

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 :—

Short title.

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

Amendment of certain enactments.

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.

Saving of orders, etc., issued by previous authorities.

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shall, unless inconsistent with this Act, be deemed to have been made or issued by such new authority unless and until superseded by an appointment, notification, order, scheme, rule, form or bye-law made or issued by such new authority.

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

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— <i>encl'd.</i>	<p>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."</p> <p>3. In section 32 for the word "Government," where that word occurs for the first time, substitute the words "the Board of Revenue."</p> <p>4. In section 49 omit the words "or the Local Government."</p>
"	XII	The Calcutta Pilots 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.	<p>1. In section 5 omit the words "and who shall receive such salary as the Governor General of India in Council shall allow."</p> <p>2. In section 8 for the words "with the sanction" substitute the words "subject to the control."</p>
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.	<p>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.</p> <p>2. In sections 4 and 10 omit the words "by the Local Government."</p> <p>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."</p>

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 provisions.</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>

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 10 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, 96, 116, 130, 144, 147, 148, 151 proviso, and 182, for the words "Local Government," wherever these words occur, substitute the words "Chief Customs-authority."

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 128, 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>

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>conold.</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."

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>concl'd.</i>	<p>2. In section 4 omit the words "subject to the control of the Governor General in Council."</p> <p>3. In section 5 for the words "Local Government," where these words occur for the first time, substitute the word "Commissioner."</p>
"	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.	<p>1. In section 2, clause (7), omit the words "by the Local Government."</p> <p>2. In sections 4 and 5 for the words "with the previous sanction" substitute the words "subject to the control."</p> <p>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."</p>
1881	XXVI	The Negotiable Instruments Act, 1881.	<p>1. In the definition of "notary public," in section 3 for the words "Governor General in Council" substitute the words "Local Government."</p> <p>2. In sections 138 and 139 for the words "Governor General in Council" substitute the words "Local Government."</p>
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 and 5 (1) of the Board of Revenue or Financial Commissioner 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>concl'd.</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>
"	XVI	The Punjab Tenancy Act, 1887.	<p>1. In sections 61 (3) and 88 (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 39, 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."

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>concl'd.</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 (2), 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."

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 6 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>

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>concl'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.

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."