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PART IV.

ACTS PASSED BY THE GOVERNMENT OF INDIA.

The following Act of the Governor General of India in Council received the assent of His Excellency the Governor General on the 9th July 1880, and was promulgated for general information in the *Gazette of India* on the 10th July 1880:—

Act No. XII. of 1880.

An Act for the appointment of persons to the office of Kázi.

WHEREAS by the preamble to Act No. XI. of 1864 (*An Act to repeal the law relating to the offices of Hindú and Muhammadan Law Officers and to the offices of Kázi-ul-Kuzáat and of Kázi and to abolish the former offices*) it was (among other things) declared that it was inexpedient that the appointment of the Kázi-ul-Kuzáat, or of City, Town or Pargana Kázis should be made by the Government, and by the same Act the enactments relating to the appointment by the Government of the said officers were repealed; and whereas by the usage of the Muhammadan community in some parts of British India the presence of Kázis appointed by the Government is required at the celebration of marriages and the performance of certain other rites and ceremonies, and it is therefore expedient that the Government should again be empowered to appoint persons to the office of Kázi; It is hereby enacted as follows:—

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| Short title. | 1. This Act may be called "The Kázis' Act, 1880"; |
| Commencement. | and it shall come into force at once. |
| It extends, in the first instance, only to the territories administered by the Governor of Fort St. George in Council. But any other Local Government may, from time to time, by notification in the official Gazette, extend it to the whole or any part of the territories under its administration. | |
| Local extent. | |
| 2. Whenever it appears to the Local Government that any considerable number of the Muhammadans resident in any local area desire that one or more Kázis should be appointed for such local area, the Local Government may, if | |
| Power to appoint Kázis for any local area. | |

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it thinks fit, after consulting the principal Muhammadan residents of such local area, select one or more fit persons and appoint him or them to be Kázis for such local area.

If any question arises whether any person has been rightly appointed Kázi under this section, the decision thereof by the Local Government shall be conclusive.

The Local Government may, if it thinks fit, suspend or remove any Kázi appointed under this section who is guilty of any misconduct in the execution of his office, or who is for a continuous period of six months absent from the local area for which he is appointed, or leaves such local area for the purpose of residing elsewhere, or is declared an insolvent, or desires to be discharged from the office, or who refuses or becomes in the opinion of the Local Government unfit, or personally incapable, to discharge the duties of the office.

3. Any Kázi appointed under this Act may Náib Kázis appoint one or more persons

to act in his place in all or any of the matters appertaining to his office throughout the whole or in any portion of the local area for which he is appointed, and may suspend or remove any náib so appointed.

When any Kázi is suspended or removed under section two, his náib or náibs (if any) shall be deemed to be suspended or removed, as the case may be.

4. Nothing herein contained, and no appointment made hereunder, shall be deemed—

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| Nothing in Act to confer judicial or administration powers; or | (a) to confer any judicial or administrative powers on any Kázi or Náib Kázi appointed hereunder; or |
| (b) to render the presence of Kázi necessary; or | Kázi necessary at the celebration of any marriage or the performance of any rite or ceremony; or |
| to prevent any one acting as Kázi. | (c) to prevent any person discharging any of the functions of a Kázi. |

D. FITZPATRICK,

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