the Judicial Committee of the Privy Council that the owner of the copyright in the work has refused to republish or to allow the republication of the work or has refused to allow the performance in public of the work, and that by reason of such refusal the work is withheld from the public, the owner of the copyright may be ordered to grant a licence to reproduce the work or perform the work in public, as the case may be, on such terms and subject to such conditions as the Judicial Committee may think fit.

5. (1) Subject

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

5. (1) Subject to the provisions of this Act, the author of a work shall be the first owner of the copy-right therein : ^{Ownership of copyright, etc.}

Provided that—

(a) where, in the case of an engraving, photograph, or portrait, the plate or other original was ordered by some other person and was made for valuable consideration in pursuance of that order, then, in the absence of any agreement to the contrary, the person by whom such plate or other original was ordered shall be the first owner of the copyright ;

(b) where the author was in the employment of some other person under a contract of service or apprenticeship and the work was made in the course of his employment by that person, the person by whom the author was employed shall, in the absence of any agreement to the contrary, be the first owner of the copyright, but where the work is an article or other contribution to a newspaper, magazine, or similar periodical, there shall, in the absence of any agreement to the contrary, be deemed to be reserved to the author a right to restrain the publication of the work, otherwise than as part of a newspaper, magazine, or similar periodical.

(2) The owner of the copyright in any work may assign the right, either wholly or partially, and either generally or subject to limitations to the United Kingdom or any self-governing dominion or other part of His Majesty's dominions to which this Act extends, and either for the whole term of the copyright or for any part thereof, and may grant any interest in the right by licence, but no such assignment or grant shall be valid unless it is in writing signed by the owner of the right in respect of which

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

the assignment or grant is made, or by his duly authorised agent :

Provided that, where the author of a work is the first owner of the copyright therein, no assignment of the copyright, and no grant of any interest therein, made by him (otherwise than by will) after the passing of this Act, shall be operative to vest in the assignee or grantee any rights with respect to the copyright in the work beyond the expiration of twenty-five years from the death of the author, and the reversionary interest in the copyright expectant on the termination of that period shall, on the death of the author, notwithstanding any agreement to the contrary, devolve on his legal personal representatives as part of his estate, and any agreement entered into by him as to the disposition of such reversionary interest shall be null and void, but nothing in this proviso shall be construed as applying to the assignment of the copyright in a collective work or a licence to publish a work or part of a work as part of a collective work.

(3) Where, under any partial assignment of copyright, the assignee becomes entitled to any right comprised in copyright, the assignee, as respects the rights so assigned, and the assignor, as respects the rights not assigned, shall be treated for the purposes of this Act as the owner of the copyright, and the provisions of this Act shall have effect accordingly.

Civil Remedies.

Civil remedies for infringement of copyright.

6. (1) Where copyright in any work has been infringed, the owner of the copyright shall, except as otherwise provided by this Act, be entitled to all such remedies by way of injunction or interdict, damages, accounts, and otherwise, as are or may be conferred by law for the infringement of a right.

(2) The costs of all parties in any proceedings in respect of the infringement of copyright shall be in the absolute discretion of the Court.

(3) In

(*The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.*)

(3) In any action for infringement of copyright in any work, the work shall be presumed to be a work in which copyright subsists and the plaintiff shall be presumed to be the owner of the copyright, unless the defendant puts in issue the existence of the copyright, or, as the case may be, the title of the plaintiff, and where any such question is in issue, then—

(a) if a name purporting to be that of the author of the work is printed or otherwise indicated thereon in the usual manner, the person whose name is so printed or indicated shall, unless the contrary is proved, be presumed to be the author of the work;

(b) if no name is so printed or indicated, or if the name so printed or indicated is not the author's true name or the name by which he is commonly known, and a name purporting to be that of the publisher or proprietor of the work is printed or otherwise indicated thereon in the usual manner, the person whose name is so printed or indicated shall, unless the contrary is proved, be presumed to be the owner of the copyright in the work for the purposes of proceedings in respect of the infringement of copyright therein.

7. All infringing copies of any work in which copyright subsists, or of any substantial part thereof, and all plates used or intended to be used for the production of such infringing copies, shall be deemed to be the property of the owner of the copyright, who accordingly may take proceedings for the recovery of the possession thereof or in respect of the conversion thereof.

Rights of owner against persons possessing or dealing with infringing copies, etc.

8. Where proceedings are taken in respect of the infringement of the copyright in any work and the defendant in his defence alleges that he was not aware of the existence of the copyright in the work, the plaintiff

Exemption of innocent infringer from liability to pay damages, etc.

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

plaintiff shall not be entitled to any remedy other than an injunction or interdict in respect of the infringement if the defendant proves that at the date of the infringement he was not aware, and had not reasonable ground for suspecting, that copyright subsisted in the work.

Restriction on remedies in the case of architecture.

9. (1) Where the construction of a building or other structure which infringes or which, if completed, would infringe the copyright in some other work has been commenced, the owner of the copyright shall not be entitled to obtain an injunction or interdict to restrain the construction of such building or structure or to order its demolition.

(2) Such of the other provisions of this Act as provide that an infringing copy of a work shall be deemed to be the property of the owner of the copyright, or as impose summary penalties, shall not apply in any case to which this section applies.

Limitation of actions.

10. An action in respect of infringement of copyright shall not be commenced after the expiration of three years next after the infringement.

* * *

Importation of copies.

Importation of copies.

14. (1) Copies made out of the United Kingdom of any work in which copyright subsists which if made in the United Kingdom would infringe copyright, and as to which the owner of the copyright gives notice in writing by himself or his agent to the Commissioners of Customs and Excise, that he is desirous that such copies should not be imported into the United Kingdom, shall not be so imported, and shall, subject to the provisions of this section, be deemed to be

(*The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.*)

be included in the table of prohibitions and restrictions contained in section forty-two of the Customs ^{39 & 40 Vict,} Consolidation Act, 1876, and that section shall apply ^{c. 36.} accordingly.

(2) Before detaining any such copies or taking any further proceedings with a view to the forfeiture thereof under the law relating to the Customs, the Commissioners of Customs and Excise may require the regulations under this section, whether as to information, conditions, or other matters, to be complied with, and may satisfy themselves in accordance with those regulations that the copies are such as are prohibited by this section to be imported.

(3) The Commissioners of Customs and Excise may make regulations, either general or special, respecting the detention and forfeiture of copies the importation of which is prohibited by this section, and the conditions, if any, to be fulfilled before such detention and forfeiture, and may, by such regulations, determine the information, notices, and security to be given, and the evidence requisite for any of the purposes of this section, and the mode of verification of such evidence.

(4) The regulations may apply to copies of all works the importation of copies of which is prohibited by this section, or different regulations may be made respecting different classes of such works.

(5) The regulations may provide for the informant reimbursing the Commissioners of Customs and Excise all expenses and damages incurred in respect of any detention made on his information, and of any proceedings consequent on such detention; and may provide for notices under any enactment repealed by this Act being treated as notices given under this section.

(6) The foregoing provisions of this section shall have effect as if they were part of the Customs Consolidation Act, 1876: Provided that, notwithstanding anything in that Act, the Isle of Man shall not

(*The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.*)

be treated as part of the United Kingdom for the purposes of this section.

(7) This section shall, with the necessary modifications, apply to the importation into a British possession to which this Act extends of copies of works made out of that possession.

Delivery of Books to Libraries.

Delivery of copies to British Museum and other libraries.

15. (1) The publisher of every book published in the United Kingdom shall, within one month after the publication, deliver, at his own expense, a copy of the book to the trustees of the British Museum, who shall give a written receipt for it.

(2) He shall also, if written demand is made before the expiration of twelve months after publication, deliver within one month after receipt of that written demand or, if the demand was made before publication, within one month after publication, to some depôt in London named in the demand a copy of the book for, or in accordance with the directions of, the authority having the control of each of the following libraries, namely: the Bodleian Library, Oxford, the University Library, Cambridge, the Library of the Faculty of Advocates at Edinburgh, and the Library of Trinity College, Dublin; and, subject to the provisions of this section, the National Library of Wales. In the case of an encyclopædia, newspaper, review, magazine, or work published in a series of numbers or parts, the written demand may include all numbers or parts of the work which may be subsequently published.

(3) The copy delivered to the trustees of the British Museum shall be a copy of the whole book with all maps and illustrations belonging thereto, finished and coloured in the same manner as the best copies of the book are published, and shall be bound, sewed or stitched together, and on the best paper on which the book is printed.

(4) The

(*The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.*)

(4) The copy delivered for the other authorities mentioned in this section shall be on the paper on which the largest number of copies of the book is printed for sale, and shall be in the like condition as the books prepared for sale.

(5) The books of which copies are to be delivered to the National Library of Wales shall not include books of such classes as may be specified in regulations to be made by the Board of Trade.

(6) If a publisher fails to comply with this section, he shall be liable on summary conviction to a fine not exceeding five pounds and the value of the book, and the fine shall be paid to the trustees or authority to whom the book ought to have been delivered.

(7) For the purposes of this section, the expression "book" includes every part or division of a book, pamphlet, sheet of letter-press, sheet of music, map, plan, chart or table separately published, but shall not include any second or subsequent edition of a book unless such edition contains additions or alterations either in the letter-press or in the maps, prints, or other engravings belonging thereto.

Special Provisions as to certain Works.

16. (1) In the case of a work of joint authorship, copyright shall subsist during the life of the author who first dies and for a term of fifty years after his death, or during the life of the author who dies last, whichever period is the longer, and references in this Act to the period after the expiration of any specified number of years from the death of the author shall be construed as references to the period after the expiration of the like number of years from the death of the author who dies first or after the death of the author who dies last, whichever period may be the shorter, and in the provisions of this Act with respect to the grant of compulsory licences a reference to the date

Works of
joint authors.

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

date of the death of the author who dies last shall be substituted for the reference to the date of the death of the author.

(2) Where, in the case of a work of joint authorship, some one or more of the joint authors do not satisfy the conditions conferring copyright laid down by this Act, the work shall be treated for the purposes of this Act as if the other author or authors had been the sole author or authors thereof :

Provided that the term of the copyright shall be the same as it would have been if all the authors had satisfied such conditions as aforesaid.

(3) For the purposes of this Act, "a work of joint authorship" means a work produced by the collaboration of two or more authors in which the contribution of one author is not distinct from the contribution of the other author or authors.

(4) Where a married woman and her husband are joint authors of a work the interest of such married woman therein shall be her separate property.

Posthumous
works.

17. (1) In the case of a literary dramatic or musical work, or an engraving, in which copyright subsists at the date of the death of the author or, in the case of a work of joint authorship at or immediately before the date of the death of the author who dies last, but which has not been published, nor, in the case of a dramatic or musical work, been performed in public, nor, in the case of a lecture, been delivered in public, before that date, copyright shall subsist till publication, or performance or delivery in public, whichever may first happen, and for a term of fifty years thereafter, and the proviso to section three of this Act shall, in the case of such a work, apply as if the author had died at the date of such publication or performance or delivery in public as aforesaid.

(2) The ownership of an author's manuscript after his death, where such ownership has been acquired

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

acquired under a testamentary disposition made by the author and the manuscript is of a work which has not been published nor performed in public nor delivered in public, shall be *primâ facie* proof of the copyright being with the owner of the manuscript.

18. Without prejudice to any rights or privileges of the Crown, where any work has, whether before or after the commencement of this Act, been prepared or published by or under the direction or control of His Majesty or any Government department, the copyright in the work shall, subject to any agreement with the author, belong to His Majesty, and in such case shall continue for a period of fifty years from the date of the first publication of the work.

Provisions as to Government publications.

19. (1) Copyright shall subsist in records, perforated rolls, and other contrivances by means of which sounds may be mechanically reproduced, in like manner as if such contrivances were musical works, but the term of copyright shall be fifty years from the making of the original plate from which the contrivance was directly or indirectly derived, and the person who was the owner of such original plate at the time when such plate was made shall be deemed to be the author of the work, and, where such owner is a body corporate, the body corporate shall be deemed for the purposes of this Act to reside within the parts of His Majesty's dominions to which this Act extends if it has established a place of business within such parts.

Provisions as to mechanical instruments.

(2) It shall not be deemed to be an infringement of copyright in any musical work for any person to make, within the parts of His Majesty's dominions to which this Act extends, records, perforated rolls or other contrivances by means of which the work may be mechanically performed, if such person proves—

(a) that such contrivances have previously been made by, or with the consent or acquiescence of, the owner of the copyright in the work ; and

(b) that

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

- (b) that he has given the prescribed notice of his intention to make the contrivances, and has paid in the prescribed manner to, or for the benefit of, the owner of the copyright in the work royalties in respect of all such contrivances sold by him, calculated at the rate hereinafter mentioned :

Provided that—

- (i) nothing in this provision shall authorise any alterations in, or omissions from, the work reproduced, unless contrivances reproducing the work subject to similar alterations and omissions have been previously made by, or with the consent or acquiescence of, the owner of the copyright, or unless such alterations or omissions are reasonably necessary for the adaptation of the work to the contrivances in question ; and
- (ii) for the purposes of this provision, a musical work shall be deemed to include any words so closely associated therewith as to form part of the same work, but shall not be deemed to include a contrivance by means of which sounds may be mechanically reproduced.

(3) The rate at which such royalties as aforesaid are to be calculated shall—

- (a) in the case of contrivances sold within two years after the commencement of this Act by the person making the same, be two and one-half per cent ; and
- (b) in the case of contrivances sold as aforesaid after the expiration of that period, be five per cent

on the ordinary retail selling price of the contrivance calculated in the prescribed manner, so however that the royalty payable in respect of a contrivance shall,
in

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

in no case, be less than a half-penny for each separate musical work in which copyright subsists reproduced thereon, and, where the royalty calculated as aforesaid includes a fraction of a farthing, such fraction shall be reckoned as a farthing :

Provided that, if, at any time after the expiration of seven years from the commencement of this Act, it appears to the Board of Trade that such rate as aforesaid is no longer equitable, the Board of Trade may, after holding a public inquiry, make an order either decreasing or increasing that rate to such extent as under the circumstances may seem just, but any order so made shall be provisional only and shall not have any effect unless and until confirmed by Parliament ; but, where an order revising the rate has been so made and confirmed, no further revision shall be made before the expiration of fourteen years from the date of the last revision.

(4) If any such contrivance is made reproducing two or more different works in which copyright subsists and the owners of the copyright therein are different persons, the sums payable by way of royalties under this section shall be apportioned amongst the several owners of the copyright in such proportions as, failing agreement, may be determined by arbitration.

(5) When any such contrivances by means of which a musical work may be mechanically performed have been made, then, for the purposes of this section, the owner of the copyright in the work shall, in relation to any person who makes the prescribed inquiries, be deemed to have given his consent to the making of such contrivances if he fails to reply to such inquiries within the prescribed time.

(6) For the purposes of this section, the Board of Trade may make regulations prescribing anything which under this section is to be prescribed, and prescribing the mode in which notices are to be given

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

and the particulars to be given in such notices, and the mode, time, and frequency of the payment of royalties, and any such regulations may, if the Board think fit, include regulations requiring payment in advance or otherwise securing the payment of royalties.

(7) In the case of musical works published before the commencement of this Act, the foregoing provisions shall have effect, subject to the following modifications and additions.—

- (a) The conditions as to the previous making by, or with the consent or acquiescence of, the owner of the copyright in the work, and the restrictions as to alterations in or omissions from the work shall not apply :
- (b) The rate of two and one-half per cent shall be substituted for the rate of five per cent as the rate at which royalties are to be calculated, but no royalties shall be payable in respect of contrivances sold before the first day of July, nineteen hundred and thirteen, if contrivances reproducing the same work had been lawfully made, or placed on sale, within the parts of His Majesty's dominions to which this Act extends before the first day of July, nineteen hundred and ten.
- (c) Notwithstanding any assignment made before the passing of this Act of the copyright in a musical work, any rights conferred by this Act in respect of the making, or authorising the making of contrivances by means of which the work may be mechanically performed shall belong to the author or his legal personal representatives and not to the assignees, and the royalties aforesaid shall be payable to, and for the benefit of, the author of the work

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

work or his legal personal representatives :

(d) The saving contained in this Act of the rights and interests arising from, or in connexion with, action taken before the commencement of this Act shall not be construed as authorising any person who has made contrivances by means of which the work may be mechanically performed to sell any such contrivances, whether made before or after the passing of this Act, except on the terms and subject to the conditions laid down in this section :

(e) Where the work is a work on which copyright is conferred by an Order in Council relating to a foreign country, the copyright so conferred shall not, except to such extent as may be provided by the Order, include any rights with respect to the making of records, perforated rolls or other contrivances by means of which the work may be mechanically performed.

(8) Notwithstanding anything in this Act where a record, perforated roll, or other contrivance by means of which sounds may be mechanically reproduced has been made before the commencement of this Act, copyright shall, as from the commencement of this Act, subsist therein in like manner and for the like term as if this Act had been in force at the date of the making of the original plate from which the contrivance was directly or indirectly derived :

Provided that—

(i) the person who, at the commencement of this Act, is the owner of such original plate shall be the first owner of such copyright ;
and

(ii) nothing

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

(ii) nothing in this provision shall be construed as conferring copyright in any such contrivance if the making thereof would have infringed copyright in some other such contrivance, if this provision had been in force at the time of the making of the first-mentioned contrivance.

Provision as to political speeches.

20. Notwithstanding anything in this Act it shall not be an infringement of copyright in an address of a political nature delivered at a public meeting to publish a report thereof in a newspaper.

Provision as to photographs.

