

GOVERNMENT SEAL ACT, 1862

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STATEMENT OF OBJECTS AND REASONS "Legislation on this subject was originally suggested in order to meet a difficulty respecting the seal to be used under Act 19 of 1838 (for the registration of Coasting Vessels in the Bombay Presidency) Sec. 8 of that Act requires that Certificates of Registry "shall be sealed with the seal of the East India Company", and the Government of Bombay were advised by their Law Officers that no other seal could properly be used for such Certificates until some Act should be passed "prescribing the seal to be used in lieu of the seal of the East India Company." Before the present Bill was drafted, a further reference was made on the general question by the Government of India to the Advocate-General of Bengal. That officer (Mr. Ritchie) expressed his concurrence in the opinion given in Bombay. He did not doubt that Certificates of Registry, for instance, would be valid, though sealed with the East India Company's seal subsequently to the transfer of the Government to the Crown. But it would, he observed, at all events be more seemly to substitute some other seal for the future. This could not, he added, be properly done without the authority of the Legislature; and he suggested that any enactment which might be drafted for the purpose should be so drawn as to have a general application, and should not be limited to the Government of Bombay alone. The present Bill has, therefore, been made applicable to all cases in which the use of the seal of the East India Company is prescribed by any Indian Regulation or Act. But it does not affect the use of that seal or of

the seal of the Secretary of State or of the Members of his Council under any English Statute. " - Calcutta Gazette, 1862, page 466.

1. Seal to be used instead of seal of East India Company :-

Whenever it is required by any Regulation of a Local Government or by ¹[any Act of the Central Legislature] that the seal of the East India Company shall be affixed on behalf or by the authority of the Government to any instrument or document, it shall be lawful, if the seal is to be affixed on behalf or by the authority of a ²[State Government] to affix in lieu of the seal of the East India Company a seal bearing the designation of such ²[State Government] or, if the seal is to be affixed on behalf or by the authority of the ⁴[Central Government] a seal bearing ⁵[the inscription "Government of India" ⁶ [* * *]] and such instrument or document so sealed shall to all intents and purposes be as valid and effectual as if the seal so used had been that of the East India Company.

1. Substituted for "any Act of the Governor-General of India in Council" by A. O., 1937.

2. Substituted for "Provincial Government" by A. L. O., 1950.

4. Substituted for "Government of India" by A. O., 1937.

5. Words 'the inscription "Government of India" or "Government of the Federation of India", were substituted for 'the inscription "Government of India" ' by A. O., 1937.

6. Words "or Government of the Federation of India" were omitted by A. O., 1948.