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**GOVERNMENT OF INDIA ACT, 1869**

**97 of 1869**

**[11th August, 1869]**

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An Act to amend in certain respects the Act for the better Government of India. Preamble reciting 21 and 22 Vict., c. 106; and enacting words: Rep. (U. K.) 56 and 57 Vict., c. 54 (S. L. R.).

**1. Vacancies in Council of India :-**

**1 \* \* \*** all vacancies that shall take place in the said Council shall be filled up by appointment by the Secretary of State.

1. The words "After the passing of this Act" in s. 1 and s. 8 and the words "who shall, after the passing of this Act, be so appointed" in s. 2 were repealed (U. K.) by 56 and 57 Vict., c. 54 (S. L. R.).

**2. 2 :-**

Every member of the said Council \* \* \*<sup>1</sup> shall be appointed for a term of<sup>2</sup> ten years, and except as hereinafter provided, shall not be reeligible.

1. The words "After the passing of this Act" in s. 1 and s. 8 and the words "who shall, after the passing of this Act, be so appointed" in s. 2 were repealed (U. K.) by 56 and 57 Vict., c. 54 (S. L. R.).

2. Read "seven" for "ten" as regards any appointment made after

the passing of the Council of India Act, 1907 (7 Edw. 7, c. 35). See 7 Edw. 7, c. 35, s. 4.

**3. Re-appointment of member for further period of five years :-**

It shall be lawful for the Secretary of State to re-appoint for a further period of five years any person whose term of office as member of Council under this Act shall have expired, provided such re-appointment be made for special reasons of public advantage, which reasons shall be set forth in a minute signed-by the said Secretary of State, and laid before both Houses of Parliament.

**4. Former Acts to apply to future members :-**

Except as Herein otherwise provided all the provisions of the said recited Act, and of any other Act of Parliament relating to members of the Council of India, shall apply to members appointed under the provisions of this Act.

**5. 5 :-**

Rep. as to U. K. 46 and 47 Vict., c. 39 (S. L. R.). Omitted as being spent.

**6. Resignation of office :-**

Any member of Council may by writing under his hand, which shall be recorded in the minutes of the Council, resign his office;<sup>1</sup> \* \* \*

1. The rest of the section relating to grant of pension to retiring members was repealed (U.K) by 56 and 57 Vict., c 54 (S.L.R.)

**7. Provision as to future changes in constitution of Council :-**

If at any time hereafter it should appear to Parliament expedient to reduce the number or otherwise to deal with the constitution of the said Council, no member of Council who has not served in his office for a period of ten years shall be entitled to claim any compensation for the loss of his office, or for any alteration in the terms and condition under which the same is held.

**8. Appointment of ordinary member of the Governor General's Council and of the presidencies :-**

The appointments of the ordinary members of the Governor General's Council, and of the members of Council of the several presidencies<sup>1</sup>\* \* \* shall<sup>2</sup> \* \* \* be made by Her Majesty by warrant under her Royal Sign Manual.

1. The words "which by section of the said recited Act, are to be

made by the Secretary of State in Council, with the concurrence of a majority of members present at a meeting" were repealed (U. K.) by 46 and 47 Vict., c 39 (S.L.R.)

2. The words "Forms and after the passing of this Act" were repealed (U.K.) by 56 and 57 Vict., c. 54 (S.L.R.)