

## ACT No. III of 1879.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.  
(Received the assent of the Governor General on the 8th March 1879).

### An Act to authorize the destruction of Useless Records.

**WHEREAS** it is expedient to provide for the destruction or other disposal of useless records, books and papers in Courts and Revenue-offices; It is hereby enacted as follows:—

1. This Act may be called "The Destruction of Records Act, 1879": it extends to the whole of British India; and it shall come into force at once.

2. The High Court may, from time to time, make rules respecting the disposal, by destruction or otherwise, of such records, books and papers belonging to or being in the custody of such High Court, or the Courts of civil and criminal jurisdiction subordinate thereto, as the High Court may consider useless or unworthy of being permanently preserved.

So far as regards his own Court, the Court of Small Causes in Rangoon and the Courts of the Magistrates within the local limits of his ordinary civil jurisdiction, the Recorder of Rangoon shall, for the purposes of this section, be deemed to be a High Court.

3. Each of the High Courts of Judicature at Fort William, Madras and Bombay may from time to time make rules respecting the disposal, by destruction or otherwise, of such records, books and papers belonging to or being in the custody of

(a) the local Court for the relief of Insolvent Debtors held under the provisions of the eleventh and twelfth of Victoria, chapter twenty-one,

(b) the

Preamble.

Short title.  
Local extent.  
Commencement.

Power to High Court to make rules for disposal of records, &c.

Similar power to Presidency High Courts with respect to documents in Insolvent Courts and Administrator General's office.

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(b) the local Administrator General,  
as the High Court may consider useless or unworthy of being permanently preserved.

Similar power to Chief Controlling Revenue-Authority.

4. The Chief Controlling Revenue-Authority may from time to time make rules respecting the disposal, by destruction or otherwise, of such records, books and papers belonging to or in the custody of the Revenue Courts and offices as it may consider useless or unworthy of being permanently preserved.

Rules when to have force of law.

5. All rules made under this Act shall, after being confirmed by the Local Government and sanctioned by the Governor General in Council, be published in the local official Gazette, and shall thereupon have the force of law.

Validation of rules as to destruction of documents.

6. All rules and orders heretofore made by a Local Government, a High Court or a Chief Controlling Revenue-Authority for the destruction or other disposal of useless records, books and papers belonging to or in the custody of any Court or Revenue-office shall be deemed to have had the force of law from the date on which they were made, and all such rules now in force shall continue to have the force of law until they are rescinded by rules made under this Act; and no suit or other proceeding shall be instituted, maintained or continued against any person for the disposal, by destruction or otherwise, of any records, books or papers in accordance with any such rules or with any order made by a Local Government, High Court or Chief Controlling Revenue-Authority.

Bar of suits.

Interpretation-clause.

7. In this Act "Chief Controlling Revenue-Authority" means, in the Presidency of Fort St. George and the territories respectively under the administration of the Lieutenant-Governors of Bengal and the North-Western Provinces—the Board of Revenue: in the Presidency of Bombay, outside Sind and the limits of the town of Bombay—a Revenue Commissioner: in Sind—the Commissioner: in the Panjáb—the Financial Commissioner; and elsewhere—the Local Government or such officer as the Local Government may, by notification in the official Gazette, appoint

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appoint in this behalf by name or in virtue of his office.

8. Nothing herein contained shall be deemed to authorize the destruction of any document which, under the provisions of any law for the time being in force, is to be kept and maintained. Saving of documents kept under provision of law.

9. The enactments specified in the schedule here-to annexed shall be repealed to the extent mentioned in the third column. Repeal of enactments.

THE SCHEDULE.

(*See section 9.*)

*Enactments repealed.*

(a).—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject or short title.	Extent of repeal.
XX of 1875 ...	The Central Provinces Laws Act, 1875.	In section eight, clause (c), the last twenty-one words.
XVIII of 1876 ...	The Oudh Laws Act, 1876.	In section thirty-nine, clause (e), the last eighteen words.

(b).—ACTS OF THE GOVERNOR OF BOMBAY IN COUNCIL.

Number and year.	Subject or short title.	Extent of repeal.
VI of 1865 ...	To authorize the destruction of Useless Records in certain Courts of the Bombay Presidency.	The whole.
V of 1869 ...	To authorize the destruction of Useless Records in the Courts of the Province of Siud.	The whole.

(c).—REGULATION UNDER 33 VIC., C. 3.

Number and year.	Subject or short title.	Extent of repeal.
III of 1877 ...	The Ajmer Laws Regulation, 1877.	In section forty, clause (c), the last twenty-one words.