21. The term for which copyright shall subsist in photographs shall be fifty years from the making of the original negative from which the photograph was directly or indirectly derived, and the person who was owner of such negative at the time when such negative was made shall be deemed to be the author of the work, and, where such owner is a body corporate, the body corporate shall be deemed for the purposes of this Act to reside within the parts of His Majesty's dominions to which this Act extends if it has established a place of business within such parts.

Provisions as to designs registrable under 7 Edw. 7, c. 23.

22. (1) This Act shall not apply to designs capable of being registered under the Patents and Designs Act, 1907, except designs which, though capable of being so registered, are not used or intended to be used as models or patterns to be multiplied by any industrial process.

(2) General rules under section eighty-six of the Patents and Designs Act, 1907, may be made for determining the conditions under which a design shall be deemed to be used for such purposes as aforesaid.

Works of foreign authors first published in parts of His

23. If it appears to His Majesty that a foreign country does not give, or has not undertaken to give, adequate protection to the works of British authors, it shall be lawful for His Majesty by Order in Council

to

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

to direct that such of the provisions of this Act as confer copyright on works first published within the parts of His Majesty's dominions to which this Act extends, shall not apply to works published after the date specified in the Order, the authors whereof are subjects or citizens of such foreign country, and are not resident in His Majesty's dominions, and thereupon those provisions shall not apply to such works.

24. (1) Where any person is immediately before the commencement of this Act entitled to any such right in any work as is specified in the first column of the First Schedule to this Act, or to any interest in such a right, he shall, as from that date, be entitled to the substituted right set forth in the second column of that schedule, or to the same interest in such a substituted right, and to no other right or interest, and such substituted right shall subsist for the term for which it would have subsisted if this Act had been in force at the date when the work was made and the work had been one entitled to copyright thereunder :

Provided that—

- (a) if the author of any work in which any such right as is specified in the first column of the First Schedule to this Act subsists at the commencement of this Act has, before that date, assigned the right or granted any interest therein for the whole term of the right, then at the date when, but for the passing of this Act, the right would have expired the substituted right conferred by this section shall, in the absence of express agreement, pass to the author of the work, and any interest therein created before the commencement of this Act and then subsisting shall determine; but the person who immediately before the date at which the right would so have expired was the owner of the right or interest

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

interest shall be entitled at his option
• either—

- (i) on giving such notice as hereinafter mentioned, to an assignment of the right or the grant of a similar interest therein for the remainder of the term of the right for such consideration as, failing agreement, may be determined by arbitration; or
- (ii) without any such assignment or grant, to continue to reproduce or perform the work in like manner as theretofore subject to the payment, if demanded by the author within three years after the date at which the right would have so expired, of such royalties to the author as, failing agreement, may be determined by arbitration, or, where the work is incorporated in a collective work and the owner of the right or interest is the proprietor of that collective work, without any such payment;

The notice above referred to must be given not more than one year nor less than six months before the date at which the right would have so expired, and must be sent by registered post to the author, or, if he cannot with reasonable diligence be found, advertised in the London Gazette and in two London newspapers;

- (b) where any person has, before the twenty-sixth day of July, nineteen hundred and ten, taken any action whereby he has incurred any expenditure or liability in connexion with the reproduction or performance of any work in a manner which at the time was lawful, or for the purpose of or with a view to the reproduction or performance of a work at a time when such reproduction or performance would, but
for

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

for the passing of this Act, have been lawful, nothing in this section shall diminish or prejudice any rights or interest arising from or in connexion with such action which are subsisting and valuable at the said date, unless the person who by virtue of this section becomes entitled to restrain such reproduction or performance agrees to pay such compensation as, failing agreement, may be determined by arbitration.

(2) For the purposes of this section, the expression "author" includes the legal personal representatives of a deceased author.

(3) Subject to the provisions of section nineteen, sub-sections (7) and (8) and of section thirty-three of this Act, copyright shall not subsist in any work made before the commencement of this Act, otherwise than under, and in accordance with, the provisions of this section.

Application to British Possessions.

25. (1) This Act, except such of the provisions thereof as are expressly restricted to the United Kingdom, shall extend throughout His Majesty's dominions: Provided that it shall not extend to a self-governing dominion, unless declared by the Legislature of that dominion to be in force therein either without any modifications or additions, or with such modifications and additions relating exclusively to procedure and remedies, or necessary to adapt this Act to the circumstances of the dominion, as may be enacted by such Legislature.

Application of
Act to British
dominions.

(2) If the Secretary of State certifies by notice published in the London Gazette that any self-governing dominion has passed legislation under which works, the authors whereof were at the date of the

making

(The First Schedule.)—Portions of the Copyright Act, 1911, applicable to British India.)

making of the works British subjects resident elsewhere than in the dominion or (not being British subjects) were resident in the parts of His Majesty's dominions to which this Act extends, enjoy within the dominion rights substantially identical with those conferred by this Act, then, whilst such legislation continues in force, the dominion shall, for the purposes of the rights conferred by this Act, be treated as if it were a dominion to which this Act extends; and it shall be lawful for the Secretary of State to give such a certificate as aforesaid, notwithstanding that the remedies for enforcing the rights, or the restrictions on the importation of copies of works, manufactured in a foreign country, under the law of the dominion, differ from those under this Act.

Legislative powers of self-governing dominions.

26. (1) The Legislature of any self-governing dominion may, at any time, repeal all or any of the enactments relating to copyright passed by Parliament (including this Act) so far as they are operative within that dominion: Provided that no such repeal shall prejudicially affect any legal rights existing at the time of the repeal, and that, on this Act or any part thereof being so repealed by the Legislature of a self-governing dominion, that dominion shall cease to be a dominion to which this Act extends.

(2) In any self-governing dominion to which this Act does not extend the enactments repealed by this Act shall, so far as they are operative in that dominion, continue in force until repealed by the Legislature of that dominion.

(3) Where His Majesty in Council is satisfied that the law of a self-governing dominion to which this Act does not extend provides adequate protection within the dominion for the works (whether published or unpublished) of authors who at the time of the making of the work were British subjects resident elsewhere than in that dominion, His Majesty in Council may, for the purpose of giving reciprocal protection,

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

protection, direct that this Act, except such parts (if any) thereof as may be specified in the Order, and subject to any conditions contained therein, shall, within the parts of His Majesty's dominions to which this Act extends, apply to works the authors whereof were, at the time of the making of the work, resident within the first-mentioned dominion, and to works first published in that dominion; but save as provided by such an Order, works the authors whereof were resident in a dominion to which this Act does not extend shall not, whether they are British subjects or not, be entitled to any protection under this Act except such protection as is by this Act conferred on works first published within the parts of His Majesty's dominions to which this Act extends:

Provided that no such Order shall confer any rights within a self-governing dominion, but the Governor in Council of any self-governing dominion to which this Act extends may, by Order, confer within that dominion the like rights as His Majesty in Council is, under the foregoing provisions of this sub-section, authorised to confer within other parts of His Majesty's dominions.

For the purposes of this sub-section, the expression "a dominion to which this Act extends" includes a dominion which is for the purposes of this Act to be treated as if it were a dominion to which this Act extends.

27. The Legislature of any British possession to which this Act extends may modify or add to any of the provisions of this Act in its application to the possession, but, except so far as such modifications and additions relate to procedure and remedies, they shall apply only to works the authors whereof were, at the time of the making of the work, resident in the possession, and to works first published in the possession.

28. His Majesty may, by Order in Council, extend this Act to any territories under his protection and to

Cyprus

(*The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.*)

Cyprus, and, on the making of any such Order, this Act shall, subject to the provisions of the Order, have effect as if the territories to which it applies or Cyprus were part of His Majesty's dominions to which this Act extends.

PART II.

INTERNATIONAL COPYRIGHT.

Power to
extend Act
to foreign
works.

29. (1) His Majesty may, by Order in Council, direct that this Act (except such parts, if any, thereof as may be specified in the Order) shall apply—

- (a) to works first published in a foreign country to which the Order relates, in like manner as if they were first published within the parts of His Majesty's dominions to which this Act extends ;
- (b) to literary dramatic musical and artistic works, or any class thereof, the authors whereof were, at the time of the making of the works, subjects or citizens of a foreign country to which the Order relates, in like manner as if the authors were British subjects ;
- (c) in respect of residence in a foreign country to which the Order relates, in like manner as if such residence were residence in the parts of His Majesty's dominions to which this Act extends ;

and thereupon, subject to the provisions of this Part of this Act and of the Order, this Act shall apply accordingly :

Provided that—

- (i) before making an Order in Council under this section in respect of any foreign country (other than a country with which His Majesty has entered into a convention relating to copyright), His Majesty shall

be

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

be satisfied that that foreign country has made, or has undertaken to make, such provisions, if any, as it appears to His Majesty expedient to require for the protection of works entitled to copyright under the provisions of Part I of this Act;

- (ii) the Order in Council may provide that the term of copyright within such parts of His Majesty's dominions as aforesaid shall not exceed that conferred by the law of the country to which the Order relates;
- (iii) the provisions of this Act as to the delivery of copies of books shall not apply to works first published in such country, except so far as is provided by the Order;
- (iv) the Order in Council may provide that the enjoyment of the rights conferred by this Act shall be subject to the accomplishment of such conditions and formalities (if any) as may be prescribed by the Order;
- (v) in applying the provisions of this Act as to ownership of copyright, the Order in Council may make such modifications as appear necessary having regard to the law of the foreign country;
- (vi) in applying the provisions of this Act as to existing works, the Order in Council may make such modifications as appear necessary, and may provide that nothing in those provisions as so applied shall be construed as reviving any right of preventing the production or importation of any translation in any case where the right has ceased by virtue of section five of the International Copyright Act, 1886.

(2) An Order in Council under this section may extend to all the several countries named or described therein.

49 & 50 Vict.,
c. 33.

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

Application
of Part II to
British
possessions

30. (1) An Order in Council under this Part of this Act shall apply to all His Majesty's dominions to which this Act extends except self-governing dominions and any other possessions specified in the Order with respect to which it appears to His Majesty expedient that the Order should not apply.

(2) The Governor in Council of any self-governing dominion to which this Act extends may, as respects that dominion, make the like Orders as under this Part of this Act His Majesty in Council is authorised to make with respect to His Majesty's dominions other than self-governing dominions, and the provisions of this Part of this Act shall, with the necessary modifications, apply accordingly.

(3) Where it appears to His Majesty expedient to except from the provisions of any Order any part of his dominions, not being a self-governing dominion, it shall be lawful for His Majesty by the same or any other Order in Council to declare that such Order and this Part of this Act shall not, and the same shall not, apply to such part, except so far as is necessary for preventing any prejudice to any rights acquired previously to the date of such Order.

PART III.

SUPPLEMENTAL PROVISIONS.

Abrogation of
common law
rights.

31. No person shall be entitled to copyright or any similar right in any literary dramatic musical or artistic work, whether published or unpublished, otherwise than under and in accordance with the provisions of this Act, or of any other statutory enactment for the time being in force, but nothing in this section shall be construed as abrogating any right or jurisdiction to restrain a breach of trust or confidence.

Provisions as
to Orders in
Council.

32. (1) His Majesty in Council may make Orders for altering, revoking, or varying any Order in Council made under this Act, or under any enactments repealed by

(*The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.*)

by this Act, but any Order made under this section shall not affect prejudicially any rights or interests acquired or accrued at the date when the Order comes into operation, and shall provide for the protection of such rights and interests.

(2) Every Order in Council made under this Act shall be published in the *London Gazette* and shall be laid before both Houses of Parliament as soon as may be after it is made, and shall have effect as if enacted in this Act.

15 Geo. 3, c. 53. **33.** Nothing in this Act shall deprive any of the universities and colleges mentioned in the Copyright Act, 1775, of any copyright they already possess under that Act, but the remedies and penalties for infringement of any such copyright shall be under this Act and not under that Act. Saving of university copyright.

34. There shall continue to be charged on, and paid out of, the Consolidated Fund of the United Kingdom such annual compensation as was immediately before the commencement of this Act payable in pursuance of any Act as compensation to a library for the loss of the right to receive gratuitous copies of books: Saving of compensation to certain libraries

Provided that this compensation shall not be paid to a library in any year, unless the Treasury are satisfied that the compensation for the previous year has been applied in the purchase of books for the use of and to be preserved in the library.

35. (1) In this Act, unless the context otherwise requires,— Interpretation.

“Literary work” includes maps, charts, plans, tables, and compilations;

“Dramatic work” includes any piece for recitation, choreographic work or entertainment in dumb show, the scenic arrangement or acting form of which is fixed in writing or otherwise, and any cinematograph production where the arrangement

or

(*The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.*)

or acting form or the combination of incidents represented give the work an original character ;

“ Artistic work ” includes works of painting, drawing, sculpture and artistic craftsmanship, and architectural works of art and engravings and photographs ;

“ Work of sculpture ” includes casts and models ;

“ Architectural work of art ” means any building or structure having an artistic character or design, in respect of such character or design, or any model for such building or structure, provided that the protection afforded by this Act shall be confined to the artistic character and design, and shall not extend to processes or methods of construction ;

“ Engravings ” include etchings, lithographs, wood-cuts, prints, and other similar works, not being photographs ;

“ Photograph ” includes photo-lithograph and any work produced by any process analogous to photography ;

“ Cinematograph ” includes any work produced by any process analogous to cinematography ;

“ Collective work ” means—

(a) an encyclopædia, dictionary, year book, or similar work ;

(b) a newspaper, review, magazine, or similar periodical ; and

(c) any work written in distinct parts by different authors, or in which works or parts of works of different authors are incorporated ;

“ Infringing,” when applied to a copy of a work in which copyright subsists, means any copy

(*The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.*)

copy, including any colourable imitation, made or imported in contravention of the provisions of this Act ;

“ Performance ” means any acoustic representation of a work and any visual representation of any dramatic action in a work, including such a representation made by means of any mechanical instrument ;

“ Delivery,” in relation to a lecture, includes delivery by means of any mechanical instrument ;

“ Plate ” includes any stereotype or other plate, stone, block, mould, matrix, transfer, or negative used or intended to be used for printing or reproducing copies of any work, and any matrix or other appliance by which records, perforated rolls or other contrivances for the acoustic representation of the work are or are intended to be made ;

“ Lecture ” includes address, speech, and sermon ;

“ Self-governing dominion ” means the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland.

(2) For the purposes of this Act (other than those relating to infringements of copyright), a work shall not be deemed to be published or performed in public, and a lecture shall not be deemed to be delivered in public, if published, performed in public, or delivered in public, without the consent or acquiescence of the author, his executors, administrators or assigns.

(3) For the purposes of this Act, a work shall be deemed to be first published within the parts of His Majesty's dominions to which this Act extends, notwithstanding that it has been published simultaneously in some other place, unless the publication in such

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

parts of His Majesty's dominions as aforesaid is colourable only and is not intended to satisfy the reasonable requirements of the public, and a work shall be deemed to be published simultaneously in two places if the time between the publication in one such place and the publication in the other place does not exceed fourteen days, or such longer period as may, for the time being, be fixed by Order in Council.

(4) Where, in the case of an unpublished work, the making of a work has extended over a considerable period, the conditions of this Act conferring copyright shall be deemed to have been complied with, if the author was, during any substantial part of that period, a British subject or a resident within the parts of His Majesty's dominions to which this Act extends.

(5) For the purposes of the provisions of this Act as to residence, an author of a work shall be deemed to be a resident in the parts of His Majesty's dominions to which this Act extends if he is domiciled within any such part.

36. Subject to the provisions of this Act, the enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule:

Provided that this repeal shall not take effect in any part of His Majesty's dominions until this Act comes into operation in that part.

37. (1) This Act may be cited as the Copyright Act, 1911.

(2) This Act shall come into operation—

(a) in the United Kingdom, on the first day of July nineteen hundred and twelve or such earlier date as may be fixed by Order in Council;

(b) in a self-governing dominion to which this Act extends, at such date as may be fixed by the Legislature of that dominion;

(c) in

(The First Schedule—Portions of the Copyright Act, 1911, applicable to British India.)

- (c) in the Channel Islands, at such date as may be fixed by the States of those Islands respectively;
- (d) in any other British possession to which this Act extends, on the proclamation thereof within the possession by the Governor

SCHEDULES.

FIRST SCHEDULE.

SECTION 24.

EXISTING RIGHTS.

Existing Right.	Substituted Right.
(a) <i>In the case of Works other than Dramatic and Musical Works.</i>	
Copyright	Copyright as defined by this Act.
(b) <i>In the case of Musical and Dramatic Works.</i>	
Both copyright and performing right.	Copyright as defined by this Act.
Copyright, but not performing right	Copyright as defined by this Act, except the sole right to perform the work or any substantial part thereof in public.
Performing right, but not copyright.	The sole right to perform the work in public, but none of the other rights comprised in copyright as defined by this Act.

* In the case of an essay, article, or portion forming part of and first published in a review, magazine, or other periodical or work of a like nature, the right shall be subject to any right of publishing the essay, article, or portion in a separate form to which the author is entitled at the commencement of this Act, or would, if this Act had not been passed, have become entitled under section eighteen of the Copyright Act, 1911.

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

For the purposes of this Schedule the following expressions, where used in the first column thereof, have the following meanings:—

“Copyright,” in the case of a work which according to the law in force immediately before the commencement of this Act has not been published before that date and statutory copyright wherein depends on publication, includes the right at common law (if any) to restrain publication or other dealing with the work;

“Performing right,” in the case of a work which has not been performed in public before the commencement of this Act, includes the right at common law (if any) to restrain the performance thereof in public.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Section 36.

