CHAP. 97.

An Act to amend in certain respects the Act for the better Government of India. [11th August 1869.]

A.D. 1869.

WHEREAS it is expedient that the Act of the twenty-first and twenty-second years of Victoria, chapter one hundred and six, intituled "An Act for the better government of India," should be amended as regards the duration of service and the remuneration of members of the Council of India, and in certain other respects:

And whereas it is provided by the said recited Act that every member of the said Council elected or appointed under that Act shall hold his office during good behaviour:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Vacancies to be filled up by Secretary of State.

1. After the passing of this Act all vacancies that shall take place in the said Council shall be filled up by appointment by the Secretary of State.

Members of Council of India to be in future appointed for ten years.

2. Every member of the said Council who shall, after the passing of this Act, be so appointed, shall be appointed for a term of ten years, and, except as herein-after provided, shall not be re-eligible.

Re-appointment of member for farther period of five years.

3. It shall be lawful for the Secretary of State to re-appoint for a farther 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.

Former Acts to apply to future members.

4. 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.

Sect. 14 of 21 & 22 Vict. c. 106. repealed.

5. Section fourteen of the said recited Act for the better government of India is hereby repealed.

As to retiring pensions of existing members of Council.

6. Any member of Council may, by writing under his hand, which shall be recorded in the minutes of the Council, resign his office; and it shall be lawful for Her Majesty by warrant under Her Sign Manual, countersigned by the Chancellor of the Exchequer, to grant to any member so resigning, out of the revenues of India, if he shall have been elected or appointed before the passing of this Act, and if he shall have held the said office for the period of ten years and upwards at the date of such resignation, a retiring pension during life of five hundred pounds.

Provision as to future changes in constitution of Council.

7. 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.

Appointment of ordinary members of the Governor General's Council and of the presidencies.

8. The appointments of the ordinary members of the Governor General's Council, and of the members of Council of the several presidencies, which, by section twenty-nine 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, shall, after the passing of this Act, be made by Her Majesty by warrant under Her Royal Sign Manual.

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