



# Government of India Act 1935

## 1935 CHAPTER 2

### PART III

#### THE GOVERNORS' PROVINCES.

### CHAPTER V

#### EXCLUDED AREAS AND PARTIALLY EXCLUDED AREAS.

#### **91 Excluded areas and partially excluded areas.**

- (1) In this Act the expressions " excluded area " and " partially excluded area " mean respectively such areas as His Majesty may by Order in Council declare to be excluded areas or partially excluded areas.

The Secretary of State shall lay the draft of the Order which it is proposed to recommend His Majesty to make under this subsection before Parliament within six months from the passing of this Act.

- (2) His Majesty may at any time by Order in Council—
- (a) direct that the whole or any specified part of an excluded area shall become, or become part of, a partially excluded area;
  - (b) direct that the whole or any specified part of a partially excluded area shall cease to be a partially excluded area or a part of such an area;
  - (c) alter, but only by way of rectification of boundaries, any excluded or partially excluded area;
  - (d) on any alteration of the boundaries of a Province, or the creation of a new Province, declare any territory not previously included in any Province to be, or to form part of, an excluded area or a partially excluded area,

and any such Order may contain such incidental and consequential provisions as appear to His Majesty to be necessary and proper, but save as aforesaid the Order in Council made under subsection (1) of this section shall not be varied by any subsequent Order.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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## **92 Administration of excluded areas and partially excluded areas.**

- (1) The executive authority of a Province extends to excluded and partially excluded areas therein, but, notwithstanding anything in this Act, no Act of the Federal Legislature or of the Provincial Legislature, shall apply to an excluded area or a partially excluded area, unless the Governor by public notification so directs, and the Governor in giving such a direction with respect to any Act may direct that the Act shall in its application to the area, or to any specified part thereof, have effect subject to such exceptions or modifications as he thinks fit.
- (2) The Governor may make regulations for the peace and good government of any area in a Province which is for the time being an excluded area, or a partially excluded area, and any regulations so made may repeal or amend any Act of the Federal Legislature or of the Provincial Legislature, or any existing Indian law, which is for the time being applicable to the area in question.

Regulations made under this subsection shall be submitted forthwith to the Governor-General and until assented to by him in his discretion shall have no effect, and the provisions of this Part of this Act with respect to the power of His Majesty to disallow Acts shall apply in relation to any such regulations assented to by the Governor-General as they apply in relation to Acts of a Provincial Legislature assented to by him.

- (3) The Governor shall, as respects any area in a Province which is for the time being an excluded area, exercise his functions in his discretion.