Session and Chapter.	Short Title	Extent of Repeal.
8 Geo. 2, c. 13	The Engraving Copyright Act, 1734	The whole Act.
7 Geo. 3, c. 38	The Engraving Copyright Act, 1767	Ditto.
15 Geo. 3, c. 53	The Copyright Act, 1775	Ditto.
17 Geo. 3, c. 57	The Prints Copyright Act, 1777	Ditto.
54 Geo. 3, c. 56	The Sculpture Copyright Act, 1814	Ditto.
3 & 4 Will. 4, c. 15.	The Dramatic Copyright Act, 1833	Ditto.
5 & 6 Will. 4, c. 65.	The Lectures Copyright Act, 1835	Ditto.
6 & 7 Will. 4, c. 59.	The Prints and Engravings Copyright (Ireland) Act, 1836.	Ditto.
6 & 7 Will. 4, c. 110.	The Copyright Act, 1836	Ditto.

ENACTMENTS

(The First Schedule.—Portions of the Copyright Act,
1911, applicable to British India.)

SECOND SCHEDULE—*contd.*

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
5 & 6 Vict., c. 45	The Copyright Act, 1842	The whole Act.
7 & 8 Vict., c. 12	The International Copyright Act, 1844 .	Ditto.
10 & 11 Vict., c. 95.	The Colonial Copyright Act, 1847 .	Ditto.
15 & 16 Vict., c. 12.	The International Copyright Act, 1852	Ditto.
25 & 26 Vict., c. 68.	The Fine Arts Copyright Act, 1862 .	Sections one to six. In section eight the words "and pursuant to any Act for the protection of copyright engravings," and "and in any such Act as aforesaid." Sections nine to twelve.
38 & 39 Vict., c. 12.	The International Copyright Act, 1875 .	The whole Act.
39 & 40 Vict., c. 36.	The Customs Consolidation Act, 1876 .	Section forty-two, from "Books wherein" to "such copyright will expire" Sections forty-four, forty-five and one hundred and fifty-two.
45 & 46 Vict., c. 40.	The Copyright (Musical Compositions) Act, 1882.	The whole Act.
49 & 50 Vict., c. 33.	The International Copyright Act, 1886 .	Ditto.
51 & 52 Vict., c. 17.	The Copyright (Musical Compositions) Act, 1888.	Ditto.
52 & 53 Vict., c. 42.	The Revenue Act, 1889	Section one, from "Books first published" to "as provided in that section."

ENACTMENTS

(The First Schedule.—Portions of the Copyright Act, 1911, applicable to British India.)

SECOND SCHEDULE—concl'd.

ENACTMENTS REPEALED.

Sessions and Chapter.	Short Title.	Extent of Repeal.
6 Edw 7, c. 36.	The Musical Copyright Act, 1906 . . .	In section three the words "and which has been registered in accordance with the provisions of the Copyright Act, 1842, or of the International Copyright Act, 1844, which registration may be effected notwithstanding anything in the International Copyright Act, 1886"

1914.]

*Copyright.**(The Second Schedule.—Repeal of Enactments.)*

THE SECOND SCHEDULE.

REPEAL OF ENACTMENTS.

(See Section 15.)

Year	No.	Short Title	Extent of Repeal
1847	XX	The Indian Copyright Act, 1847.	So much as has not already been repealed.
1867	XXV	The Press and Registration of Books Act, 1867.	In section 18 the following words, namely :— “ Every registration under this section ” shall, upon the payment of the sum of two rupees to the office keeping the said Catalogue, be deemed to be an entry in the Book of Registry kept under Act No. XX of 1847 (for the encouragement of learning in the territories subject to the government of the East India Company, by the defining and providing for the enforcement of the right called copyright therein); and the provisions contained in that Act as to the said Book of Registry shall apply <i>mutatis mutandis</i> to the said Catalogue ”
1878	VIII	The Sea Customs Act, 1878	Clause (a) of section 18.

ACT NO. IV OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 24th February, 1914.)

An Act to decentralize and otherwise to facilitate the administration of certain enactments.

WHEREAS it is expedient to decentralize and otherwise to facilitate the administration of certain enactments; It is hereby enacted as follows:—

1. This Act may be called the Decentralization Act, 1914. Short title

2. The enactments specified in the third column of the Schedule are hereby amended to the extent and in the manner specified in the fourth column thereof. Amendment of certain enactments.

3. Any appointment, notification, order, scheme, rule, form or bye-law made or issued by an authority for the making or issuing of which a new authority is substituted by or under this Act, shall, unless inconsistent with this Act, be deemed to have been made or issued by such new authority unless and until superseded by an appointment, notification, order, scheme, rule, form or bye-law made or issued by such new authority. Saving of orders, etc., issued by previous authorities.

THE SCHEDULE.

PART I.

Acts of the Governor General of India in Council.

Year.	No.	Short title.	Amendments.
1859.	XI	The Bengal Land Revenue Sales Act, 1859.	1. In section 19 for the words " Board of Revenue " substitute the word " Commissioner " and for the word " they " the word " he."

2. In

[Price annas five and six pies.]

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1859	XI	The Bengal Land Revenue Sales Act, 1859.	2. In section 26 omit the words "if they see cause may recommend to the Local Government to annul the sale; and the Local Government in any such case." 3. In section 32 for the word "Government," where that word occurs for the first time, substitute the words "the Board of Revenue." 4. In section 40 omit the words "or the Local Government."
	XII	The Calcutta Filots Act, 1859.	In section 17 omit the words "with the sanction of the Governor General in Council" and the words "and sanctioned."
	XXIV	The Madras District Police Act, 1859.	1. In section 5 omit the words "and who shall receive such salary as the Governor General of India in Council shall allow." 2. In section 8 for the words "with the sanction" substitute the words "subject to the control."
1861	V	The Police Act, 1861.	In section 2 for the word "sanction" substitute the word "control."
1863	XXIII	The Waste-lands (Claims) Act, 1863.	1. In section 5 omit the words "Board of Revenue or other" and insert after the word "authority," where that word occurs for the first time, the words "to which he is immediately subordinate" and omit the words "Board or other," wherever these words occur in the section. 2. In sections 4 and 10 omit the words "by the Local Government" 3. After section 23 insert the following section :— "23-A. In a province for which there is a Board of Revenue or a Financial Commissioner, the powers and duties of the Local Government under sections 6, 10, 22 and 23 may be exercised by such Board or Financial Commissioner, as the case may be."

1914.]

Decentralization,

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1872	IV	The Punjab Laws Act, 1872.	<p>1. In section 39C for the words "with the previous sanction" substitute the words "subject to the control."</p> <p>2. In section 50A for the word "No" substitute the word "All" and for the word "valid" substitute the words "subject to the control of the Governor General in Council and no such rules shall be valid" and omit clause (c).</p>
1873	III	The Madras Civil Courts Act, 1873.	<p>1. In sections 3 and 4 omit the provisos.</p> <p>2. In section 6 omit the words "or whenever the Governor General in Council has sanctioned an addition to the number of District Judges or Subordinate Judges under the provisions of section 3 or section 4."</p> <p>3. In section 7 omit the words "or whenever the Governor General in Council has sanctioned an addition to the number of District Munsifs under the provisions of section 4."</p> <p>4. For section 24A the following section shall be substituted :—</p> <p>"24A. (1) The High Court may transfer all ministerial officers or any of the ministerial officers of any Civil Court subject to its superintendence to any other such Court."</p> <p>"(2) The District Judge may transfer all or any of the ministerial officers of any Civil Court under his control to any other such Court."</p> <p>5. In section 28 for the words "Local Government" substitute the words "High Court" and omit the words "rupees fifty or on the recommendation of the High Court up to any amount not exceeding."</p>

1. In

Decentralization.

[ACT IV,

THE SCHEDULE.

PART I.—*contd.*

Acts of the Governor General of India in Council.

Year.	No.	Short title.	Amendments.
1873	VIII	The Northern India Canal and Drainage Act, 1873.	<ol style="list-style-type: none"> 1. In section 65 omit the words "with the previous sanction of the Governor General in Council." 2. In section 75 for the words "with the previous sanction" substitute the words "subject to the control" and for the words "with the like sanction" substitute the words "subject to the like control."
1874	IX	The European Vagrancy Act, 1874	<ol style="list-style-type: none"> 1. In section 11 omit the words "with the previous sanction of the Governor General in Council." 2. In section 14 for the words "with the previous sanction" substitute the words "subject to the control." 3. In section 36 for the words "the Governor General in Council" substitute the words "the Local Government subject to the control of the Governor General in Council" and for the words "Gazette of India" substitute the words "local official Gazette"
1876	VI	The Chota Nagpur Incumbered Estates Act, 1876.	In section 19 after the word "may," where that word occurs for the first time, insert the words "subject to the control of the Governor General in Council" and omit the words "approved by the Governor General in Council and."
"	XIX	The Dramatic Performances Act, 1876.	In section 20 omit the words "with the sanction of the Governor General in Council."
1878	VIII	The Sea Customs Act, 1878.	<ol style="list-style-type: none"> 1. In section 9 omit the words "with the sanction of the Local Government." 2. In sections 11, 12 and 14 after the words "The Local Government" insert the words "or, if so authorised by the Local Government, the Chief Customs authority." 3. In sections 19A, 53, 75, 76, 79, 83, 85, 98, 116, 130, 144, 147, 148, 151 proviso, and 182, for the words "Local Government," wherever these words occur, substitute the words "Chief Customs-authority."

4 In

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1878	VIII	The Sea Customs Act, 1878— <i>contd.</i>	<p>4. In sections 15, 16, 17, 26, 55, 56, 63, 76, 86, 104, 105, 106, 107, 113, 117, 122, 137, 162, 179 and 199, for the words "Chief Customs-authority" substitute the words "Chief Customs Officer" and for the word "its," when used in relation to the Chief Customs-authority, substitute the word "his"</p> <p>5. In the proviso to section 42, after the words "Chief Customs-authority" insert the words "or the Chief Customs Officer" and to the said proviso add the following words, namely, "Provided further that the Chief Customs Officer shall not extend the term to a period exceeding three years"</p> <p>6. In sections 101 and 125, for the words "Chief Customs-authority or such officer of Customs as such authority from time to time appoints in this behalf," substitute the words "Chief Customs Officer."</p> <p>7. In section 107, for the word "authority" substitute the word "officer."</p> <p>8. In section 123, for the words "Governor General in Council" substitute the words "Local Government"; and for the words "Gazette of India" substitute the words "local official gazette."</p> <p>9. In section 133, for the words "with the previous sanction" substitute the words "subject to the control."</p> <p>10. In section 164, for the words "the Chief Customs-authority may" substitute the words "the Chief Customs Officer may grant or"; for the words "the Chief Customs-authority" and "such authority," wherever these words occur elsewhere in the section, substitute the words "the Chief Customs Officer"; and for the words "was authorised" substitute the words "was made or authorised."</p>

11. In

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1878	VIII	The Sea Customs Act, 1878— <i>concl'd.</i>	<p>11. In the schedule in section 167 in entries 6 and 7, for the words "Chief Customs-authority" substitute the words "Chief Customs Officer" and in entries 13 and 54 for the words "Local Government" the words "Chief Customs-authority."</p> <p>12. In section 206, for the words "Customs Collector shall, with the sanction of the Chief Customs-authority" substitute the words "Chief Customs Officer or, the Customs Collector, with the sanction of the Chief Customs Officer, shall" and add the following proviso, namely:—</p> <p style="padding-left: 40px;">"Provided that compensation exceeding Rs. 250 shall be paid with the sanction of the Chief Customs-authority."</p>
1879	III	The Destruction of Records Act, 1879.	In section 5 omit the words "and sanctioned by the Governor General in Council."
"	XIII	The Oudh Civil Courts Act, 1879.	<p>1. In section 7 omit the words "and with the previous sanction of the Governor General in Council."</p> <p>2. In section 17 for the words "Local Government", substitute the words "Judicial Commissioner"; and omit the words "on the recommendation of the Judicial Commissioner."</p> <p>3. In section 24 for the words "Local Government" substitute the words "Judicial Commissioner," and for the word "it," wherever it occurs, substitute the word "he."</p>
1879	XIV	The Hackney-carriage Act, 1879.	1. In section 3 for the words "Local Government," wherever these words occur, substitute the word "Commissioner."

2. In

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1879	XIV	The Hackney-carriage Act, 1879— <i>contd</i>	2. In section 4 omit the words "subject to the control of the Governor General in Council." 3. In section 5 for the words "Local Government," where these words occur for the first time, substitute the word "Commissioner."
"	XVI	The Transport of Salt Act, 1879.	In section 4 for the words "Governor of Bombay in Council" substitute the words "Chief Customs-authority."
1880	V	The Burma Boundaries Act, 1880.	In sections 28 and 32 for the words "Chief Commissioner" substitute the words "Financial Commissioner subject to the control of the Local Government."
"	XIII	The Vaccination Act, 1880.	1. In section 2, clause (7), omit the words "by the Local Government." 2. In sections 4 and 5 for the words "with the previous sanction" substitute the words "subject to the control." 3. In sections 8 and 19 for the words "Local Government," wherever they occur in these sections, substitute the word "commissioner"; and in section 19 before the word "commissioners," where that word occurs for the second time, insert the word "municipal."
1881	XXVI	The Negotiable Instruments Act, 1881.	1. In the definition of "notary public," in section 3 for the words "Governor General in Council" substitute the words "Local Government." 2. In sections 138 and 139 for the words "Governor General in Council" substitute the words "Local Government."
1883	I	The Central Provinces Local Self-government Act, 1883.	In section 32 (1) omit the words "with the previous approval of the Governor General in Council."

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1883	XIX	The Land Improvement Loans Act, 1883.	<p>1. In section 10 omit the words "subject to the control of the Governor General in Council."</p> <p>2. After section 11 add the following section:—</p> <p>"12. The powers conferred on a Local Government by sections 4, 5 (1) and 10 may, in a province for which there is a Board of Revenue or a Financial Commissioner, be exercised in the like manner and subject to the like conditions by such Board or Financial Commissioner, as the case may be: Provided that rules made by a Board of Revenue or Financial Commissioner shall be subject to the control of the Local Government."</p>
	XX	The Punjab District Boards Act, 1883.	<p>1. In section 13 for the words "the local Government," wherever they occur, substitute the word "Commissioner."</p> <p>2. In section 36, sub-section (2), after the words "as the," wherever they occur, insert the words "Local Government, subject to the control of the,"</p> <p>3. In section 51 omit the words "with the previous approval of the Governor General in Council" and the proviso.</p> <p>4. In section 55 omit the letter and words "(b) make rules regulating the powers of district boards to make, vary and dispose of investments" from clause (1) and insert the letter and words "(b) regulating the powers of district boards to make, vary and dispose of investments" under clause (2) after the words "make rules for"; and to the section, after the words "have been notified" add the words "Rules made under clause (2) (b) shall be subject to the control of the Governor General in Council."</p>

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1884	XII	The Agriculturists' Loans Act, 1884.	In section 4, sub-section (1), omit the words "subject to the control of the Governor General in Council," and after the words "Local Government" insert the words "or, in a province for which there is a Board of Revenue or Financial Commissioner, such Board or Financial Commissioner, subject to the control of the Local Government."
1886	II	The Indian Income-tax Act, 1886.	Add a new section, namely :— " 50A. The Local Government may, by notification in the local official Gazette, delegate all or any of the powers conferred on it by sections 16 (5), 18 (1) (a), (b), (c), 30 (2), (4), 38 (3) and 40 to the Chief Revenue-authority, by which expression is meant the Board of Revenue or the Financial Commissioner in those provinces where these authorities exist and in any other case such authority as the Local Government may declare to be the Chief Revenue authority."
1887	IX	The Provincial Small Cause Courts Act, 1887.	In sections 5 and 8 omit the words "with the previous sanction of the Governor General in Council."
	XII	The Bengal, Agra and Assam Civil Courts Act, 1887.	1. For section 4 substitute the following section, namely :— " 4. The Local Government may alter the number of District Judges, Subordinate Judges and Munsifs. Subordinate Judges and Munsifs now fixed and, with the previous sanction of the Governor General in Council, the number of District Judges." 2. Omit section 5.

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1887	XII	The Bengal, Agra and Assam Civil Courts Act, 1887— <i>contd</i>	<p>3. In section 6 (1) for the words "the Governor General in Council has sanctioned an increase of the number of District Judges or Subordinate Judges" substitute the words "an increase in the number of District or Subordinate Judges has been made under the provisions of section 4."</p> <p>4. In section 7 (2) for the words "with the previous sanction" substitute the words "subject to the control."</p> <p>5. To section 19, sub-section (2), and to sections 25 and 34 (1), add the following proviso, namely:—</p> <p>"Provided that the Local Government may, by notification in the local official Gazette, delegate to the High Court its powers under this section."</p>
	XYI	The Punjab Tenancy Act, 1887.	<p>1. In sections 61 (3) and 89 (1) omit the words "with the previous sanction of the Governor General in Council."</p> <p>2. In section 106, sub-section (3), for the words "not take effect until they have been sanctioned by" substitute the words "be made subject to the control of."</p>
	XVII	The Punjab Land Revenue Act, 1887.	<p>1. In section 7, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."</p> <p>2. In section 118 (2), omit the words "to the Commissioner" and for the word "Commissioner," where it occurs for the second time, substitute the words "authority to whom the appeal has been preferred."</p> <p>3. In section 155, sub-section (3), omit the following:—"and rules under clause (c) of sub-section (1) shall not take effect until they have also been confirmed by the Governor General in Council."</p>

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1888	XVIII	The Burma Financial Commissioner's Act, 1888.	In section 2, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."
1890	I	The Revenue Recovery Act, 1890.	In section 3, sub-section (2), after the word "it" insert the words "or by any officer to whom such Collector may, by order in writing, delegate this duty."
1892	VII	The Madras City Civil Court Act, 1892.	In section 10 omit the words "and the sanction of the Governor General in Council."
1894		The Land Acquisition Act, 1894.	In section 55, sub-section (1), after the word "shall" insert the words "subject to the control of Governor General in Council" and in sub-section (3) of the same section omit the words "when sanctioned by the Governor General in Council."
1895	XIV	The Pilgrim Ships Act, 1895.	In section 58, sub-section (2), omit the words "with the previous sanction of the Governor General in Council."
1896	II	The Cotton Duties Act, 1896.	1. In sections 12 and 13 for the words "Chief Customs-authority," wherever they occur in those sections, substitute the word "Collector." 2. In section 16, sub-section (1), for the words "Local Government," wherever they occur, substitute the words "Chief Customs-authority."
"	VIII	The Inland Bonded Warehouses Act, 1896.	In section 7 omit the words "with the previous sanction of the Governor General in Council."
1897	VIII	The Reformatory Schools Act, 1897.	In section 5 omit the words "with the previous sanction of the Governor General in Council."
1898	XIII	The Burma Laws Act, 1898.	In section 5 omit the words "with the previous sanction of the Governor General in Council" and the words "of its own authority."

