

INDIAN COUNCILS ACT, 1874

91 of 1874

[7th August, 1874]

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An Act to amend the law relating to the Council of the Governor General of India. Preamble and enacting words: Rep.. (U. K.) 56 and 57 Vict., c. 54 (S.L.R.).

1. Number of ordinary members of Governor Generals Council may. be increased :-

It shall be lawful for Her Majesty, if she shall see fit, to increase the number of the ordinary members of the Council of the Governor General of India to six, by appointing any person, from time to time, by warrant under Her Royal Sign Manual, to be an ordinary member of the said Council in addition to the ordinary members thereof appointed under Section 3 of The Indian Councils Act, 1861, and under section 8 of the Act of the thirty-second and thirty-third years of Her present Majesty, chapter ninety-seven. The law for the time being in force with reference to ordinary members of the Council of the Governor General of India shall apply to the person so appointed by Her Majesty under this Act. **1 * * ***

1. The words "who shall be called the member of Council for public works purposes" were repealed by 4 Edw. 7, c. 26.

2. Number of members of Council may. be subsequently diminished :-

Whenever a member of Council **1 * * *** shall have been appointed

under the section 1 of this Act, it shall be lawful of Her Majesty,, if she shall see fit, to diminish, from time to time, the number of the ordinary members of the Council of the Governor General of India to five, by abstaining so long as she shall deem proper from filling up any vacancy or vacancies occurring in the offices of. the ordinary members of the said Council appointed under Section 3 of The Indian Councils Act, 1861 and under section 8 of the Act of the thirty-second and thirty-third years of Her present Majesty, chapter ninety-seven, not being a vacancy in the office of the ordinary member of-Council required by law to be a barrister or a member of the Faculty of Advocates in Scotland: and whenever the Secretary of State for India shall have informed the Governor General of India that it is not the intention of Her Majesty to fill up any vacancy, no temporary appointment shall be made to such vacancy under S.27 of the Indian Councils Act, 1861 and if any such temporary appointment shall have been made previously to the receipt of such information, the tenure of office of the person temporarily appointed shall cease and determine from the time of the receipt of such information by the Governor General.

1. The words "for public works purposes" were repealed by 4 Edw. 7, c. 26.

3. Not to affect power of Governor General in respect of his Council :-

Nothing in this Act contained shall affect the provisions of S.8 of "The Indian Councils Act, 1961 or the provisions of section 5 of the Act of the thirty-third year of Her Majesty, chapter three, or any Power or authority vested by law in the Governor General of India in respect of his Council or of the members thereof.