

ACT No. III OF 1885.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 30th
January, 1885.)*

An Act to amend the Transfer of Property
Act, 1882.

WHEREAS it is expedient to amend the Transfer of Property Act, 1882; It is hereby enacted as follows:—

1. For the fifth clause of section 1 of the said Act the following shall be substituted, namely:—

Amendment
of section 1
of Act IV of
1882.

“And any Local Government may, with the previous sanction of the Governor General in Council, from time to time, by notification in the local official Gazette, exempt, either retrospectively or prospectively, any part of the territories administered by such Local Government from all or any of the following provisions, namely:—

“Sections fifty-four, paragraphs two and three, fifty-nine, one hundred and seven and one hundred and twenty-three.”

2. The following clause shall be deemed to have been added to the first section of the said Act from the date on which it came into force, namely:—

Addition to
same section.

“Notwithstanding anything in the foregoing part of this section, sections fifty-four, paragraphs two and three, fifty-nine, one hundred and seven and one hundred and twenty-three shall not extend or be extended to any district or tract of country for the time being excluded from the operation of the Indian Registration Act, 1877, under the power conferred by the first section of that Act or otherwise.”

3. To

Addition to
section 4 of
same Act.

3. To section 4 of the said Act the following shall be added, namely :—

“And sections fifty-four, paragraphs two and three, fifty-nine, one hundred and seven and one hundred and twenty-three shall be read as supplemental to the Indian Registration Act, 1877.”

III of 1877.

Addition to
section 6 of
same Act.

4. To section 6 of the said Act the following clause shall be added :—

“(i) Nothing in this section shall be deemed to authorize a tenant having an untransferable right of occupancy, the farmer of an estate in respect of which default has been made in paying revenue or the lessee of an estate under the management of a Court of Wards to assign his interest as such tenant, farmer or lessee.”

Amendment
of section 69
of same Act.

5. In section 69 of the said Act—

(a) after the words “is valid in the following cases” the words “and in no others” shall be inserted; and

(b) after the words “Hindu, Muhammadan or Buddhist”, in both places where they occur, there shall be inserted the words “or a member of any other race, sect, tribe or class from time to time specified in this behalf by the Local Government, with the previous sanction of the Governor General in Council, in the local official Gazette.”