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1899	II	The Indian Stamp Act, 1899.	<p>1. In section 32, sub-section (1), omit the words "upon application made to him in this behalf or, if no application is made, with the consent of the Chief Controlling Revenue-authority."</p> <p>2. In section 49 for the words "Governor General in Council" substitute the words "Local Government."</p> <p>3. In section 51 after the word "Revenue-authority" insert the words "or the Collector if empowered by the Chief Controlling Revenue Authority in this behalf."</p> <p>4. After section 76 insert a new section, namely:—</p> <p>"76A. The Local Government may, by notification in the local official Gazette, delegate—</p> <p>(a) all or any of the powers conferred on it by sections 2 (9), 33 (3) (b), 70 (1), 74 and 78 to the Chief Controlling Revenue-authority; and</p> <p>(b) all or any of the powers conferred on the Chief Controlling Revenue-authority by sections 45 (1) (2), 56 (1) and 70 (2) to such subordinate Revenue-authority as may be specified in the notification."</p>
1899	VIII	The Indian Petroleum Act, 1899.	To section 5, sub-section (1), after the words "Local Government," add the words "or an officer appointed by the Local Government in this behalf."
1900	VI	The Lower Burma Courts Act, 1900.	1. In section 23, sub-section (1), for the words "may be approved by the Governor General in Council" substitute the words "it may think fit."

2. In

1914.]

Decentralization.

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1900	VI	The Lower Burma Courts Act, 1900— <i>contd.</i>	2. In section 23, sub-section (2), omit the words "with the previous sanction of the Governor General in Council" and the words "of its own authority."
1901	VIII	The Indian Mines Act, 1901.	1. In section 20, sub-section (1), for the words "with the previous sanction" substitute the words "subject to the control." 2. In section 29 for the words "The Governor General in Council" substitute the words "The Local Government" and for the words "the Gazette of India" the words "the local official Gazette" and for the word "him" substitute the word "it."
1902	II	The Cantonments (House-accommodation) Act, 1902.	In section 10, sub-section (1), for the words "Local Government" substitute the words "Commissioner, or, in a province where there are no Commissioners, of the Collector."
1903	XVI	The Central Provinces Municipal Act, 1903.	1. In section 51, sub-section (3), before the words "the Governor General in Council" insert the words "the Local Government subject to the control of." 2. In section 149, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."
1904	IV	The North-West Border Military Police Act, 1904.	In section 18 for the words "with the previous sanction" substitute the words "subject to the control."
1907	III	The Provincial Insolvency Act, 1907.	In section 3, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."
1908	V	The Code of Civil Procedure, 1908.	In section 138, sub-section (1), for the words "Local Government" substitute the words "High Court."
"	XIII	The Central Provinces Financial Commissioner's Act, 1908.	In section 2, sub-section (2), omit the words "with the previous sanction of the Governor General in Council."

1. To

THE SCHEDULE.

PART I.—*contd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
1908	XVI	The Indian Registration Act, 1908.	<p>1. To section 6 the following proviso shall be added, namely:—</p> <p>“Provided that the Local Government may delegate, subject to such restrictions and conditions as it thinks fit, to the Inspector General of Registration the power of appointing Sub-Registrars.”</p> <p>2. In section 12 for the words “the Local Government fills up the vacancy” substitute the words “the vacancy is filled up.”</p> <p>3. In section 13, sub-section (1), before the word “all” insert the words “all appointments made by the Inspector General under section C and.”</p> <p>4. To section 13 (3) add the words “and the Inspector General of Registration may, subject to such conditions and restrictions as the Local Government may impose, exercise the like power in the case of Sub-Registrars appointed by him.”</p> <p>5. In sections 14 and 78 for the word “approval” substitute the word “control.”</p>
	XVII	The Indian Emigration Act, 1908	<p>1. In section 11 for the words “Governor General in Council” substitute the words “Local Government.”</p> <p>2. In section 50 for the words “obtained from the Local Government” substitute the words “granted in accordance with the provisions of this Act.”</p> <p>3. In section 51, sub-section (1), for the words “through the Protector of Emigrants to the Local Government” substitute the words “to the Protector of Emigrants.”</p>

4. In

1914.]

Decentralization.

THE SCHEDULE.

PART I—*concl'd.**Acts of the Governor General of India in Council.*

Year.	No.	Short title.	Amendments.
.1908	XVII	The Indian Emigration Act, 1908— <i>cont'd.</i>	<p>4. In section 52, sub-section (2), for the words "Local Government" substitute the words "Protector of Emigrants"; and for the word "it" substitute the word "he."</p> <p>5. In section 53, sub-section (1), clause (a), omit the words "the Protector of Emigrants and."</p> <p>6. In section 102, sub-section (1), for the words "Governor General in Council" substitute the words "Local Government"; and for the words "Gazette of India" substitute the words "local official Gazette."</p>

PART II.

THE SCHEDULE.

PART II.

Regulations made by the Governor General of India in Council under section 1 of the Government of India Act, 1870.

Year.	No.	Short title.	Amendments.
1887	VIII	The Ajmer Irrigation Regulation, 1887.	In section 4, sub-section (1), for the words "with the previous sanction" substitute the words "subject to the control."
	XII	The Upper Burma Ruby Regulation, 1887	1. In section 4 omit the words "with the previous sanction of the Governor General in Council," wherever they occur. 2. In section 5, sub-section (2), clause (b), insert after the word "directs" the words "and in accordance with such conditions, if any, as to the time, place and mode of payment as it may direct" and omit sub-section (3).
1899	I	The Coorg Land and Revenue Regulation, 1899.	In section 60, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."
1900	VI	The Coorg District Fund Regulation, 1900.	1. In section 3 omit the words "with the previous sanction of the Governor General in Council." 2. In section 9 omit the words "with the sanction of the Governor General in Council."
1907	II	The Coorg Municipal Regulation, 1907.	1. In section 50, sub-section (3), before the words "the Governor General in Council" insert the words "the Chief Commissioner, subject to the control of." 2. In section 143, sub-section (1), omit the words "with the previous sanction of the Governor General in Council."

PART III.

1914.]

Decentralization.

THE SCHEDULE.

PART III.

Bengal Regulations

Year.	No..	Short title	Amendments
1799	V	The Bengal Wills and Intestacy Regulation, 1799.	In section 7, the amendment made by the Repealing and Amending Act, 1903, Schedule II, Part I, is repealed, and for the words "Governor General in Council for his" substitute the words "Board of Revenue, or, in Assam, to the Local Government, for its."

ACT No. V OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 24th
February, 1914.)

An Act further to amend the Negotiable Instruments Act, 1881.

XXVI of 1881. WHEREAS it is expedient further to amend the Negotiable Instruments Act, 1881, so as to remove doubts as to the validity of the making and endorsing of negotiable instruments in certain forms; It is hereby enacted as follows:—

1. This Act may be called the Negotiable Instruments (Amendment) Act, 1914. Short title.

XXVI of 1881. 2. In section 13 of the Negotiable Instruments Act, 1881 (hereinafter called the said Act), after the figures "13" insert the figure and signs "(1)", and to the same section add the following sub-section, namely:—

"(2) A negotiable instrument may be made payable to two or more payees jointly, or it may be made payable in the alternative to one of two, or one or some of several payees."

3. In section 16 of the said Act, after the figures "16" insert the figure and signs "(1)" and to the same section add the following sub-section, namely:— Amendment of section 16, Act XXVI of 1881.

“(2) The provisions of this Act relating to a payee shall apply, with the necessary modifications to an indorsee.”

[Price one anna and three pies.]

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ACT No. VI OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 25th
February, 1914.)

An Act to amend the Provincial Small Cause Courts Act, 1887.

IX of 1887. **WHEREAS** it is expedient to amend the Provincial Small Cause Courts Act, 1887; It is hereby enacted as follows :—

1. This Act may be called the Provincial Small Cause Courts (Amendment) Act, 1914. Short title.

IX of 1887. 2. In article 35 of the second Schedule of the Provincial Small Cause Courts Act, 1887 (hereinafter called the said Act), the following amendments shall be made, namely :— Amendment of article 35, Schedule II, Act IX of 1887.

(1) After item (i), the following item shall be inserted :—

XLV of 1860. “ (ii) for an act which is, or, save for the provisions of Chapter IV of the Indian Penal Code, would be, an offence punishable under Chapter XVII of the said Code.”

(2) For item (j) the following shall be substituted, namely :—

“ (j) for illegal, improper or excessive distress, attachment, or search, or for trespass committed in, or damage caused by, the illegal or improper, execution of any distress, search or legal process.”

3. After article 43 of the same Schedule of the said Act, the following article shall be inserted, namely :— Insertion of new article 43-A, Schedule II, Act IX of 1887.

XLV of 1860. “ (43-A) a suit to recover property obtained by an act which is, or, save for the provisions of Chapter IV of the Indian Penal Code, would be, an offence punishable under Chapter XVII of the said Code.”

[Price one anna and three pies.]

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ACT No. VII OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

[Received the assent of the Governor General on the 28th February, 1914.]

An Act further to amend the Indian Telegraph Act, 1885.

XIII, 1885

WHEREAS it is expedient further to amend the Indian Telegraph Act, 1885 ; It is hereby enacted as follows :—

1. This Act may be called the Indian Telegraph Short title.
(Amendment) Act, 1914.

XIII, 1885.

2. For sub-section (2) of section 1 of the Indian Substitution of new sub-section for section 1 (2), Act XIII, 1885.
Telegraph Act, 1885 (hereinafter called the said Act), the following shall be substituted, namely :—

“(2) It extends to the whole of British India, including the Sonthal Parganas and the Pargana of Spiti, and it applies also to—

(a) all native Indian subjects of His Majesty in any place without and beyond British India,

(b) all other British subjects within the territories of any Native State in India, and

(c) all servants of the King, whether British subjects or not, within the territories of any Native State in India.”

3. In clause (1) of section 3 of the said Act for the words “transmitting or making,” the words Amendment of section 3 of the said Act.
“making, transmitting or receiving” shall be substituted.

4. Section 4 of the said Act shall be renumbered Addition of further proviso and sub-section (2) to section 4 of the said Act.
section 4 (1) and after the said sub-section the following proviso and sub-section shall be added, namely :—

“Provided further that the Governor General in Council may, by rules made under this Act and published

published in the Gazette of India, permit, subject to such restrictions and conditions as he thinks fit, the establishment, maintenance and working—

(a) of wireless telegraphs on ships within Indian territorial waters, and

(b) of telegraphs other than wireless telegraphs within any part of British India.

“(2) The Governor General in Council may, by notification in the Gazette of India, delegate to the telegraph authority all or any of his powers under the first proviso to sub-section (1).

“The exercise by the telegraph authority of any power so delegated shall be subject to such restrictions and conditions as the Governor General in Council may, by the notification, think fit to impose.”

Insertion of new sections 19A and 19B after section 19 of the said Act.

5. After section 19 of the said Act the following sections shall be inserted, namely :—

Person exercising legal right likely to damage telegraph or interfere with telegraphic communication to give notice.

“19A. (1) Any person desiring to deal in the legal exercise of a right with any property in such a manner as is likely to cause damage to a telegraph line or post which has been duly placed in accordance with the provisions of this Act, or to interrupt or interfere with telegraphic communication, shall give not less than one month's notice in writing of the intended exercise of such right to the telegraph authority, or to any telegraph officer whom the telegraph authority may empower in this behalf.

“(2) If any such person without having complied with the provisions of sub-section (1) deals with any property in such a manner as is likely to cause damage to any telegraph line or post, or to interrupt or interfere with telegraphic communication, a Magistrate of the first or second class may, on the application of the telegraph authority, order such person to abstain from dealing with such property in such manner for a period not exceeding one month

month from the date of his order and forthwith to take such action with regard to such property as may be in the opinion of the Magistrate necessary to remedy or prevent such damage, interruption or interference during such period.

“(3) A person dealing with any property in the manner referred to in sub-section (1) with the *bona fide* intention of averting imminent danger of personal injury to himself or any other human being shall be deemed to have complied with the provisions of the said sub-section if he gives such notice of the intended exercise of the right as is in the circumstances possible, or where no such previous notice can be given, without incurring the imminent danger referred to above, if he forthwith gives notice of the actual exercise of such right to the authority or officer specified in the said sub-section.

“19B. The Governor General in Council may, by notification in the Gazette of India, confer upon any licensee under section 4, in respect of the extent of his licence and subject to any conditions and restrictions which the Governor General in Council may think fit to impose and to the provisions of this Part, all or any of the powers which the telegraph authority possesses under this Part with regard to a telegraph established or maintained by the Government or to be so established or maintained :

Power to confer upon licensee powers of telegraph authority under this Part.

“Provided that the notice prescribed in section 19A shall always be given to the telegraph authority or officer empowered to receive notice under section 19A (1).”

6. For section 20 of the said Act the following section shall be substituted, namely :—

Substitution of new section for section 20 of the said Act.

“20. (1) If any person establishes, maintains or works a telegraph within British India in contravention of the provisions of section 4 or otherwise than as permitted by rules made under that section, he shall be punished, if the telegraph is a wireless telegraph, with imprisonment which may extend to

Establishing, maintaining or working unauthorized telegraph.

three

Indian Telegraph (Amendment). [ACT VII

three years, or with fine, or with both, and, in any other case, with a fine which may extend to one thousand rupees.

“(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, offences under this section in respect of a wireless telegraph shall, for the purposes of the said Code, be bailable and non-cognizable. V. 1939.

“(3) When any person is convicted of an offence punishable under this section, the Court before which he is convicted may direct that the telegraph in respect of which the offence has been committed, or any part of such telegraph, be forfeited to His Majesty.”

Insertion of new section 20A after section 20 of the said Act.

7. After section 20 of the said Act the following section shall be inserted, namely :—

Breach of condition of licence.

“20A. If the holder of a licence granted under section 4 contravenes any condition contained in his licence, he shall be punished with fine which may extend to one thousand rupees, and with a further fine which may extend to five hundred rupees for every week during which the breach of the condition continues.”

Insertion of new section 25A after section 25 of the said Act.

8. After section 25 of the said Act the following section shall be inserted, namely :—

Injury to or interference with a telegraph line or post.

“25A. If, in any case not provided for by section 25, any person deals with any property and thereby wilfully or negligently damages any telegraph line or post duly placed on such property in accordance with the provisions of this Act, he shall be liable to pay the telegraph authority such expenses (if any) as may be incurred in making good such damage, and shall also, if the telegraphic communication is by reason of the damage so caused interrupted, be punishable with a fine which may extend to one thousand rupees :

“ Provided that the provisions of this section shall not apply where such damage or interruption is caused

by

by a person dealing with any property in the legal exercise of a right if he has complied with the provisions of section 19A (1)."

9. After section 29 of the said Act the following section shall be inserted, namely :—

Insertion of new section 29A after section 29 of the said Act
Penalty.

“ 29A. If any person, without due authority,—

(a) makes or issues any document of a nature reasonably calculated to cause it to be believed that the document has been issued by, or under the authority of, the Director-General of Telegraphs, or

(b) makes, on any document any mark in imitation of, or similar to, or purporting to be, any stamp or mark of any Telegraph Office under the Director-General of Telegraphs, or a mark of a nature reasonably calculated to cause it to be believed that the document so marked has been issued by, or under the authority of, the Director-General of Telegraphs,

he shall be punished with fine which may extend to fifty rupees.”

10. In section 34 (1) of the said Act after the figures and word “ 18, sub-section (1),” the words, figures and letter “ and section 19A, sub-section (2),” shall be inserted.

Amendment of section 34 of the said Act.

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8, HASTINGS STREET

ACT NO. VIII OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 28th February, 1914.)

An Act to consolidate and amend the law relating to Motor Vehicles in British India.

WHEREAS it is expedient to consolidate and amend the law relating to motor vehicles in British India; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

1. (1) This Act may be called the Indian Motor Vehicles Act, 1914. Short title, extent and commencement.

(2) This Act, except Part III thereof, extends to the whole of British India, including British Baluchistan, the Sonthal Parganas and the Pargana of Spiti. Part III extends in the first instance only to the Provinces of Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma, Bihar and Orissa, the North-West Frontier Province and Delhi. The Local Government of any other Province may, by notification in the local official Gazette, extend Part III to the whole or any part of such province.

(3) It shall come into force on such date as the Governor General in Council, by notification in the Gazette of India, may direct.

2. "Motor vehicle" includes a vehicle, carriage or other means of conveyance propelled, or which may be propelled, on a road by electrical or mechanical power either entirely or partially; Definitions.

"prescribed"

[Price three annas and three pies.]

(Part I.—Preliminary. Part II.—Provisions of general application.)

“prescribed” means prescribed by rules under this Act;

“public place” means a road, street, way or other place, whether a thoroughfare or not, to which the public are granted access or over which they have a right to pass.

