



THE CASTE DISABILITIES REMOVAL ACT, 1850



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SECTIONS:

1. Law or usage which inflicts forfeiture of, effects, rights on change of religion or loss of caste to cease to be enforced.

¹[THE CASTE DISABILITIES REMOVAL ACT, 1850]

ACT No. XXI OF 1850

[11th April, 1850]

An Act for extending the principle of section 9, Regulation VII, 1832, of the Bengal Code throughout the Territories subject to the Government of the East India Company.

Preamble. WHEREAS it is enacted by section 9, Regulation VII, 1832, of the Bengal Code², (Ben Reg. VII of 1832), that “whenever in any civil suit the parties to such suit may be of different persuasions, when one party shall be of the Hindu and the other of the Muhammadan persuasion, or where one or more of the parties to the suit shall not be either of the Muhammadan or Hindu persuasions, the laws of those religions shall not be permitted to operate to deprive such party or parties of any property to which, but for the operation of such laws, they would have been entitled ; and whereas it will be beneficial to extend the principle of that enactment throughout the territories subject to the Government of the East India Company ; It is enacted as follows :—

1. Law or usage which inflicts forfeiture of, effects, rights on change of religion or loss of caste to cease to be enforced. So much of any law or usage now in force within the territories subject to the Government of the East India Company as inflicts on any person forfeiture of rights or property, or may be held in any way to impair or affect any right of inheritance, by reason of his or her renouncing, or having been excluded from the communion of, any religion, or being deprived of caste, shall cease to be enforced as law in the Courts of the East India Company, and in the Courts established by Royal Charter within the said territories.

¹Short title given by the Short Titles Act, 1897 (14 of 1897).

This Act has been declared to be in force in all the Provinces and the Capital of the Federation, except the Scheduled Districts, by the Laws Local Extent Act, 1874 (15 of 1874), s. 3. It has been declared, by notification under s. 3(a) of Act 14 of 1874, to be in force in the following Scheduled Districts, namely :-

Sind See Gazette of India, 1880, Pt. I, p. 672.

The District of Peshawar, Hazara, Kohat, Bannu, Dera Ismail Khan and Dera Ghazi Khan, [Portions of the Districts of Hazara, Bannu, Dera Ismail Khan and Dera Ghazi Khan and the Districts of Peshawar and Kohat, now form the N.W.F.P. See Gazette of India, 1901, Pt. I, p. 857, and *ibid.*, 1902, Pt. I, p. 575].

Applied to Phulera in the Excluded Area of Upper Tanawal to the extent the Act is applicable in the N.W.F.P., subject to certain modifications, and extended to the Excluded Area of Upper Tanawal (N. W.F.P.) other than Phulera with effect from such date and subject to such modifications as may be notified — See N.W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950.

This Act has been amended in its application to the Province of West Pakistan by the Caste Disabilities Removal (West Pakistan Amendment) Act, 1963 (W. Pak. Act 10 of 1963), s.2 (with effect from the 12th July, 1963).

²Rep. by the Bengal Civil Courts Act, 1871 (6 of 1871), which was rep. by the Bengal, North-Western Provinces and Assam Civil Courts Act, 1887 (12 of 1887).

