

ACT No. V OF 1884.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 26th
February, 1884.)

An Act to amend the Chutiá Nágpur Encumbered Estates Act, 1876.

WHEREAS it is expedient to amend the Chutiá Nágpur Encumbered Estates Act, 1876; It is hereby enacted as follows :—

1. "Section" in this Act means a section of the Chutiá Nágpur Encumbered Estates Act, 1876.

2. To section 2 the following shall be added, namely :—

"Every application under this section must state—

"(a) the particulars of the debts and liabilities as aforesaid to which the said holder is subject or with which his immoveable property is charged; and

"(b) the particulars of the immoveable property of or to which he is then possessed or entitled in his own right or which he is entitled to redeem.

"Every such application must, except when it is made by a Deputy Commissioner, be verified by the applicant or by some other competent person in the manner required by law for the verification of plaints, and, if it contains any averment which the person making the verification knows or believes to be false or does not know or believe to be true, he shall be deemed to have given false evidence within the meaning of the Indian Penal Code."

3. In section 3, for the words "on such publication" the words "on the publication of an order under section two" shall be substituted.

4. To

Meaning of "section."

Addition to section 2 of Act VI of 1876.

Amendment of section 3.

4. To section 4 the following shall be added, Addition to section 4.
 namely:—

“and also in or towards the repayment, either before or after the liquidation of such debts and liabilities, of any loan received from the Government by the manager under this Act.”

5. In section 7, for the words “nine months” the words “six months” shall be substituted. Amendment of section 7.

6. (1) In section 12, for the first clause the following shall be substituted:— Amendment of section 12.

“When all the debts and liabilities mentioned in the schedule referred to in section eleven, and the amount of any loan received from the Government under section eighteen, together with the interest (if any) due thereon, have been paid and discharged.”

(2) In the same section, for the second clause the following shall be substituted, namely:—

“or if the Commissioner, at any time before a scheme has been approved by him under section eleven, thinks that the provisions of this Act should not continue to apply to the case of the holder of the said property or his heir.”

(3) After the second clause of the same section the following shall be inserted, namely:—

“or if at any time an arrangement is made for the satisfaction of the debts and liabilities which is accepted by the creditors and approved by the Commissioner.”

7. In section 17, for the words “not exceeding twenty years absolute” the words “or in perpetuity” shall be substituted. Amendment of section 17.

8. In section 18—

(a) the following words shall be repealed, namely:—“with the previous consent of the holder of the property and of the person (being of full age) who would be his heir if he died intestate.” Amendment of section 18.

(b) after the words “as may appear expedient” the following shall be inserted, namely:—“or by borrowing money from the Government

Government at such rate of interest as appears reasonable to the Local Government"; and

(c) for the last clause the following shall be substituted, namely:—"The powers conferred by this section shall not be exercised until a scheme has been approved by the Commissioner under section eleven."

Addition to section 19.

9. In section 19, after clause (a), the following shall be inserted, namely:—

"(a a) the classes of cases which may be submitted by the Commissioner for the consent of the Lieutenant-Governor under section two."

Repeal of Act XII of 1877.

10. Act XII of 1877 (*an Act to amend the Chutiá Nágpur Encumbered Estates Act, 1876*) is hereby repealed.