PART II.

PROVISIONS OF GENERAL APPLICATION.

Prohibition of driving motor vehicles by persons under 18.

3. (1) No person under the age of eighteen years shall drive a motor vehicle in any public place.

(2) No owner or person in charge of a motor vehicle shall allow any person under the age of eighteen years to drive the same in any public place; and in the event of a contravention of sub-section (1), the Court may presume that the motor vehicle was driven with the consent of the owner or person in charge.

Duty to stop vehicle for regulating traffic and in case of accident.

4. The person in charge of a motor vehicle shall cause the vehicle to stop and to remain stationary so long as may reasonably be necessary—

- (a) when required to do so by any police-officer for the purpose of regulating traffic or of ascertaining his name and address with a view to prosecuting such person under this Act or for any purpose connected with the enforcement of the provisions of this Act or the rules thereunder, or
- (b) when required to do so by any person having charge of any animal if such person apprehends that the animal is, or will be, alarmed by the motor vehicle, or
- (c) when he knows or has reason to believe that an accident has occurred to any person or to any animal or vehicle in

(Part II.—Provisions of general application. Part III.—Licensing and Control).

charge of a person owing to the presence of the motor vehicle and he shall also, if so required, give his name and address and the name and address of the owner of such motor vehicle.

5. Whoever drives a motor vehicle in a public place recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the place, and the amount of traffic which actually is at the time, or which might reasonably be expected to be, in the place, shall, on conviction, be punishable with fine which may extend to five hundred rupees.

PART III.

LICENSING AND CONTROL.

6. No person shall drive a motor vehicle in a public place unless he is licensed in the prescribed manner, and no owner or person in charge of a motor vehicle shall allow any person who is not so licensed, to drive it:

Provided that, subject to rules made by the Local Government in this behalf, this section shall not apply to a person receiving instruction in driving a motor vehicle.

7. The holder of a licence shall not allow it to be used by any other person.

8. The driver of a motor vehicle shall produce his licence upon demand by any police-officer.

9. Every licence to drive a motor vehicle shall be valid in such area as may be specified therein:

Provided that no licence shall specify any area outside the province in which it is granted, unless it is issued by such authority and in accordance with such

(Part III.—Licensing and Control.)

such conditions and restrictions as the Governor General in Council may impose.

Registration
of motor vehi-
cles.

10. (1) The owner of every motor vehicle shall cause it to be registered in the prescribed manner.

(2) Such registration shall be valid in such area as may be specified in the certificate of registration :

Provided that no certificate of registration shall be valid outside the province in which it is granted unless it is issued in accordance with such conditions and restrictions as the Governor General in Council may impose.

Power of
Local Govern-
ment to
make rules.

11. (1) The Local Government, subject to the condition of previous publication, shall make rules for the purpose of carrying into effect the provisions of this Act and of regulating, in the whole or any part of the territories under its administration, the use of motor vehicles or any class of motor vehicles in public places.

(2) In particular, and without prejudice to the generality of the foregoing powers, the Local Government may make rules for all or any of the following purposes, namely :—

(a) providing for the registration of motor vehicles, and the conditions subject to which such vehicles may be registered, the fees payable in respect of and incidental to registration, the issue of certificates of registration, the notification of any changes of ownership, and (subject to the provisions of section 10), the area in which certificates of registration shall be valid ;

(b) providing for facilitating the identification of motor vehicles by the assignment of distinguishing numbers to such vehicles and the displaying of number and name plates thereon, or in any other manner ;

(c) regulating the construction and equipment of motor vehicles, including the provision

and

(Part III.—Licensing and Control.)

and use of lights, bells, horns, brakes, speed-indicators or other appliances ;

- (d) prescribing the authority by which, and the conditions subject to which, drivers of motor vehicles or any class of such drivers may be licensed, the fees payable in respect of such licences, and (subject to the provisions of section 9), the area within which, and the duration for which, licences shall be valid ;
- (e) prescribing the conditions subject to which, and the fees (if any) on payment of which, motor vehicles may be let or plied for hire in public places, generally or in any particular public place ;
- (f) prescribing the precautions to be observed when motor vehicles are standing in any public place ;
- (g) limiting the speed at which motor vehicles may be driven generally or in any particular public place ;
- (h) prohibiting or regulating the driving of motor vehicles in public places, where their use may, in the opinion of the Local Government, be attended with danger or inconvenience to the public ; and
- (i) providing generally for the prevention of danger, injury or annoyance to the public or any person, or of danger or injury to property, or of obstruction to traffic.

(3) All rules made under this section shall be published in the local official Gazette ; and, on such publication, shall have effect as if enacted in this Act.

12. The prescribed authority shall give, in the prescribed manner, public notice of any rule, made by the Local Government under section 11, prohibiting or regulating the driving of motor vehicles in any public

Posting of notices.

(Part III.—*Licensing and Control.* Part IV.—*Motor Vehicles temporarily leaving or visiting British India.*)

public place; or limiting the speed of motor vehicles in any such place; and for the purpose of giving effect to any such rule, shall display conspicuous notices at or near the place to which the rule refers.

Power to Local Government to exclude areas or motor vehicles from this Part.

13. The Local Government may, by notification in the local official Gazette, exclude any area specified in such notification from the operation of this Part; and may, by a like notification, exempt either generally or for a specified period any motor vehicle or class of motor vehicles from the operation of all or any of the provisions of this Part.

PART IV.

MOTOR VEHICLES TEMPORARILY LEAVING OR VISITING BRITISH INDIA.

Power of Governor General in Council to make rules.

14. (1) The Governor General in Council may make rules for all or any of the following purposes, namely:—

- (i) for the grant and authentication of any travelling passes, certificates or authorities for the use of persons temporarily taking their motor vehicles out of British India, or to drivers of such vehicles when proceeding out of British India for the purpose of driving such vehicles, and
- (ii) prescribing the conditions subject to which motor vehicles brought temporarily into British India by persons intending to make a temporary stay there may be possessed, used and driven.

(2) All rules made under this section shall be published in the Gazette of India; and, on such publication, shall have effect as if enacted in this Act.

15. Nothing

(*Part IV.—Motor Vehicles temporarily leaving or visiting British India. Part V.—Miscellaneous.*)

15. Nothing in this Act or in any rule made there- ^{Saving.}
under relating to—

- (a) the registration of motor vehicles,
- (b) requirements as to construction, identification or equipment of such vehicles, or
- (c) the licensing or qualifications of drivers of such vehicles,

shall apply in the case of any motor vehicle such as is referred to in clause (ii) of sub-section (1) of section 14, or of any person possessing, using or driving the same, provided that the requirements of any rule made under the said clause and applicable to such vehicle or person are complied with.

PART V.

MISCELLANEOUS.

16. Whoever contravenes any of the provisions of ^{Penalties.}
this Act or of any rule made thereunder shall, if no other penalty is elsewhere provided in this Act for such contravention, be punishable with fine which may extend to one hundred rupees, and, in the event of such person having been previously convicted of an offence under this Act or any rule made thereunder, with fine which may extend to two hundred rupees.

17. No Court inferior to that of a Presidency ^{Cognizance of offences.}
Magistrate or a Magistrate of the second class shall try any offence punishable under this Act or any rule made thereunder.

18. (1) A Local Government may, in its discre- ^{Cancellation and suspension of licence and disqualification for obtaining licence.}
tion,—

- (i) cancel or suspend any licence granted under this Act, and

(ii) declare

(Part V.—Miscellaneous.)

(ii) declare any person disqualified for obtaining a licence under this Act either permanently or for such period as it thinks fit.

(2) Any Court by which any person is convicted of an offence against the provisions of this Act or any rule made thereunder or of any offence in connection with the driving of a motor vehicle shall, if such person holds a licence under the Act, cause particulars of the conviction to be endorsed thereon and may, in respect of such person and of his licence, if any, exercise the like powers as are conferred by sub-section (1) on the Local Government :

Provided that no order made by a Court under this sub-section shall affect any person or licence for a period exceeding one year from the date of such conviction.

(3) Any Court before which the holder of a licence under this Act is accused of any offence mentioned in sub-section (2) may suspend such licence until the termination of the proceedings before it.

(4) A copy of every order of cancellation, suspension or disqualification made under this section in respect of a licence or the holder of a licence shall be endorsed on the licence, and a copy of every endorsement, in accordance with the provisions of this section, shall be sent to the authority by which such licence has been granted.

(5) Every holder of a licence shall, when called upon to do so, produce his licence before any authority acting under this section.

(6) A person whose licence has been cancelled or suspended in accordance with the provisions of this section, shall, during the period for which such order of cancellation has effect, or during the period of suspension, as the case may be, be disqualified for obtaining a licence.

(7) No person whose licence has been endorsed or who has been disqualified for obtaining a licence shall
apply
§

(Part V.—Miscellaneous. Schedule.)

apply for, or obtain, a licence without giving particulars of such endorsement or disqualification.

19. The enactments mentioned in the Schedule ^{Repeals.} are repealed to the extent specified in the fourth column thereof :

Provided that any appointment, notification, order, rule, form or licence made or issued under any of the said Acts, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been issued under the provisions of this Act, unless and until it is superseded by any appointment, notification, order, rule, form or licence made or issued under this Act.

SCHEDULE.

(SEE SECTION 19.)

Enactments Repealed.

Year.	No.	Short title	Extent of repeal.
		I.—Act of the Governor General in Council.	
1912	XII	The Motor Vehicles International Circulation Act, 1912.	The whole
		II.—Madras Act.	
1907	I	The Madras Motor Vehicles Act, 1907	The whole.
		III.—Bombay Act	
1904	II	The Bombay Motor Vehicles Act, 1904	The whole.
		IV.—Bengal Act.	
1903	III	The Bengal Motor Car and Cycle Act, 1903	The whole.
		V.—United Provinces Act.	
1911	II	The United Provinces Motor Vehicles Act, 1911.	The whole.
		VI.—Punjab Act.	
1907	II	The Punjab Motor Vehicles Act, 1907	The whole.
		VII.—Burma Act.	
1906	II	The Burma Motor Vehicles Act, 1906	The whole

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ACT No. IX OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 28th
February, 1914.)

An Act to consolidate and amend the law
relating to the grant of loans to Local
Authorities.

WHEREAS it is expedient to consolidate and Preamble.
amend the law relating to the borrowing powers
of local authorities; It is hereby enacted as
follows:—

1. (1) This Act may be called the Local Autho- Short title
and extent.
rities Loans Act, 1914.

(2) It extends to the whole of British India, in-
cluding the Sonthal Parganas.

2. In this Act, "local authority" means any Definitions.
person legally entitled to the control or management
of any local or municipal fund, or legally entitled to
impose any cess, rate, duty or tax within any local
area;

"funds", used with reference to any local autho-
rity, includes any local or municipal fund to the con-
trol or management of which such authority is legally
entitled, and any cess, rate, duty or tax which such
authority is legally entitled to impose, and any pro-
perty vested in such authority;

"prescribed" means prescribed by rules made
under this Act; and

"work" includes a survey, whether incidental to
any other work or not.

3. (1) A local authority may, subject to the Borrowing
powers of
local autho-
rities.
prescribed conditions, borrow on the security of its
funds or any portion thereof for any of the following
purposes, namely:—

(i) the carrying out of any works which it is
legally authorized to carry out,

(ii) the

[Price two annas and three pies.]

- (ii) the giving of relief and the establishment and maintenance of relief works in times of famine or scarcity,
- (iii) the prevention of the outbreak or spread of any dangerous epidemic disease,
- (iv) any measures which may be connected with or ancillary to any purposes specified in clauses (ii) and (iii),
- (v) the repayment of money previously borrowed in accordance with law:

Provided that nothing in clause (v) shall be deemed to empower a local authority to fix a period for the repayment of any money borrowed thereunder which, when the period fixed for the repayment of the money previously borrowed is taken into account, will exceed the maximum period fixed for the repayment of a loan by or under any enactment for the time being in force.

(2) Nothing in this section shall be deemed to authorize any local authority—

- (a) to borrow or spend money for any purpose for which, under the law for the time being in force, it is not authorized to apply its funds, or
- (b) to borrow money by means of the issue of bills or promissory notes payable within any period not exceeding twelve months.

4. (1) The Governor General in Council may make rules consistent with this Act as to—

- (i) the nature of the funds on the security of which money may be borrowed;
- (ii) the works for which money may be borrowed;
- (iii) the manner of making applications for permission to borrow money;
- (iv) the inquiries to be made in relation to such loans, and the manner of conducting such inquiries;
- (v) the cases and the forms in which particulars of applications and proceedings, and orders thereon, shall be published;

(vi) the

- (vi) the cases in which the Local Government may make loans without the previous sanction of the Governor General in Council, and the cases in which such previous sanction must be obtained ;
- (vii) the cases in which the Local Government may authorize local authorities to take loans from persons other than the Local Government, and the cases in which the previous sanction of the Governor General in Council must be obtained to such loans ;
- (viii) the manner of recording and enforcing the conditions on which money is to be borrowed ;
- (ix) the manner and time of making or raising loans ;
- (x) the inspection of any works carried out by means of loans ;
- (xi) the instalments, if any, by which loans shall be repaid, the interest to be charged on loans, and the manner and time of repaying loans and of paying the interest thereon ;
- (xii) the sum to be charged against the funds which are to form the security for the loan, as costs in effecting the loan ;
- (xiii) the attachment of such funds, and the manner of disposing of or collecting them ;
- (xiv) the accounts to be kept in respect of loans ;
- (xv) the utilization of unexpended balances of loans either in the reduction in any way of the debt of the local authority, or in carrying out any works which that authority is legally authorized to carry out ; and the sanction necessary to such utilization ;

and as to all other matters incidental to carrying this Act into effect.

(2) The Governor General in Council may, subject to such conditions and restrictions as he thinks

thinks fit, delegate to a Local Government, or to Local Governments generally, all or any of his powers to make rules under sub-section (1).

(3) All rules made under this Act shall be published in the Gazette of India, if made by the Governor General in Council, or, if made by the Local Government in the exercise of a delegated power, in the local official Gazette; and on such publication, shall have effect as if enacted in this Act.

B remedy by attachment if loan not repaid.

5. If any money borrowed in accordance with the provisions of this Act, or any interest or costs due in respect thereof, is or are not repaid according to the conditions of the loan, the Local Government, if itself the lender, may, and, if the Local Government is not the lender, shall, on the application of the lender, attach the funds on the security of which the loan was made. After such attachment, no person, except an officer appointed in this behalf by the Local Government, shall in any way deal with the attached funds; but such officer may do all acts in respect thereof which the borrowers might have done if such attachment had not taken place, and may apply the proceeds in satisfaction of the loan and of all interests and costs due in respect thereof, and of all expenses caused by the attachment and subsequent proceedings:

Attachment not to defeat prior charges legally made.

Provided that no such attachment shall defeat or prejudice any debt for which the funds attached were previously pledged in accordance with law; but all such prior charges shall be paid out of the proceeds of the funds before any part of the proceeds is applied to the satisfaction of the liability in respect of which such attachment is made.

Issue of short-term bills.

6. (1) Subject to the provisions of section 26 of the Indian Paper Currency Act, 1910, the local authorities mentioned in Schedule I and any other local authority to which the Governor General in Council may, by notification in the Gazette of India, extend the provisions of this section, may, with the previous sanction of the Governor General in Council, borrow money by means of the issue of bills or promissory notes payable within any period, not exceeding twelve months, for any purpose for which such local

11 of 1910.

local authority may lawfully borrow money under any law for the time being in force :

Provided that the amount of the bills or promissory notes which may be so issued, shall not exceed, when the amount of the other moneys for the time being borrowed by such local authority is taken into account, the total amount which such local authority is empowered by law to borrow.

(2) The Governor General in Council may, by general or special order, regulate the conditions on which money may be borrowed or repaid under this section.

7. Except as provided by or under this Act, no local authority shall, for any purpose, borrow money upon, or otherwise charge, its funds; and any contract otherwise made for that purpose after the passing of this Act shall be void : Loans not to be effected except under this Act.

Provided that nothing herein contained shall be deemed—

(a) to preclude any local authority from exercising the borrowing powers conferred on it by any special enactment now or hereafter in force ; or

(b) to affect the power conferred on any local authority by any such enactment to charge its funds, by guaranteeing the payment of interest on money to be applied to any purpose to which the funds of the local authority can legally be applied.

8. The Secretary of State in Council shall be entitled to the remedy mentioned in section 5 for the recovery of any money lent by him to any local authority before the fifth day of September, 1871, and the interest due on such money. Application of Act to loans existing previous to the 5th of September, 1871.

9. The enactments mentioned in Schedule II are repealed to the extent specified in the fourth column thereof : Repeals.

Provided that all applications, declarations, authorizations, attachments, loans and rules made under any of these enactments shall be deemed to have been made under this Act.

SCHEDULE I.

(See section 6.)

The Corporation of Calcutta.
 The Commissioners for the Port of Calcutta.
 The Commissioners for the Port of Chittagong.
 The Municipal Corporation of the City of Bombay.
 The Trustees of the Port of Bombay.
 The Corporation of Madras.
 The Trustees for the Port of Madras.
 The Municipal Committee of Rangoon.
 The Commissioners for the Port of Rangoon.
 The Municipality of Karachi.
 The Trustees of the Port of Karachi.
 The Trustees for the Improvement of the City of Bombay.
 The Trustees for the Improvement of the City of Calcutta.

SCHEDULE II.

ENACTMENTS REPEALED.

(See section 9.)

