THE BERAR LAWS ACT, 1941

ARRANGEMENT OF SECTIONS

SECTIONS

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THE BERAR LAWS ACT, 1941
ACT NO. 4 OF 1941

[17*th March*, 1941.]

An Act to extend certain Act to Berar.

WHEREAS by orders made under the Indian (Foreign Jurisdiction) Order in Council, 1902, the provisions of certain Acts [1]* * * have from time to time been applied to, and are now, by virtue of such application, in force in, Berar;

AND WHEREAS it is expedient that those and certain other Acts should be extended to, and be, by virtue of such extension, in force in, Berar;

It is hereby enacted as follows: —

1. Short title and commencement.—(*1*) This Act may be called the Berar Laws Act, 1941.

(*2*) It shall come into force on such [2]date as the Central government may, by notification in the Official Gazette, appoint.

2. Extension of certain Acts to Berar.— (*1*) The Acts Specified in the First Schedule and so much of any Act specified in the Second Schedule as relates to matters with respect to which the Central Legislature has power to make laws are hereby extended to, and shall be in force in, Berar; and in any enactment so extended, [3]*** notwithstanding anything contained in clause (*7*) of section 3 of the General Clauses Act, 1897 (10 of 1897), any reference to the States shall be construed as a reference to the States and Berar.

(*2*) The Acts specified in the Third Schedule shall be amended in the manner set forth in the second column of that Schedule.

3. Cesser of application of certain Acts to Berar.—The application, if any, to Berar, made by order under the Indian (Foreign Jurisdiction) Order in Council, 1902, of the Acts specified in the First Schedule, of so much of any Act Specified in the Second Schedule as relates to matters with respect to which the Central Legislature has power to make laws, and of the Indian Cotton Cess Act, 1923 (14 of 1923), shall cease to have effect :

Provided that all appointments, delegations, notifications, orders, bye-laws, rules and regulations, which have been made or issued under, or in pursuance of, any provision of any of the said Acts as applied to Berar by order under the said Order in Council, and which are in force at the commencement of this Act, shall be deemed to have been made or issued under or in pursuance of the corresponding provision of that Act as now extended to, and in force in, Berar.

4. Removal of doubt.—For the removal of doubt it is hereby declared that the Act specified in the Fourth Schedule have ceased to have effect and are repealed in Berar.

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1. The words "in force in the Provinces" omitted by the A.O. 1950.
2. The 1st August, 1941, S*ee* Gazette of India, 1941, Pt. I, p. 966.
3. Certain words omitted by the A.O. 1950.

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THE FIRST SCHEDULE
[*See* sections 2 (*1*) and (*3*)]
ACTS EXTENDED TO BERAR

Year	Number	Short title	Year	Numb	Short title
1850	XIX	The Apprentices Act, 1850.	1903	VII	The Indian Works of Defence Act, 1903.
1850	XXI	The Caste Disabilities Removal Act, 1850.	1903	XV	The Indian Extradition Act, 1903.
1855	XIII	The Indian Fatal Accidents Act, 1855.	1904	VII	The Ancient Monuments Preservation Act, 1904.
1856	XI	The European Deserters Act, 1856.	1905	IV	The Indian Railway Board Act, 1905.
1856	XV	The Hindu Widows' Re-marriage Act, 1856.	1906	III	The Indian Coinage Act, 1906.
1860	XLV	The Indian Penal Code, 1860.	1908	V	The Code of Civil Procedure, 1908.
1864	III	The Foreigners Act, 1864.	1908	VI	The Explosive Substances Act, 1908.
1865	III	The Carriers Act, 1865.	1908	IX	The Indian Limitation Act, 1908.
1866	XXI	The Native Converts' Marriage Dissolution Act, 1866.	1908	XIV	The Indian Criminal Law Amend-ment Act, 1908.
1867	XXV	The Press and Registration of Books Act 1867.	1908	XVI	The Indian Registration Act, 1908.
1869	IV	The Indian Divorce Act, 1869.	1909	IV	The Whipping Act, 1909.
1872	I	The Indian Evidence Act. 1872.	1910	IX	The Indian Electricity Act, 1910.
1872	III	The Special Marriage Act, 1872.	1911	II	The Indian Patents and Designs Act, 1911.
1872	IX	The Indian Contract Act, 1872.	1911	VIII	The Indian Army Act, 1911
1872	XV	The Indian Christian Marriage Act, 1872.	1912	IV	The Indian Lunacy Act, 1912.
1873	V	The Government Savings Banks Act, 1873.	1913	II	The Official Trustees Act, 1913.
1873	X	The Indian Oaths Act, 1873.	1913	III	The Administrator General's Act, 1913.
1874	IX	The European Vagrancy Act, 1874.	1914	III	The Indian Copyright Act, 1914.
1875	IX	The Indian Majority Act, 1875.	1916	VII	The Indian Medical Degrees Act, 1916.
1875	XVIII	The Indian Law Reports Act, 1875.			
1876	IX	The Native Coinage Act, 1876.	1917	II	The Motor Spirit (Duties) Act, 1917.
1877	I	The Specific Relief Act, 1877.			
1878	VIII	The Sea Customs Act, 1878.	1917	XVIII	The Post Office Cash Certificates Act, 1917.
1878	XI	The Indian Arms Act, 1878.			
1879	XVIII	The Legal Practitioners Act, 1879.	1918	XXII	The Bronze Coin (Legal Tender) Act, 1918.
1881	XXVI	The Negotiable Instruments Act, 1881.	1919	XII	The Poisons Act, 1919.
1882	II	The Indian Trusts Act, 1882.	1920	V	The Provincial Insolvency Act, 1920.
1882	XII	The Indian Salt Act, 1882.	1920	XIV	The Charitable and Religious Trusts Act, 1920.
1884	IV	The Indian Explosives Act, 1884.			
1888	III	The Police Act, 1888.	1920	XV	The Indian Red Cross Society Act, 1920.
1889	IV	The Indian Merchandise Marks Act, 1889.			
1890	VIII	The Guardians and Wards Act, 1890.	1920	XLVI	The Imperial Bank of India Act, 1920.
1890	XI	The Prevention of Cruelty to Animals Act, 1890.	1920	XLVI II	The Indian Territorial Ford Act, 1920.
1891	XVIII	The Bankers' Books Evidence Act, 1891.	1920	XLIX	The Auxiliary Force Act, 1920.
1898	V	The Code of Criminal Procedure, 1898.	1921	XVIII	The Maintenance Orders Enforce-ment Act 1921.
1901	II	The Indian Tolls (Army) Act, 1901.	1922	XI	The Indian Income-tax Act, 1922.
			1922	XII	The Indian Finance Act, 1922.

