CHAPTER 6.

An Act to make such amendments in the Law relating to the Government of India as are consequential on the appointment of a separate Governor of Fort William in Bengal, and other administrative changes in the local government of India. [25th June 1912.]

WHEREAS His Majesty has been pleased to appoint a Governor of the Presidency of Fort William in Bengal as delimited by a proclamation made by the Governor-General in Council and dated the twenty-second day of March nineteen hundred and twelve:

And whereas the Governor-General in Council by two further proclamations of the same date has constituted a new province under a Lieutenant-Governor, styled the province of Bihar and Orissa, and has taken the province of Assam under the immediate authority and management of the Governor-General in Council:

And whereas it is expedient to declare what powers are exerciseable by the Governor and Governor in council of the presidency of Fort William in Bengal and to make other provisions with respect to the administrative changes effected as aforesaid:

Be it therefore enacted by the King'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:

Powers of Governor of Fort William in Bengal.

1.—(1) It is hereby declared that the Governor and Governor in council of the presidency of Fort William in Bengal shall, within that presidency as so delimited as aforesaid, have all the rights, duties, functions, and immunities which the Governors and Governors in council of the presidencies of Fort St. George and Bombay respectively possess, and all enactments relating to the Governors of those presidencies and the councils (whether for executive or legislative purposes) thereof and the members of those councils shall apply accordingly to the Governor of the presidency of Fort William in Bengal, and his council and the members of that council:

Provided that—

(*a*) if the Governor-General in council reserves to himself any powers now exerciseable by him in relation to the presidency of Fort William in Bengal, those powers shall continue to be exerciseable by the Governor-General in council in the like manner and to the like extent as heretofore; and

(*b*) it shall not be obligatory to nominate the advocate-general of the presidency of Fort William in Bengal

or any officer acting in that capacity to be a member of the legislative council of the Governor of that presidency.

(2) The power of the Governor-General in council under section one of the Indian Presidency Towns Act, 1815, to extend the limits of the town of Calcutta shall be transferred to the Governor in council of the presidency of Fort William in Bengal. 55 Geo. 3. c. 84.

Provisions as to the province of Bihar. 9 Edw. 7. c. 4.

2. The provisions of subsection (1) of section three of the Indian Councils Act, 1909 (which relate to the constitution of provincial executive councils), shall apply to the province of Bihar and Orissa in like manner as they applied to the province of the Bengal division of the presidency of Fort William.

Creation of legislative councils of chief commissioners.

3. It shall be lawful for the Governor-General in council by proclamation to extend, subject to such modifications and adaptations as he may consider necessary, the provisions of the Indian Councils Acts, 1861 to 1909, touching the making of laws and regulations for the peace and good government of provinces under Lieutenant-Governors (including the provisions as to the constitution of legislative councils for such provinces and the business to be transacted therein) to any territories for the time being under a chief commissioner, and where such provisions have been applied to any such territories the proviso to section three of the Government of India Act, 1854 (which relates to the alteration of laws and regulations in such territories) shall not apply to those territories. 17 & 18 Vict. c. 77.

Amendment and repeal of Acts and saving. 33 Geo. 3. c. 52. 3 & 4 Will. 4. c. 85.

4.—(1) The enactments mentioned in Part I. of the Schedule to this Act shall have effect subject to the amendments therein specified, and section fifty-seven of the East India Company Act, 1793, and section seventy-one of the Government of India Act, 1833 (which relate to the filling up of vacancies in the Indian Civil Service), and the other enactments mentioned in Part II. of that Schedule are hereby repealed.

(2) Nothing in this Act or in the said recited proclamations shall affect the power of the Governor-General in Council of making new distributions and arrangements of territories into and among the various presidencies and lieutenant-governorships, and it is hereby declared that the said power extends to territories under the immediate authority and management of the Governor-General in Council as well as to territories subject to the several presidencies and lieutenant-governorships.

Short title and commencement.

5. This Act may be cited as the Government of India Act, 1912, and shall come into operation on such day as the Governor-General in Council, with the approval of the Secretary of State in Council, may appoint.

SCHEDULE.

Section 4.

PART I.

AMENDMENTS.

In section fifty of the Indian Councils Act, 1861 (24 and 25 Vict. c. 67), after the words "then and in every such case," there shall be inserted the words "the Governor of the Presidency of Fort William in Bengal."

In the First Schedule to the Indian Councils Act, 1909 (9 Edw. 7. c. 4), there shall be inserted—

"Legislative Council of the Governor of Fort William in Bengal - - - - - -	50
"Legislative Council of the Lieutenant-Governor of Bihar and Orissa - - - - - -	50"

PART II.

REPEALS.

Sections fifty-three and fifty-seven of the East India Company Act, 1793 (33 Geo. 3. c. 52).

In section sixty-two of the Government of India Act, 1833 (3 & 4 Will. 4. c. 85) the words "and Governor of the Presidency of Fort William in Bengal," and section seventy-one of the same Act.

In section fifty of the Indian Councils Act, 1861 (24 & 25 Vict. c. 67) the words "and Governor of the Presidency of Fort William in Bengal."

In the First Schedule to the Indian Councils Act, 1909 (9 Edw. 7. c. 4), the following words :—

"Legislative Council of the Lieutenant-Governor of the Bengal Division of the Presidency of Fort William -	50
"Legislative Council of the Lieutenant-Governor of the Province of Eastern Bengal and Assam - -	50"

CHAPTER 7.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand nine hundred and thirteen, and to appropriate the Supplies granted in this Session of Parliament. [7th August 1912.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in