Year.	No.	Short title.	Extent of repeal.
1	2	3	4
1879	XI	The Local Authorities Loan Act, 1879.	So much as is not repealed.
1885	XV	The Local Authorities Loan Act (1879) Amendment Act, 1885.	The whole.
1897	XII	The Local Authorities (Emergency) Loans Act, 1897.	So much as is not repealed.
1904	III	The Local Authorities Loan Act, 1904.	So much as is not repealed.
1905	I	The Local Authorities Loan (Amendment) Act, 1905.	The whole.
1907	V	The Local Authorities Loan (Amendment) Act, 1907.	The whole.
1908	VIII	The Local Authorities Loan (Amendment) Act, 1908.	The whole.
1912	XI	The Local Authorities (Emergency) Loans (Amendment) Act, 1912.	The whole.

ACT No. X OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 17th
March, 1914.)

An Act to amend certain enactments and to
repeal certain other enactments.

WHEREAS it is expedient that certain formal
amendments should be made in the enact-
ments specified in the First Schedule ;

and whereas it is also expedient that certain enact-
ments specified in the Second Schedule which are
spent, or have ceased to be in force otherwise than by
express specific repeal, or have by lapse of time or
otherwise become unnecessary, should be expressly and
specifically repealed ;

It is hereby enacted as follows :—

1. This Act may be called the Repealing and Short title.
Amending Act, 1914.

2. The enactments specified in the First Schedule Amendment
are hereby amended to the extent and in the manner of certain en-
mentioned in the fourth column thereof. actments.

3. The enactments specified in the Second Schedule Repeal of
are hereby repealed to the extent mentioned in the certain enact-
fourth column thereof. ments.

4. The repeal by this Act of any enactment shall Savings.
not affect any Act or Regulation in which such en-
actment has been applied, incorporated or referred to ;

and this Act shall not affect the validity, invalidity,
effect or consequences of anything already done or
suffered, or any right, title, obligation or liability al-
ready acquired, accrued, or incurred, or any remedy

[Price six annas and six pils.]

or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognized or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE.

AMENDMENTS.

(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1850	XXXVII	The Public Servants (Inquiries) Act, 1850	In section 8, for the words and figures " Act XXX of 1841 " the words and figures " the Code of Criminal Procedure, 1898," shall be substituted.
1867	XXV	The Press and Registration of Books Act, 1867.	In section 19, for the words " Secretary to the Government of India in the Home Department," the words " Government of India " shall be substituted.
"	XXXII	The Chief Commissioners' Powers Act.	In the preamble, for the words " Chief Commissioners " the words " Chief Commissioner " shall be substituted.

THE FIRST SCHEDULE—*contd.*

AMENDMENTS—*contd.*

(See section 2)—*contd.*

1	2	3	4
Year.	No.	Short title.	Amendments.
1872	I	The Indian Evidence Act, 1872.	In section 37, for the words "the Governors in Council of Madras or Bombay, or of the Lieutenant-Governor in Council of Bengal" the following shall be substituted, namely: "any other legislative authority in British India constituted for the time being under the Indian Councils Act, 1861, the Indian Councils Acts, 1861 and 1892, or the Indian Councils Acts, 1861 to 1909."
"	XV	The Indian Christian Marriage Act, 1872.	In section 86, for the words "and Bombay" the words "Bombay and Fort William in Bengal" shall be substituted.
1875	XIII	The Probate and Administration Act, 1875.	In the title, for the words "Probates and Letters of Administration" the words "Court Fees" shall be substituted.
1882	V	The Indian Easements Act, 1882.	For section 3 the following section shall be substituted, namely:— "3. All references in any Act or Regulation to sections 26 and 27 of the Indian Limitation Act, 1877, or to sections 27 and 28 of Act No. IX of 1871 shall, in the territories to which this Act extends, be read as made to sections 15 and 16 of this Act."
"	XV	The Presidency Small Cause Courts Act, 1882.	In section 19, clause (b), for the words "or Bombay" the words "Bombay or Fort William in Bengal" shall be substituted. In section 87, for the figures and words "83 or section 85" the words and figures "480 or section 482 of the Code of Criminal Procedure, 1898," shall be substituted.

Repealing and Amending. [ACT, X

THE FIRST SCHEDULE—*contd.*

AMENDMENTS—*contd.*

(See section 2)—*contd.*

1	2	3	4
Year.	No.	Short title.	Amendments.
1882— <i>concl'd</i>	XV— <i>concl'd.</i>	The Presidency Small Cause Courts Act, 1882— <i>concl'd.</i>	In section 88, for the words and figures " Presidency Magistrates Act, 1877," the words and figures " Code of Criminal Procedure, 1898," shall be substituted.
1886	X	The Indian Criminal Law Amendment Act, 1886.	In the title and preamble, for the words " Code of Criminal Procedure, 1882, and certain other Acts " the words " Indian Penal Code " shall be substituted.
	XIII	The Indian Securities Act, 1886.	In section 14, after the words " from time to time," the words " after previous publication " shall be inserted.
1887	IX	The Provincial Small Cause Courts Act, 1887.	In the Second Schedule, clause (1), for the words " or Bombay " the words " Bombay or Fort William in Bengal " shall be substituted.
1894	I	The Land Acquisition Act, 1894.	In section 2, sub-sections (2) and (3), for the words " said Land Acquisition Act," the words and figures " Land Acquisition Act, 1870," shall be substituted.
	VIII	The Indian Tariff Act, 1894.	In section 5, sub-section (2), for the words " and the Governor of Bombay in Council " the words " the Governor of Bombay in Council and the Governor in Council of Fort William in Bengal " shall be substituted.
	IX	The Prisons Act, 1894	In section 47, clause (4), for the word " and " the word " or " shall be substituted.

THE FIRST SCHEDULE—*contd.*AMENDMENTS—*contd.*(See section 2)—*contd.*

1	2	3	4
Year.	No.	Short title.	Amendments
1897	X	The General Clauses Act, 1897.	<p>In section 3, between clauses (3) and (4), the following shall be inserted namely :—</p> <p>“(3a) ‘ Assam Act ’ shall mean an Act made by the Chief Commissioner of Assam in Council under the Indian Councils Acts, 1861 to 1909 :”</p> <p>For clause (5) the following shall be substituted, namely :—</p> <p>“(5) ‘ Bengal Act ’ shall mean, in the case of Acts passed prior to the 1st April, 1912, an Act made by the Lieutenant-Governor of Bengal in Council under the Indian Councils Act, 1861, or the Indian Councils Acts, 1861 and 1892, or the Indian Councils Acts, 1861 to 1909, and in the case of Acts passed after that date, an Act made by the Governor of the Presidency of Fort William in Bengal in Council under the Indian Councils Acts, 1861 to 1909 :”</p> <p>After clause (5) the following shall be inserted namely :—</p> <p>“(5a) ‘ Bihar and Orissa Act ’ shall mean an Act made by the Lieutenant-Governor of Bihar and Orissa in Council under the Indian Councils Acts, 1861 to 1909 :”</p>

Repealing and Amending. [ACT X

THE FIRST SCHEDULE—*contd.*

AMENDMENTS—*contd.*

(See section 2)—*contd.*

1	2	3	4
Year.	No. . .	Short title. . .	Amendments.
1897	X— <i>concl'd.</i>	The General Clauses Act, 1897— <i>concl'd.</i>	<p>To each of clauses (6) and (8a) the following shall be added, namely :—</p> <p style="text-align: center;">“ or the Indian Councils Acts, 1861 to 1909.”</p> <p>After clause (16), the following shall be inserted, namely :—</p> <p style="text-align: center;">“ (16a) ‘ Eastern Bengal and Assam Act ’ shall mean an Act made by the Lieutenant-Governor of Eastern Bengal and Assam in Council under the Indian Councils Acts, 1861 and 1892, or the Indian Councils Acts, 1861 to 1909 :”</p> <p>To each of clauses (30), (44a) and (55a) the following shall be added, namely :—</p> <p style="text-align: center;">“ or the Indian Councils Acts, 1861 to 1909.”</p>
	XIV	The Indian Short Titles Act, 1897.	<p>In the Schedule, for the entry in column 4 against Act XIII of 1875, the following shall be substituted, namely :—</p> <p style="text-align: center;">“ The Court Fees (Amendment) Act, 1875.”</p>
1898	V	The Code of Criminal Procedure, 1898.	<p>In section 484, after the figures “ 480 ” the words and figures “ or section 482 ” shall be inserted, and after the words “ to punishment ” the words “ or forwarded him to a Magistrate for trial ” shall be inserted.</p>
1899	II	The Indian Stamp Act, 1899.	<p>In Schedule I, article 24, <i>Exemption</i> (b), after the word “ marriages ” the word “ divorces ” shall be inserted.</p>

THE FIRST SCHEDULE—*contd.*AMENDMENTS—*contd.*(See section 2)—*contd.*

1	2	3	4
Year.	No.	Short title.	Amendments.
1903	I	The Repealing and Amending Act, 1903.	In the title, after the word "enactments" where it first occurs, the word "and" shall be inserted.
"	XV	The Indian Extradition Act, 1903.	In the First Schedule, for the figures "446" the figures "444" shall be substituted.
1904	VIII	The Indian Universities Act, 1904.	In section 24, sub-section (6), for the figure "3" the figure "5" shall be substituted.
1907	III	The Provincial Insolvency Act, 1907.	In section 22, in the proviso, for the word "order" the word "act" shall be substituted In section 44, sub-section (3) between the words "of" and "following" the word "the" shall be inserted.
1908	IV	The Coroners (Amendment) Act, 1908.	In section 2, before the words "the said Act," the words and figures "the Coroners Act, 1871, hereinafter referred to as" shall be inserted.
"	V	The Code of Civil Procedure, 1908.	In Schedule I: in Appendix E, Form No. 7, for the bracketed reference "(O. 21, r. 22)," the following shall be substituted, namely:— " (O. 21, r. 16.) "; In Appendix F, the last two Forms shall be renumbered 9 and 10 instead of 6 and 7 respectively.
1910	IX	The Indian Electricity Act, 1910.	In the Schedule, in clause VII (1), for the words "a notice" the words "one month's notice" shall be substituted.
"	XV	The Cantonments Act, 1910.	In section 3, sub-section (1), after the word "place" the words "or places" and after the word "quartered" the words "or which, being in the vicinity of such place or places, are required for the service of the troops" shall be inserted.

Repealing and Amending. [ACT X

THE FIRST SCHEDULE—*concl'd.*

AMENDMENTS—*concl'd.*

(See section 2)—*concl'd.* *

1	2	3	4
Year.	No.	Short title.	Amendments.
1911	XVII	The Indian Airships Act, 1911.	In section 12, clause (b), for the word "to" the word "by" shall be substituted.
	XVIII	The Calcutta Improvement (Appeals) Act, 1911.	In section 3, sub-section (2), after the words "lie on" the words "one or more of" shall be inserted. In section 5, for the words "appeal as if it was" the words "appeal under this Act, as if it were" shall be substituted.
1913	II	The Official Trustees Act, 1913.	In section 30, sub-section (2), the following clause shall be inserted after clause (e) :— "(e) The disposal, by destruction or otherwise, of such records, books and papers belonging to or being in the custody of the Official Trustee as the Government may consider useless or unworthy of being permanently preserved."
	III	The Administrator General's Act, 1913.	In section 50, sub-section (2), the following clause shall be inserted after clause (f) :— "(f) The disposal, by destruction or otherwise, of such records, books and papers belonging to or being in the custody of the Administrator-General as the Government may consider useless or unworthy of being permanently preserved."
	VII	The Indian Companies Act, 1913.	In the First Schedule, in Table A, paragraph 91, for the word "found" the word "formed" shall be substituted.

THE SECOND SCHEDULE

THE SECOND SCHEDULE.

REPEALS.

(See section 3.)

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1834	II	The Secretaries to Government Act, 1834.	The words "and to the Government of Fort William in Bengal."
1838	XXV	The Wills Act, 1838 .	In section 1, the words from "and every word importing the singular" to "a male."
1839	XXIX	The Dower Act, 1839	In section 1, the words from "and every word importing" to "or thing."
"	XXX	The Inheritance Act, 1839.	In section 1, the words from "and every word importing the singular" to "a male."
1841	X	The Indian Registration of Ships Act, 1841.	In section 15, the words "upon conviction" occurring between the words "liable" and "on." In section 23, the words "on conviction" where they occur for the second time.
1852	XXX	The Indian Naturalization Act, 1852.	In section 12, the words from "and words denoting" to "feminine."
1855	XIII	The Indian Fatal Accidents Act, 1855.	In section 1, the words "And it is enacted further that." In section 4, the words from "words denoting the singular" to "feminine gender, and."
"	XXIV	The Penal Servitude Act, 1855.	Section 8 so far as it has not been repealed by Act XII of 1867. In section 15, the words from "words in the singular" to "construction."
1859	I	The Indian Merchant Shipping Act, 1859.	In section 118, the words from "the words importing the singular" to "females."
1861	V	The Police Act, 1861	In section 1, the words from "words importing the singular" to "females."

Repealing and Amending. [ACT X

THE SECOND SCHEDULE—*contd.*

REPEALS—*contd.*

(See section 3)—*contd.*

1	- 2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1861	XVI	The Stage Carriages Act, 1861.	In section 21, the words from "words importing the singular" to "feminine." The word "Chief" wherever it occurs before the words "Commissioner of Police."
1863	XX	The Religious Endowments Act, 1863.	In section 2, the words from "words importing the singular" to "females."
"	XXIII	The Waste Lands (Claims) Act, 1863.	Section 24.
1864	III	The Foreigners Act, 1864.	In section 1, the words from "words importing the singular" to "females." Section 24.
1865	III	The Carriers Act, 1865.	In section 2, the words from "words in the singular" to "include the singular."
"	X	The Indian Succession Act, 1865.	In section 3, the words from "words importing the singular" to "females."
"	XV	The Parsi Marriage and Divorce Act, 1865.	In section 2, the words from "words in the singular" to "include the singular."
1866	XXI	The Native Converts' Marriage Dissolution Act, 1866.	In section 3, the words from "and unless" to "include the singular."
"	XXVII	The Indian Trustee Act, 1866.	In section 2, the words from "words importing the singular" to "female."
1867	XXII	The Sarais Act, 1867.	In section 2, the words from "words in the singular" to "vice versa."
"	XXV	The Press and Registration of Books Act, 1867.	In section 1, the words from "words in the singular" to "females."

XXXII

THE SECOND SCHEDULE—*contd.*REPEALS—*contd.**(See section 3)—contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1867	XXXII	The Chief Commissioners' Powers Act.	In the preamble, the words "any of" and "Oudh" and in section 1, the words "Oudh" and "as the case may be."
1871	I	The Cattle Trespass Act, 1871.	In section 1, the sub-section (3). In section 26, the words from "the Local Government may at any time" to "under this section." In section 31, the words from "and may" to "this section."
"	XXIII	The Pensions Act, 1871.	In section 1, the words from "And it shall" to "thereof."
1872	I	The Indian Evidence Act, 1872.	In section 37, the words from "This section applies" to "Burma."
"	IX	The Indian Contract Act, 1872.	In section 1, the words from "The enactments" to "thereof; but." The Schedule.
1874	IX	The European Vagrancy Act, 1874.	In section 26, the words from "All fines imposed" to "Courts."
1875	XIII	The Probate and Administration Act, 1875.	In the preamble, the words from "Whereas," where it occurs for the first time, to the word "and," where it occurs for the second time; and the word "also" occurring between the words "it is" and "expedient."
1876	IX	The Native Coinage Act, 1876.	In section 1, the words "and it shall come into force at once."
"	XIII	The Indian Merchant Seamen's Act, 1876.	In section 1, the words "and it shall come into force at once."

Repealing and Amending. [ACT X

THE SECOND SCHEDULE—*contd.*

REPEALS—*contd.*

(*See section 3*)—*contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1876	XIX	The Dramatic Performances Act, 1876	In section 1, the words "and it shall come into force at once."
1878	VI	The Indian Treasure-trove Act, 1878.	In section 1, the words "and it shall come into force at once."
"	VII	The Indian Forest Act, 1878.	In section 1, the words from "on and from" to "hereunder." The Schedule.
"	VIII	The Sea Customs Act, 1878.	Section 205.
1879	III	The Destruction of Records Act, 1879.	In section 1, the words "and it shall come into force at once." In section 3, the bracketed letter (a) and clause (b).
1880	I	The Religious Societies Act, 1880.	In section 1, the words "shall come into force at once, and."
"	XII	The Kazis Act, 1880.	In section 1, the words "and it shall come into force at once."
1881	XI	The Municipal Taxation Act, 1881.	In section 1, the words "and shall come into force at once"
	XVI	The Obstructions in Fairways Act, 1881.	In section 1, the words "and it shall come into force at once"
1882	XII	The Indian Salt Act, 1882.	In section 1, the words "and it shall come into force at once"
	XV	The Presidency Small Cause Courts Act, 1882.	In section 19, clause (r), the words "for the recovery of a wife." Sections 83, 84, 85 and 86. In section 83, the words and figures "section 83 or."
	XIX	The Punjab University Act, 1882.	In section 1, the words "and it shall come into force at once."

1884

THE SECOND SCHEDULE—*contd.*REPEALS—*contd.**(See section 3)*—*contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1884	IV	The Indian Explosives Act, 1884.	In section 6, sub-section (1), the word "and" after clause (a); and clause (b).
"	VII	The Indian Steamships Act, 1884.	Section 9, sub-section (2).
"	IX	The Legal Practitioners Act, 1884.	In the title the words "and the Indian Stamp Act, 1879." In the preamble, the second clause. In section 1, the word "and" after sub-section (1); and sub-section (2). Section 3.
1886	X	The Indian Criminal Law Amendment Act, 1886.	The heading: "Indian Penal Code." Section 22.
"	XIII	The Indian Securities Act, 1886.	In section 15, sub-sections (1), (2), (3) and of sub-section (4) the words from "and the" to the end.
1887	II	The Sea Customs Act (1878) Amendment Act, 1887.	The heading: "Sea Customs Act, 1878."
"	IX	The Provincial Small Cause Courts Act, 1887.	In the Second Schedule, in item (37), the words "for the recovery of a wife."
"	XVIII	The Allahabad University Act, 1887.	In section 1, the word "and" after sub-section (1); and sub-section (2).
1888	III	The Police Act, 1888.	In section 1, the word "and" after sub-section (2); and sub-section (3).
"	VI	The Debtors Act, 1888	So much as is unrepealed.

