



The Bengal Rent (Appeals) Act, 1867

Act 4 of 1867

Keyword(s):

Revenue Officer, Collector, Hear and Determine Appeals

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Bengal Act IV of 1867

[THE BENGAL RENT (APPEALS) ACT, 1867.]¹

SHORT TITLE GIVEN	..	Act I of 1903.
REPEALED IN PART AND AMENDED	..	Act I of 1903.
REPEALED (LOCALLY IN FORMER PROVINCE OF BENGAL).	..	Act VIII of 1885.

ADAPTED

- (a) The Government of India (Adaptation of Indian Laws) Order, 1937.
- (b) The Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.
- (c) The Adaptation of Laws Order, 1950.

[15th June, 1867.]

[Title and preamble.]—Rep. by s. 4 and the Third Schedule of the Amending Act, 1903 (I of 1903).

1. Words importing the singular number shall include the plural, and words importing the plural number shall include the singular.

Interpretation.

2 to 4. [Confirmation of prior orders by Deputy Collectors.]—Rep. by s. 4 and the Third Schedule of the Amending Act, 1903 (I of 1903).

¹SHORT TITLE.—This short title was given by the Amending Act, 1903 (I of 1903).

LEGISLATIVE PAPERS.—For Statement of Objects and Reasons, see the *Calcutta Gazette* of 1867, page 341.

LOCAL EXTENT.—The original local extent of this Act must (see section 5) be taken to have been the same as that of Act X of 1859 and Ben. Act VI of 1862, namely, the whole of the former Province of Bengal. The Act has however been repealed by s. 2(1) of the Bengal Tenancy Act, 1885 (VIII of 1885), everywhere except "the town of Calcutta, [the Division of Orissa] and the Scheduled Districts".

The extension of the repeal to Scheduled districts depends upon the terms of notifications extending the Act of 1885 to such districts. Under the terms of the notifications, extending the Act of 1885 to the Jalpaiguri District the repeal has taken effect in the district.

The only portions of the present State of West Bengal in which Ben. Act IV of 1867 appears to be effectually in force at the present time is the Darjeeling District.

[Ben. Act IV of 1867.]

(Section 5.)

Appellate
jurisdiction
exercisable
by officers
specially
appointed by
State
Government.

5. ¹* * * * * It shall be competent to the ²[State Government]³* * * * * specially to appoint any fully qualified Revenue-officer to exercise the powers of the Collector of a district for the purpose of enabling him to hear and determine appeals under⁴[the Bengal Rent Act, 1859, or the Bengal Rent Act, 1862,] and such persons so specially appointed shall have and exercise all such and the same powers in regard to the hearing of such appeals as the Collector of the district within which such person shall be so appointed, might have and exercise.

X of 1859.
Ben. Act VI
of 1862.

¹The words "Form and after the passing of this Act" were repealed by s. 4 and the Third Schedule of the Amending Act, 1903 (I of 1903).

²The words "Provincial Government" were first substituted for the word "Lieutenant-Governor" by para. 4(1) of the Government of India (Adaptation of Indian Laws) Order, 1937. Thereafter the word "State" was substituted for the word "Provincial" by para. 4(1) of the Adaptation of Laws Order, 1950.

³The words "of Bengal" were omitted by para. 3(1) and the Schedule of the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

⁴These references were substituted for the words "the said recited Acts" by s. 3 and the Second Schedule of the Amending Act, 1903 (I of 1903).