

ACT No. XIV OF 1878.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 1st August 1878).

An Act to assimilate certain powers of the Local Governments of the North-Western Provinces and Oudh.

Preamble.

WHEREAS the Lieutenant-Governorship of the North-Western Provinces and the Chief Commissionership of Oudh are now united under the administration of a single officer; and whereas it is expedient that, so long as such union continues, the powers of the Local Government of Oudh under the enactments hereinafter mentioned should resemble the powers of the Local Government of the North-Western Provinces under the same or like enactments; and whereas doubts have arisen as to the validity of certain acts done since the said union, and it is expedient to remove such doubts; It is hereby enacted as follows:—

Omissions
from Act
XIX of 1868.

1. In the Oudh Rent Act, 1868, sections 29, 85, 87 and 91, the following words shall be omitted (namely): “with the previous sanction of the Governor General of India in Council,” “subject to any orders that may from time to time be issued by the Governor General in Council,” “subject to any orders in this behalf that may from time to time be made by the Governor General of India in Council,” and “with the sanction of the Governor General of India in Council.”

Alteration of
Act XXVI of
1870, section
6.

2. For the first sentence of section 6 of the Prisons Act, 1870, the following shall be substituted (namely):

(namely) : “ An Inspector General of Prisons shall be appointed in the North-Western Provinces, the Panjáb and Oudh by the Local Government, and in the Central Provinces and British Burma by the Governor General in Council.”

3. In the Oudh Civil Courts Act, 1871, section 5, for the words “The Governor General in Council shall fix,” the following words shall be substituted (namely) : “The Chief Commissioner, with the sanction of the Governor General in Council, shall fix.”

Alteration of Act XXXII of 1871, section 5.

In the first sentence of section 6 of the same Act, the words “Commissioners, Deputy Commissioners, Civil Judge of Lucknow and Assistant Commissioners” shall be omitted; and for the second sentence of the same section, the following shall be substituted, that is to say : “The Commissioners, Deputy Commissioners, Assistant Commissioners, Extra Assistant Commissioners, Tahsildárs and the Civil Judge of Lucknow shall be appointed by the Chief Commissioner.”

Alteration of same Act, section 6.

In section 10 of the same Act, the following words shall be omitted (namely) : “with the previous sanction of the Governor General in Council.”

Omission from section 10 of same Act.

In section 26, first paragraph, of the same Act, the words “with the sanction of the Governor General in Council” shall be omitted; and in the second paragraph of the same section, for the words “Governor General in Council,” the words “Chief Commissioner” shall be substituted.

Alteration of same Act, section 26, paragraphs 1 and 2.

In section 32, last paragraph, of the same Act, the following words shall be omitted (namely) : “with the sanction of the Governor General in Council.”

Omission from section 32, last paragraph, of same Act.

In section 33, first paragraph, of the same Act, for the words “presiding officer of any Court under this Act,” the words “Judicial Commissioner” shall be substituted; and in the second paragraph of the same section, for the words “by the Chief Commissioner, but shall not be removed without the sanction of the Governor General in Council,” the words “or removed by the Chief Commissioner” shall be substituted.

Alteration of same Act, section 33, paragraphs 1 and 2.

4. In

Omissions
from Act
XVII of
1876.

4. In the Oudh Land-Revenue Act, 1876, section 4, the following words shall be omitted in both the places in which they occur (namely): "subject to such rules as the Governor General in Council may from time to time prescribe in this behalf;" and in sections 7 and 9 of the same Act, the following words shall be omitted (namely): "subject to such rules as the Governor General in Council from time to time prescribes in this behalf;" and in sections 14, 19, 20, 51, 183, 212 and 220 of the same Act, the following words shall be omitted (namely): "with the previous sanction of the Governor General in Council."

Addition to
same Act,
section 43.

To section 43 of the same Act, the following words shall be added (namely): "provided that, in the case of settlements of individual maháls or parts of maháls, undertaken at other times than at the general settlement and sanctioned by the Chief Commissioner, such confirmation shall not be necessary."

Omission
from Act
XVIII of
1876, section
39.

5. In section 39, first paragraph, of the Oudh Laws Act, 1876, the following words shall be omitted (namely): "with the previous sanction of the Governor General in Council."

Amendment
of section 45
of same Act.

In section 45, first paragraph, of the same Act, after the word "and," the words "the Chief Commissioner" shall be inserted.

Modification
of Act V of
1871, sections
30 and 31,
and Act V of
1876.

6. For the purpose of the Prisoners Act, 1871, sections 30 and 31, and of the Reformatory Schools Act, 1876, the North-Western Provinces and Oudh shall be deemed to be subject to the same Local Government.

Validation-
clause.

7. No order issued, power conferred, act done or appointment or rule made by the Chief Commissioner of Oudh subsequent to the union of the Lieutenant-Governorship of the North-Western Provinces and the Chief Commissionership of Oudh, which would have been valid if issued, conferred, done or made by, or with the sanction of, the Governor General in Council, shall be deemed to be invalid merely because it was not so issued, conferred, done or made.

8. This

8. This Act shall come into force on the passing thereof, and sections one to six (both inclusive) shall continue in force until the Governor General in Council, by notification in the *Gazette of India*, otherwise directs.

Commence-
ment and
continuance
of this Act.