1889

Repealing and Amending. [ACT X
THE SECOND SCHEDULE—*contd.*

REPEALS—*contd.*

(See section 3)—*contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1839	I	The Metal Tokens Act, 1839.	In section 1, the word "and" after sub-section (2); and sub-section (3).
"	VI	The Probate and Administration Act, 1839.	In the title and preamble, the words "and the Indian Stamp Act, 1879." In section 1, the word "and" after sub-section (2); and sub-section (3). Section 8.
1890	I	The Revenue Recovery Act, 1890.	In section 1, the word "and" after sub section (2); and sub-section (3).
	V	The Forest Act, 1890	In the title and preamble, the words "and the Burma Forest Act, 1881." In section 1, the word "and" after sub section (1); and sub-section (2). The headings: " <i>Indian Forest Act, 1878,</i> " and " <i>Burma Forest Act, 1881.</i> "
	XIII	The Excise (Malt-Liquors) Act, 1890.	In the title and in the preamble, the words and figures "to amend the Excise Act, 1881, and the Bengal Excise Act, 1878, and." In section 1, the word "and" after sub-section (1); and sub-section (2).
1890	XIX	The Indian Salt Act (1882) Amendment Act, 1890.	So much as is unrepealed.
1891	III	The Indian Evidence Act (1872) Amendment Act, 1891.	In the title and preamble, the words "and the Code of Criminal Procedure, 1862"; the heading " <i>Indian Evidence Act, 1872</i> "; and the heading " <i>Code of Criminal Procedure, 1862,</i> " after section 8.

THE SECOND SCHEDULE—*contd.*REPEALS—*contd.**(See section 3)*—*contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1891	IX	The Indian Merchandise Marks and Sea-Customs Acts Amendment Act, 1891.	Sections 1 and 2.
"	XII	The Amending Act, 1891.	In section 1, the word "and" after sub-section (2); and sub-section (3). Sub-section (3) of section 2 and of Part I of the Second Schedule, so much as relates to Act XXI of 1879 and Act XV of 1883.
"	XIII	The Inland Steam-vessels Act (1884) Amendment Act, 1891.	Section 3.
"	XVI	The Colonial Courts of Admiralty (India) Act, 1891.	Section 5 and the Schedule.
"	XVII	The Deck and Load Lines Act, 1891.	Section 5.
"	XVIII	The Bankers' Books Evidence Act, 1891.	In section 1, the word "and" after sub-section (2); and sub-section (3).
1892	II	The Marriage Validation Act, 1892.	Section 1.
"	VI	An Act to amend the Indian Limitation Act, 1877, and the Code of Civil Procedure.	So much as is unrepealed.
"	VIII	The Landsdowne Bridge Act, 1892.	In section 1, the word "and" after sub-section (2); and sub-section (3).
"	X	The Government Management of Private Estates Act, 1892.	In section 1, the word "and" after sub-section (2); and sub-section (3). Section 9.

THE SECOND SCHEDULE—*contd.*

REPEALS—*contd.*

(See section 3)—*contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1893	I	The Bankers' Books Evidence Act, 1893.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	IV	The Partition Act, 1893.	In section 1, the word "and" after sub-section (2); and sub-section (3).
1894	I	The Land Acquisition Act, 1894	In section 2, sub-section (1), and of sub-section (2), the word "But."
"	III	The Indian Criminal Law Amendment Act, 1894.	In the title and preamble, the words and figures "the Code of Criminal Procedure, 1882, and." The heading: " <i>Indian Penal Code.</i> "
"	VIII	The Indian Tariff Act, 1894.	In section 1, the word "and" after sub-section (2); and sub-section (3).
"	XV	The Engineers' Certificates Validation Act, 1894.	In section 1, the word "and" after sub-section (1); and sub-section (2).
1895	I	The Presidency Small Cause Courts Act, 1895.	In section 3, sub-section (2). Section 12.
"	III	The Indian Criminal Law Amendment Act, 1895.	In the title and preamble, the words and figures "Act VI of 1864 and the Indian Post Office Act, 1866." The heading: " <i>Indian Penal Code.</i> "
"	X	The Indian Railway Companies Act, 1895.	In section 1, the word, "and" after sub-section (2); and sub-section (3).
"	XV	The Crown Grants Act, 1895.	In section 1, the word "and" after sub-section (2); and sub-section (3).

THE SECOND SCHEDULE—*contd.*REPEALS—*contd.**(See section 3)—contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1896	II	The Cotton Duties Act, 1896.	In section 1, the word "and" after sub-section (2); and sub-section (3). In section 8, sub-section (4), the words from "and the first of such returns" to "commencement of this Act." Part III.
"	VIII	The Inland Bonded Warehouses Act, 1896.	In section 1, the word "and" after sub-section (2); and sub-section (3). Section 4, sub-section (4).
"	IX	The Indian Railways Act (1890) Amendment Act, 1896.	Section 5.
"	X	The Indian Volunteers Act Amendment Act, 1896.	In section 1, the word "and" after sub-section (2); and sub-section (3).
"	XII	The Excise Act, 1896.	In section 1, sub-section (2), the words "the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh"; the word "and" after sub-section (2); and sub-section (3). In section 3, sub-section (1) clause (a), the words "in the territories administered by the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh,—the Board of Revenue."
1897	III	The Epidemic Diseases Act, 1897.	In section 1, the word "and" after sub-section (2); and sub-section (3).
"	IV	The Indian Fisheries Act, 1897.	In section 1, the word "and" after sub-section (2); and sub-section (3).

THE SECOND SCHEDULE—*contd.*

REPEALS—*contd.*

(See section 3)—*contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1897	V	The Amending Act, 1897.	In section 1, the word "and" after sub-section (1) ; and sub-section (2). In the second Schedule, Part II, the entry relating to Bengal Act, VIII of 1862.
"	VI	The Negotiable Instruments Act Amendment Act, 1897.	In section 1, the word "and" after sub-section (1) ; and sub-section (2).
"	VIII	The Reformatory Schools Act, 1897.	In section 1, the word "and" after sub-section (1) ; and sub-section (2).
"	IX	The Provident Funds Act, 1897.	In section 1, the word "and" after sub-section (2) ; and sub-section (3).
"	X	The General Clauses Act, 1897.	In section 1, the word "and" after sub-section (1) ; and sub-section (2).
"	XIV	The Indian Short Titles Act, 1897.	In section 1, the word "and" after sub-section (1) ; and sub-section (2). In the schedule, the entries relating to— Act X of 1875. Act V of 1887. Act I of 1888. Act XX of 1889. Act XVIII of 1890. Act IV of 1891. Act V of 1891. Act VI of 1892. Act V of 1893.

THE SECOND SCHEDULE—*contd.*REPEALS—*contd.*(See section 3)—*contd.*

1	2	3	4
Year.	No.	Subject or short title	Extent of repeal.
1897— <i>concl'd.</i>	XIV— <i>concl'd.</i>	The Indian Short Titles Act, 1897— <i>concl'd.</i>	Act II of 1894. Act VI of 1894. Act X of 1894. Act IV of 1895. Act XIII of 1895. Act I of 1896. Act IV of 1896. Act V of 1896. Act XIII of 1896. Act XIII of 1897.
1898	I	The Stage Carriages Act (1861) Amendment Act, 1898.	Section 2.
"	IV	The Indian Penal Code Amendment Act, 1898.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	V	The Code of Criminal Procedure, 1898.	Section 2 and the First Schedule. In section 471 (1), the words "and shall report the case for the orders of the Local Government." In section 471 (4) the word and figures "section 472."
"	VI	The Indian Post Office Act, 1898.	Section 76 and the Second Schedule.
"	IX	The Live-stock Importation Act, 1898.	In section 1, the word "and" after sub-section (2); and sub-section (3).
"	X	The Indian Insolvency Rules Act, 1898.	In section 1, the word "and" after sub-section (1); and sub-section (2).

1899

Repealing and Amending. [ACT X

THE SECOND SCHEDULE—*contd.*

REPEALS—*contd.*

(See section 5)—*contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1899	I	The Indian Marine Act (1887) Amendment Act, 1899.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	II	The Indian Stamp Act, 1899.	In section 1, sub-section (2), the words "Upper Burma." Section 79 and the Second Schedule.
"	III	The Presidency Small Cause Courts Act, 1899.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	IV	The Government Buildings Act, 1899.	In section 1, the word "and" after sub-section (2); and sub-section (3).
"	V	The Indian Evidence Act, 1899.	In section 1, the word "and" after sub-section (1); and sub-section (2). Section 2. Section 5.
"	VII	The Inland Steam-Vessels Act (1884) Amendment Act, 1899.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	VIII	The Indian Petroleum Act, 1899.	In section 1, the word "and" after sub-section (1); and sub-section (2). Section 25 and the Second Schedule.
"	XI	The Court-fees Amendment Act, 1899.	In section 1, the word "and" after sub-section (1); and sub-section (2). Section 4.
"	XII	The Currency Notes Forgery Act, 1899.	In section 1, the word "and" after sub-section (1); and sub-section (2).

XIII

THE SECOND SCHEDULE—*contd.*REPEALS—*contd.**(See section 3)—contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeals.
1899	XIII	The Glanders and Farcy Act, 1899.	In section 1, the word "and" after sub-section (2); and sub-section (3). Section 17 and the schedule.
"	XIV	The Indian Tariff Amendment Act, 1899.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	XVIII	The Land Improvement Loans (Amendment) Act, 1899.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	XIX	The Currency Conversion (Army) Act, 1899.	In section 1, the word "and" after sub-section (2); and sub-section (3).
"	XX	The Presidency Banks Act, 1899.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	XXIII	The Church of Scotland Kirk Sessions Act, 1899.	In section 1, the word "and" after sub-section (2); and sub-section (3).
1900	II	The Transfer of Property Act, 1900.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	III	The Prisoners Act, 1900.	In section 1, the word "and" after sub-section (2); and sub-section (3). Section 53 and the Third Schedule.
"	VI	The Lower Burma Courts Act, 1900.	In Schedule I, Part I, the entries relating to Act II of 1877 and Act V of 1881.
"	VII	Amending Act XIX of 1899.	Section 2.
"	XII	The Bankers' Books Evidence Act, 1900.	In section 1, the word "and" after sub-section (1); and sub-section (2).

Repealing and Amending. [ACT X

THE SECOND SCHEDULE—*contd.*

REPEALS—*contd.*

(See section 3)—*contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1901	II	The Indian Tolls (Army) Act, 1901.	Section 8 and of the Schedule so much as is unrepealed.
"	V	The Indian Forest (Amendment) Act, 1901.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	VII	The Native Christian Administration of Estates Act, 1901.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	VIII	The Indian Mines Act, 1901.	In section 1, the word "and" after sub-section (2); and sub-section (3). Section 33.
"	X	The Court-fees (Amendment) Act, 1901.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	XI	The Amending Act, 1901.	In the title, the words "and repeal" and "obsolete." In section 1, the word "and" after sub-section (1); and sub-section (2).
1902	III	The Indian Steamships (Amending and Validating) Act, 1902.	Section 2.
"	VI	Act to abolish the Paudhari Tax.	The whole Act.
"	VIII	The Indian Tariff (Amendment) Act, 1902.	Section 3.
1903	I	The Repealing and Amending Act, 1903.	In the title, the words "and to repeal certain other enactments." In the preamble, the third clause. In section 1, the words "Repealing and."

Sections

THE SECOND SCHEDULE—*contd.*REPEALS—*contd.*(See section 3)—*contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1903	I— <i>concl'd.</i>	The Repealing and Amending Act, 1903— <i>concl'd.</i>	Sections 4 and 5 and the Third Schedule. In the First Schedule, in Part III, the entry relating to Bengal Act, VIII of 1862.
"	VIII	The Probate and Administration Act, 1903.	Section 4.
"	X	The Victoria Memorial Act, 1903.	In section 1, the word "and" after sub-section (1); and sub-section (2).
"	XII	The Indian Tariff (Amendment) Act, 1903.	In section 1, sub-section (2); and section 3.
"	XV	The Indian Extradition Act, 1903.	Section 24 and the Second Schedule.
1904	VIII	The Indian Universities Act, 1904.	Sections 12 and 29 and the Second Schedule.
"	XI	An Act to revive and continue section 8 (b) of the Indian Tariff Act, 1894.	Section 2.
"	XV	The Indian Stamp (Amendment) Act, 1904.	In section 1, sub-section (2), the words "Upper Burma."
"	XVI	The Sea Customs (Amendment) Act, 1904.	The whole Act.
1905	II	The Indian Universities (Validation) Act, 1905.	Ditto.
1906	III	The Indian Coinage Act, 1906.	In section 24, the first clause; and the words "Provided that" and "notwithstanding the repeal of the said Acts"; and the Schedule.

THE SECOND SCHEDULE—*contd.*

REPEALS—*contd.*

(*See section 3*)—*contd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1908	VIII	The Land Improvement and Agriculturists' Loans (Amendment) Act, 1908.	Sections 2, 3 and 5.
1908	V	The Code of Civil Procedure, 1908.	In section 60, sub-section (2), the bracketed letter (a), the word "or" after clause (a) and clause (b).
"	XVII	The Indian Emigration Act, 1908.	Section 110 and the Fourth Schedule.
1909	III	The Presidency-towns Insolvency Act, 1909.	In section 127, the first sub-section and the first seven words of sub-section (2). The Third Schedule.
1910	II	The Indian Paper Currency Act, 1910.	In section 30, the words from "The enactments" to "thereof" and "Provided that" and "Provided also that"; and the Schedule.
"	VI	The Indian Stamp (Amendment) Act, 1910.	In section 2, clause (ii).
"	X	The Indian Museum Act, 1910.	Section 17.
"	XV	The Cantonments Act, 1910.	Section 31 and the Schedule.
1911	III	The Criminal Tribes Act, 1911.	Section 29.
"	XII	The Indian Factories Act, 1911.	In section 36, sub-section (2), the words from "within one month of the commencement of this Act, or" to "this Act."

Regulations

THE SECOND SCHEDULE—*concl'd.*REFEALS—*concl'd.**(See section 3)*—*concl'd.*

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal

Regulations by the Governor General in Council.

1900	V	The Coorg Land and Revenue Regulation, 1900.	The whole.
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Bengal Regulations.

1833	IX	The Bengal Land Revenue (Settlement and Deputy Collectors) Regulation, 1833.	Sections 17, 18 and 25.
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Acts of the Lieutenant-Governor of Bengal in Council.

1862	VIII	The Bengal Zamindari Dāk Act, 1862.	The whole Act.
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ACT NO. XI OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN
COUNCIL.

(Received the assent of the Governor General on the 18th March,
1914.)

An Act to amend the Indian Companies Act, 1913.

VII of 1913. **W**HEREAS it is expedient to amend the Indian Companies Act, 1913; It is hereby enacted as follows:—

1. This Act may be called the Indian Companies Short title.
(Amendment) Act, 1914.

VII of 1913. 2. After section 83 of the Indian Companies Act, Insertion of new sections 83A and 83B in Indian Companies Act, 1913. 1913 (hereinafter referred to as the said Act,) the following heading and sections shall be inserted, namely:—

“ *Directors.* ”

83A. (1) Every company registered after the commencement of this Act shall have at least two Directors obligatory. directors.

(2) This section shall not apply to a private company.

83B. In default of and subject to any regulations Appointment of directors. in the articles of a company other than a private company—

- (i) the subscribers of the memorandum shall be deemed to be the directors of the company until the first directors shall have been appointed;
- (ii) the directors of the company shall be appointed by the members in general meeting; and
- (iii) any casual vacancy occurring among the directors may be filled up by the directors, but

[Price one anna and nine pies.]

Directors.

but the person so appointed shall be subject to retirement at the same time as if he had become a director on the day on which the director in whose place he is appointed was last appointed a director."

Insertion of new sections 91A, 91B, 91C and 91D in Indian Companies Act, 1913.

3. After section 91 of the said Act the following sections shall be inserted, namely :—

Disclosure of interest by director.

"91A. (1) Every director who is directly or indirectly concerned or interested in any contract or arrangement entered into by or on behalf of the company shall disclose the nature of his interest at the meeting of the directors at which the contract or arrangement is determined on, if his interest then exists, or in any other case at the first meeting of the directors after the acquisition of his interest or the making of the contract or arrangement :

Provided that a general notice that a director is a member of any specified firm or company, and is to be regarded as interested in any subsequent transaction with such firm or company, shall as regards any such transaction be sufficient disclosure within the meaning of this sub-section and after such general notice, it shall not be necessary to give any special notice relating to any particular transaction with such firm or company.

(2) Every director who contravenes the provisions of sub-section (1) shall be liable to a fine not exceeding one thousand rupees.

Prohibition of voting by interested director.

91B. (1) No director shall, as a director, vote on any contract or arrangement in which he is either directly or indirectly concerned or interested; and if he does so vote, his vote shall not be counted :

Provided that the directors or any of them may vote on any contract of indemnity against any loss which they or any one or more of them may suffer by reason

Directors.

reason of becoming or being sureties or surety for the company.