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Year	Number	Short title
1922	…	The Indian States (Protection against Disaffection) Act, 1922
1923	IV	The Indian Mines Act, 1923.
1923	V	The Indian Boilers Act, 1923.
1923	VIII	The Workmen's Compensation Act, 1923.
1923	XXIII	The Legal Practitioners (Women) Act, 1923.
1924	VI	The Criminal Tribes Act, 1924.
1925	XXXIX	The Indian Succession Act 1925.
1926	XI	The Promissory Notes (Stamp) Act, 1926.
1926	XVI	The Indian Trade Unions Act, 1926.
1926	XXI	The Legal Practitioners (Fees) Act, 1926.
1926	XXXVIII	The Indian Bar Councils Act, 1926.
1929	VII	The Trade Disputes Act, 1929.
1929	XIX	The Child Marriage Restraint Act, 1929.
1930	II	The Dangerous Drugs Act, 1930,
1930	III	The Indian Sale of Goods Act, 1930.
1930	XVIII	The Silver (Excise Duty) Act, 1930.
1930	XIX	The Indian Companies (Amendment) Act, 1930.
1930	XXIV	The Indian Lac Cess Act, 1930.
1931	…	The Indian Finance Act, 1931.
1931	…	The Indian Finance (Supplementary and Extending) Act, 1931.
1931	XVI	The Provisional Collection of Taxes Act, 1931.
1931	XXIII	The Indian Press (Emergency Powers) Act, 1931.
1932	IX	The Indian Partnership Act, 1932.
1932	XI	The Public Suits Validation Act, 1932.
1932	XII	The Foreign Relations Act, 1932.
1932	XIII	The Sugar Industry (Protection) Act, 1932.
1932	XXIII	The Criminal Law Amendment Act, 1932.
1933	II	The Children (Pledging of Labour) Act. 1933.
1933	VII	The Indian Finance Act, 1933.
1933	XVII	The Indian Wireless Telegraphy Act, 1933.
1933	XXVII	The Indian Medical Council Act, 1933.
1934	II	The Reserve Bank of India Act, 1934.
1934	VIII	The Khaddar (Name Protection) Act, 1934.
1934	IX	The Indian Finance Act, 1934.
1934	XI	The Indian States (Protection) Act, 1934.
1934	XIV	The Sugar (Excise Duty) Act, 1934.
1934	XVI	The Matches (Excise Duty) Act, 1934.
1934	XX	The Indian Carriage by Air Act, 1934.
1934	XXII	The Indian Aircraft Act, 1934.
1934	XXIII	The Mechanical Lighters (Excise Duty) Act, 1934.
1934	XXV	The Factories Act, 1934.
1934	XXXI	The Iron and Steel Duties Act, 1934.
1934	XXXII	The Indian Tariff Act, 1934.
1935	…	The Indian Finance Act, 1935.
1936	…	The Indian Finance Act, 1936.
1936	III	The Parsi Marriage and Divorce Act, 1936.
1936	IV	The Payment of Wages Act, 1936.
1936	XIV	The Geneva Convention Implementing Act, 1936.
1937	I	The Agricultural Produce (Grading and Marking) Act, 1937.
1937	VI	The Arbitration (Protocol and Convention) Act, 1937.
1937	...	The Indian Finance Act, 1937.