(2) Every director who contravenes the provisions of sub-section (1) shall be liable to a fine not exceeding one thousand rupees.

91C. (1) Where a company enters into a contract for the appointment of a manager of the company in which contract any director of the company is directly or indirectly concerned or interested, or varies any such existing contract, the company shall send an abstract of the terms of such contract or variation, as the case may be, together with a memorandum clearly indicating the nature of the interest of the director in such contract, or in such variation, to every member; and the contract shall be open to the inspection of any member at the registered office of the company.

Disclosure to members in case of contract appointing a manager.

(2) If a company makes default in complying with the requirements of sub-section (1), it shall be liable to a fine not exceeding one thousand rupees; and every officer of the company who knowingly and wilfully authorises or permits the default shall be liable to the like penalty.

91D. (1) Every manager or other agent of a company other than a private company who enters into a contract for or on behalf of the company in which contract the company is an undisclosed principal shall, at the time of entering into the contract, make a memorandum in writing of the terms of the contract, and specify therein the person with whom it has been made.

Contracts by agents of company in which company is undisclosed principal.

(2) Every such manager or other agent shall forthwith deliver the memorandum aforesaid to the company, and such memorandum shall be filed in the office of the company and laid before the directors at the next directors' meeting.

(3) If any such manager or other agent makes default in complying with the requirements of this section—

- (a) the contract shall, at the option of the company, be void as against the company; and
- (b) such manager or other agent shall be liable to a fine not exceeding two hundred rupees."

ACT No. XII OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 16th
September, 1914.)

An Act further to amend the Sea Customs Act, 1878.

VIII of 1878. WHEREAS it is expedient further to amend the Sea Customs Act, 1878; It is hereby enacted as follows:—

1. This Act may be called the Sea Customs Short title.
(Amendment) Act, 1914.

VIII of 1878. 2. In section 19 of the Sea Customs Act, 1878 Amendment of section 19, Act VIII, 1878.
(hereinafter called the said Act), for the words “ or any specified part of British India ” the following shall be substituted, namely, “ or any specified part thereof, either generally or from or to any specified country, region, port or place beyond the limits of British India.”

3. To section 38 of the said Act the following Amendment of section 38, Act VIII, 1878.
proviso shall be added, namely:—

“ Provided that where the shipment of any goods is permitted without a shipping bill, or in anticipation of the delivery of a shipping bill, the rate of duty and tariff valuation, if any, applicable shall be the rate and valuation in force at the time when shipment of the goods commences.”

4. In clause (b) of section 49 of the said Act, after Amendment of section 49, Act VIII, 1878.
the word “ goods ” the words “ or any specified goods or class of goods ” shall be inserted; and the words “ in India ” are repealed.

5. (1) In section 137 of the said Act the following Amendment of section 137, Act VIII, 1878.
words are repealed, namely:—

“ Unless the Chief Customs-officer shall, in the case of any customs-port or wharf, or of any class of goods,

Sea Customs (Amendment). [ACT XII, 1914.]

goods, otherwise direct by notification in the local official Gazette."

(2) To the same section the following proviso shall be added, namely :—

" Provided that the Chief Customs-officer may, in the case of any customs-port or wharf, by notification in the local official Gazette, and subject to such restrictions and conditions, if any, as he thinks fit, exempt goods or any specified goods or class of goods or any specified person or class of persons, from all or any of the provisions of this section."

Amendment
of section 155,
Act VIII,
1878.

6. In section 155 of the said Act, for the first paragraph shall be substituted the following, namely :—

" When by any law for the time being in force, a special duty is imposed on denatured spirit, the Local Government may make rules for ascertaining and determining what spirit imported into British India shall be deemed to be denatured spirit for the purposes of such law, and for causing such spirit to be denatured, if necessary, by its own officers, at the expense of the person importing the same, before the customs duties leviable thereon are levied."

ACT NO. XIII OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 16th
September, 1914.)*

An Act to amend the Indian Life Assurance Companies Act, 1912.

VI of 1912. **WHEREAS** it is expedient to amend the Indian
Life Assurance Companies Act, 1912; It is hereby
enacted as follows:—

1. This Act may be called the Indian Life Assur- Short title.
ance Companies (Amendment) Act, 1914.

VI of 1912. 2. In section 4 (1) of the Indian Life Assurance Amendment
Companies Act, 1912, and in the forms of Balance of section 4
Sheet (A) and (B) set forth in the Third Schedule to (1) and Third
the Act, for the words "Comptroller General" the Schedule, Act
words "Controller of Currency" shall be substituted. VI, 1912.

[*Price one anna.*]

ACT NO. XIV OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 16th
September, 1914.)*

An Act further to amend the Indian Telegraph Act, 1885, and the Indian Post Office Act, 1898.

WHEREAS in view of the amalgamation of the offices of Director-General of Telegraphs and of Director-General of the Post Office of India, it is expedient further to amend the Indian Telegraph Act, 1885, and the Indian Post Office Act, 1898 : XIII of 1885.
VI of 1898.

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Indian Post Office and Telegraph (Amendment) Act, 1914.

Amendment of sections 3 and 29A of Act XIII of 1885.

2. In clause (c) of section 3 and in section 29A of the Indian Telegraph Act, 1885, for the word "Telegraphs", wherever it occurs, the words "Posts and Telegraphs" shall be substituted. XIII of 1885.

Amendment of section 2 of Act VI of 1898.

3. In section 2 of the Indian Post Office Act, 1898,— VI of 1898.

- (i) in clause (a), for the words "the Post Office of India" the words "Posts and Telegraphs" shall be substituted; and
- (ii) in clause (b), after the word "department", the words "established for the purpose of carrying the provisions of this Act into effect and" shall be inserted.

[Price one anna.]

ACT NO. XV OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 16th
September, 1914.)*

An Act to amend the Indian Army Act, 1911.

VIII of 1911. **W**HEREAS is expedient to amend the Indian Army Act, 1911; It is hereby enacted as follows:—

1. This Act may be called the Indian Army Short title.
(Amendment) Act, 1914.

VIII of 1911. 2. For section 114 of the Indian Army Act, 1911, Substitution
of new sec-
tion 114, Act
VIII of 1911. the following section shall be substituted, namely:—

“114. The following rules are enacted respecting Property of
deceased
persons and
deserters. the disposal of the property of every person subject to this Act who dies or deserts:—

(1) The commanding officer of the corps, detachment or department to which the deceased person or deserter belonged shall secure all the moveable property belonging to the deceased or deserter that is in camp or quarters, and cause an inventory thereof to be made, and draw any pay and allowances due to such person.

(2) In the case of a deceased person who has left in a Government savings bank (including any post office savings bank, however named) a deposit not exceeding one thousand rupees, the commanding officer may, if he thinks fit, require the secretary or other proper officer of the bank to pay the deposit to him forthwith, notwithstanding anything in any departmental rules; and after the payment thereof in accordance with such requisition, no person shall have any right in respect of the deposit except as hereinafter provided.

Indian Army (Amendment). [ACT XV, 1914.]

(3) In the case of a deceased person whose representative is on the spot and has given security for the payment of the regimental or other debts in camp or quarters (if any) of the deceased, the commanding officer shall deliver over any property received under clauses (1) and (2) to that representative.

(4) In the case of a deceased person whose estate is not dealt with under clause (3), and in the case of any deserter, the commanding officer shall cause the moveable property to be sold by public auction, and shall pay the regimental and other debts in camp or quarters (if any), and, in the case of a deceased person, the expenses of his funeral ceremonies, from the proceeds of the sale and from any pay and allowances drawn under clause (1) and from the amount of the deposit (if any) received under clause (2).

(5) The surplus, if any, shall, in the case of a deceased person, be paid to his representative (if any), or in the event of no claim to such surplus being established within twelve months after the death, then the same shall be remitted to the prescribed person.

(6) In the case of a deserter, the surplus (if any) shall be forthwith remitted to the prescribed person and shall, on the expiry of three years from the date of his desertion, be forfeited to His Majesty, unless the deserter shall in the meantime have surrendered or been apprehended.

Meaning of
desertion.

Explanation.—A person shall be deemed to be a deserter within the meaning of this section who has without authority been absent from duty for a period of sixty days and has not subsequently surrendered or been apprehended."

ACT No. XVI OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 16th
September, 1914.)

An Act to amend the Indian Airships Act, 1911.

WHEREAS it is expedient to amend the Indian XVII of 1911.
Airships Act, 1911; It is hereby enacted as
follows:—

Short title.

1. This Act may be called the Indian Aircraft
(Amendment) Act, 1914.

Substitution
of the word
"aircraft"
for the words
"airship"
and "air-
ships" in
Act XVII,
1911.

2. In the Indian Airships Act, 1911 (hereinafter XVII of 1911.
called the said Act), for the words "airship" and
"airships", wherever they occur, there shall be sub-
stituted the word "aircraft."

Amendment
of section 7,
Act XVII,
1911.

3. For section 7 of the said Act, the following sec-
tions shall be substituted, namely:—

Prohibition
and regula-
tion of navi-
gation of
aircraft.

"7. (1) The Governor General in Council may, by
notification in the *Gazette of India*, prohibit or
regulate the navigation of aircraft over, or the entry
of aircraft by flight into, British India or any part
thereof, including the territorial waters adjacent
thereto.

(2) Subject to the control of the Governor General
in Council the Local Government of a province may,
by notification in the local official Gazette, exercise in
respect of the province the like powers of prohibiting
or regulating navigation as are conferred by sub-sec-
tion (1) on the Governor General in Council.

(3) Any notification issued under sub-section (1)
or (2) may apply either to all aircraft or to any
specified

Indian Aircraft (Amendment). [ACT XVI, 1914.]

specified class or description of aircraft, and may prohibit navigation or entry as aforesaid, as the case may be, either at all times or at specified times or on specified occasions, and either absolutely or subject to specified exceptions or conditions, and such conditions may, without prejudice to the generality of the foregoing provision, require any aircraft—

- (a) to display specified signals or marks,
- (b) to comply with specified signals in a specified manner,
- (c) to land within a specified area or at a specified place, and
- (d) in the case of aircraft entering British India by flight, also to enter at a specified place.

Compliance
with signals.

“7A. (1) Whenever an aircraft contravenes the conditions of a notification issued under section 7 requiring it to comply with specified signals in a specified manner, any person appointed in this behalf by the Governor General in Council may fire at or into such aircraft, and use any and every other means necessary to compel compliance.

(2) The Governor General in Council may delegate to any authority the power of making appointments under sub-section (1).”

Amendment
of section 8
(5), Act
XVII, 1911.

4. For clause (5) of section 8 of the said Act the following clause shall be substituted, namely :—

“ (5) a notification issued under section 7, does or abstains from doing any act, unless, in the case of contravening a condition relating to navigation or landing, he proves that he was compelled thereto by stress of weather or other circumstances over which he had no control.”

ACT No. XVII OF 1914.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 16th September, 1914.)

An Act to amend certain enactments and to repeal certain other enactments.

WHEREAS it is expedient that certain formal amendments should be made in the enactments specified in the First Schedule ;

and whereas it is also expedient that certain enactments specified in the Second Schedule, which are spent, or have ceased to be in force otherwise than by express specific repeal, or have by lapse of time or otherwise become unnecessary, should be expressly and specifically repealed ;

It is hereby enacted as follows :—

1. This Act may be called the **Second Repealing and Amending Act, 1914.** Short title.

2. The enactments specified in the First Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof. Amendment of certain enactments.

3. The enactments specified in the Second Schedule are hereby repealed to the extent mentioned in the fourth column thereof. Repeal of certain enactments.

4. The repeal by this Act of any enactment shall not affect any Act or Regulation in which such enactment has been applied, incorporated or referred to ; Savings.

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued, or incurred or any remedy or proceeding in respect thereof, or any release

or
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[Price two annas and three pies.]

Repealing and Amending. [ACT XVII,

or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing ;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognized or derived by, in or from any enactment hereby repealed ;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE.

AMENDMENTS.

(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1870	VII	The Court Fees Act, 1870	<p>In Schedule II, Article 6, for the words "Bail bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under any section of the Code of Criminal Procedure, 1882, or the Code of Civil Procedure," the following shall be substituted, namely :—</p> <p>"Bail bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under any section of the Code of Criminal Procedure, 1898, or the Code of Civil Procedure, 1908, and not otherwise provided for by this Act."</p>

THE FIRST SCHEDULE—*contd*

1	2	3	4
Year.	No.	Short title.	Amendments.
1893	III	The Government Tenants (Punjab) Act, 1893.	<p>1. In the title and preamble, for the word "Punjab" the words "North-West Frontier Province" shall be substituted.</p> <p>2. For section 1, the following section shall be substituted :—</p> <p>"1. (1) This Act may be called the Government Tenants Short title and extent. (North-West Frontier Province) Act, 1893.</p> <p>(2) It extends to the territories for the time being administered by the Chief Commissioner of the North-West Frontier Province."</p>
1894	VIII	The Indian Tariff Act, 1894.	In Schedule III, for the words "Spirit which has been rendered effectually and permanently unfit for human consumption" the words "Denatured spirit" shall be substituted.
1897	X	The General Clauses Act, 1897	<p>1. In section 3, after clause 8 (a), the following shall be inserted, namely :—</p> <p>"8. (b) 'Central Provinces Act' shall mean an Act made by the Chief Commissioner of the Central Provinces in Council under the Indian Councils Acts, 1861 to 1909"</p> <p>2. To section 24, the following shall be added, namely :—</p> <p>"and when any Act of the Governor General in Council or Regulation, which, by a notification under section 5 or 5A of the Scheduled Districts Act, XIV of 1874, or any like law, has been extended to any local area, has, by a subsequent notification, been withdrawn from and re-extended to such area or any part thereof, the provisions of such Act or Regulation shall be deemed to have been repealed and re-enacted in such area or part within the meaning of this section."</p>

Repealing and Amending. [ACT XVII,

THE FIRST SCHEDULE—*concl'd.*

1	2	3	4
Year.	No.	Short title.	Amendments
1897	X	The General Clauses Act, 1897— <i>concl'd</i>	<p>3. After section 29, the following section shall be added, namely :—</p> <p>“30. In this Act the expression ‘Act of the Governor General in Council,’ wherever it occurs, except in section 5, and the word ‘Act’ in clauses (9), (12), (38), (48), and (50) of section 3 and in section 25 shall be deemed to include an Ordinance made and promulgated by the Governor General under section 23 of the Indian Councils Act, 1861.”</p>
1908	V	The Code of Civil Procedure, 1908.	<p>In the first Schedule, Order V, for clause (b) of rule 26, the following shall be substituted :—</p> <p>“(b) the Governor General in Council has, by notification in the <i>Gazette of India</i>, declared, in respect of any Court situate in any such territory and not established or continued in the exercise of any such jurisdiction as aforesaid, that service by such Court of any summons issued by a Court under this Code shall be deemed to be valid service”</p>
1911	II	The Indian Patents and Designs Act, 1911.	<p>In sub-section (5) of section 16, after the word “conditions” the words “and restrictions” shall be inserted</p>
1914	IV	The Decentralization Act, 1914	<p>In Part I of the Schedule, in No. 1 of the amendments made in Act XX of 1883, for the word “Commissioner” the words “the Commissioner” shall be substituted.</p>

THE SECOND SCHEDULE.

REPEALS.

(See section 3.)

1	2	3	4
Year.	No.	Short title.	Extent of repeal.
1859	XXIV	The Madras District Police Act, 1859.	In section 1, the words <i>from</i> "words importing the singular" to "include females."
1865	XXX	The Madras Irrigation and Canal Company Act, 1865.	So much as is unrepealed.
1867	III	The Public Gambling Act, 1867.	In section 1, the words <i>from</i> "words in the singular" to "include females."
1872	IV	The Punjab Laws Act, 1872.	Section 4 and the Second Schedule.
1875	XV	The Punjab Laws Amendment Act, 1875.	In section 1, the words "and it shall come into force at once."
1879	XIV	The Hackney Carriage Act, 1879.	In section 1, the words "and it shall come into force at once; but".
1880	XVI	The Madras Irrigation and Canal Company Act, 1880.	The whole
1881	XXIV	The Punjab Laws Amendment Act, 1881.	In section 1, the words "and shall come into force at once."
1885	XXI	The Madras Civil Courts Act, 1885.	In section 1: the words "and" after sub-section (1), and sub-section (2).
1889	VI	The Probate and Administration Act, 1899.	1 In the title and preamble the words "the Court-fees Act, 1870." 2 The heading above section 18 3. Section 18, so much as is unrepealed.
1892	VII	The Madras City Civil Court Act, 1892.	In section 1: the word "and" after sub-section (1), and sub-section (2).
1899	XVI	The Northern India Canal and Drainage (Amendment) Act, 1899.	In section 1: the word "and" after sub-section (1), and sub-section (2).
1908	V	The Code of Civil Procedure, 1908.	Section 156 and the Fifth Schedule.

Repealing and Amending. [ACT XVII, 1914.]

THE SECOND SCHEDULE—*concl'd.*

1	2	3	4
Year.	No.	Short title.	Extent of repeal.
1908	IX	The Indian Limitation Act, 1908.	Section 32 and the Third Schedule.
1909	IV	The Whipping Act, 1909.	Section 8 and the Schedule.
1911	XVII	The Indian Airships Act, 1911.	In section 10, the word "of" in the second place where it occurs.
1912	II	The Co-operative Societies Act, 1912.	Section 50.
"	IV	The Indian Lunacy Act, 1912.	Section 101 and the Second Schedule.
"	VI	The Indian Life Assurance Companies Act, 1912.	Section 42.
"	VIII	The Wild Birds and Animals Protection Act, 1912.	Section 9.
1914	VIII	The Indian Motor Vehicles Act, 1914	In the proviso to section 9, the words "by such authority and."