THE SECOND SCHEDULE

[*See* sections 2 (*1*) and 3]

ACTS PARTIALLY EXTENDED TO BERAR

Year	Number	Short title
1843	V	The Indian Slavery Act, 1843.
1850	XII	The Public Accountants' Default Act, 1850.
1850	XXXVII	The Public Servants (Inquiries) Act, 1850.
1855	XXIV	The Penal Servitude Act, 1855.
1870	VII	The Court-fees Act, 1870.
1871	XXIII	The Pensions Act, 1871.
1881	XI	The Municipal Taxation Act, 1881.
1882	IV	The Transfer of Property Act, 1882.
1885	XIII	The Indian Telegraph Act, 1885.
1886	VI	The Births, Deaths and Marriages Registration Act, 1886.
1886	XI	The Indian Tramways Act, 1886.
1890	I	The Revenue Recovery Act, 1890.
1890	VI	The Charitable Endowments Act, 1890.

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Year	Number	Short title	Year	Number	Short title
1890	IX	The Indian Railways Act, 1890.	1923	XIX	The Cotton Transport Act, 1923.
1895	XV	The Crown Grants Act, 1895.	1923	III	The Indian Official Secrets Act, 1923.
1897	III	The Epidemic Diseases Act, 1897.			
1897	X	The General Clauses Act, 1897.	1924	XIII	The Indian (Specified Instruments) Stamp Act, 1924.
1897	XIV	The Indian Short Titles Act, 1897.			
1898	VI	The Indian Post Office Act, 1898.	1925	IV	The Indian Soldiers (Litigation)Act, 1925.
1899	II	The Indian Stamp Act, 1899.			
1899	IV	The Government Buildings Act, 1899.	1925	XII	The Cotton Ginning and Pressing Factories Act, 1925.
1913	VII	The Indian Companies Act, 1913.	1925	XIX	The Provident Funds Act, 1925.
1914	IX	The Local Authorities Loans Act, 1914.	1927	XVI	The Indian Forest Act, 1927.
1916	XV	The Hindu Disposition of Property Act, 1916.	1928	XII	The Hindu Inheritance (Removal of Disabilities) Act, 1928.
1917	V	The Destruction of Records Act, 1917	1929	II	The Hindu Law of Inheritance (Amendment) Act, 1929.
1918	II	The Cinematograph Act, 1918.	1930	XXX	The Hindu Gains of Learning Act, 1930.
1920	X	The Indian Securities Act, 1920.			
1920	XXXIX	The Indian Elections Offences and Inquiries Act, 1920.	1936	V	The Decrees and Orders Validating Act, 1936.

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THE THIRD SCHEDULE

[*See* section 2 (*2*)]

ACTS AMENDED

Name of Act	Amendments
The Code of Civil Procedure, 1908 (Act V of 1908).	In section 7 and in rule 1 of Order L in the First Schedule.— (*a*) after the figures "1887" the words and figures "or under the Berar Small Cause Courts Law, 1905" shall be inserted, and (*b*) for the words "under that Act" the words "under the said Act or Law" shall be substituted.
The Indian Limitation Act, 1908 (IX of 1908).	In Article 161 of the First Schedule, the word "Provincial" in both places where it occurs, shall be omitted, and after the words "Small Causes", where they occur for the first time, the brackets and words "(other than a Presidency Small Cause Court)" shall be inserted.

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THE FOURTH SCHEDULE

(*See* section 4)

ACTS WHICH HAVE CEASED TO HAVE EFFECT AND ARE REPEALED IN BERAR

Year	Number	Short title	Year	Number	Short title
1841	XIX	The Succession (Property Protection) Act, 1841.	1860	IX	The Employers and Workmen (Disputes) Act, 1860.
1847	XX	The Indian Copyright Act, 1847.			

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Year	Number	Short title	Year	Number	Short title
1865	X	The Indian Succession Act, 1865.	1923	X	The Indian Paper Currency Act, 1923.
1865	XXI	The Parsi Intestate Succession Act, 1865.	1926	XIX	The Indian Finance Act, 1926.
1881	V	The Probate and Administration Act, 1881.	1927	V	The Indian Finance Act, 1927.
1881	VI	The District Delegates Act, 1881.	1928	XX	The Indian Insurance Companies Act, 1928.
1889	VII	The Succession Certificate Act, 1889.	1929	X	The Indian Census Act, 1929.
1911	XII	The Indian Factories Act, 1911.	1933	XIII	The Safeguarding of Industries Act, 1933.
1912	V	The Provident Insurance Societies Act, 1912.	1935	...	The Criminal Law Amendment Act, 1935.
1912	VI	The Indian Life Assurance Companies Act, 1912.	1936	I	The Italian Loans and Credits Prohibition Act, 1936.
1914	VIII	The Indian Motor Vehicles Act, 1914.			
1919	X	The Excess Profits Duty Act, 1919.			

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