

THE CASTE DISABILITIES REMOVAL ACT, 1850^{1*}

ACT NO. 21 OF 1850

[11th April, 1850.]

An Act for extending the principle of section 9, Regulation VII, 1832, of the Bengal Code throughout^{2*} [India].

Preamble.--WHEREAS it is enacted by section 9, Regulation VII, 1832 (Ben. Reg. VII of 1832), of the Bengal Code, 3*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,

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

This Act has been extend to Berar by the Berar Laws Act, 1941 (4 of 1941) and has been declared to be in force in all the Provinces of India, except the Scheduled Districts, by the Laws Local Extent Act, 1874 (5 of 1874), s. 3.

It has been declared to be in force in the Sonthal Parganas by the Sonathal Parganas Settlement Regulation, 1872 (3 of 1872), s. 3.

The Act has been extended to and brought into force in Dadra and Nagar Haveli by Reg. 6 of 1963, s. 2 and Sch. I (w.e.f. 1-7-1965) and to the Union territory of Pondicherry by Act 26 of 1968, s. 3 and Sch.

It has been declared, by notification under s. 3 (a) of the Scheduled Districts Act, 1874 (14of 1874), to be in force in the following Scheduled Districts, namely:-

West JalpaiguriSee Gazette of India, 1881, Pt. I, p.74.

The Districts of Hazaribagh, Lohardaga (now the Ranchi District, see Calcutta Gazette, 1899, Pt. I, p. 44), and Man-bhum, and Pargana Dhalbhum and the Kolhan in the District of Singhbhum

Ditto 1881, Pt. I, p. 504.

The Scheduled portion of the Mirzapur District Ditto 1879, Pt. I, p. 383.

Jaunsar Bawar Ditto 1879, Pt. I, p. 382.

The District of Lahaul Ditto 1886, Pt. I, p. 301.

The Scheduled Districts the C.P. Ditto 1879, Pt. I, p. 771.

The Scheduled Districts in Ganjam and Vizagapatam Ditto 1898, Pt. I, p. 870.

Coorg Ditto 1879, Pt. I, p. 747.

Assam (except the North Lushai Hills) Ditto 1897, Pt. I, p. 299.

The Porahat Estate in the Singhbhum District Ditto 1897, Pt. I, p. 1059.

It has been extended by notification by s. 5 of the last- mentioned Act, to the following Scheduled Districts, namely:-

Kumaon and Garhwal . See Gazette of India, 1876, Pt. I, p.606.

The Tarai of the Province of Agra Ditto 1876, Pt. I, p. 505.

It has also been extended to the New Provinces and Merged States, see Act 59 of 1949.

2. Subs. by Act 3 of 1951, s. 3 and Sch., for "the territories subject to the Government of the East India Company".

3. Rep. 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).

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 1*[India]; It is enacted as follows:--

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

1. Law or usage which inflicts forfeiture of, or affects, 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 1*[India] 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 2*[in any Court].

2. Short title and extent.

^{3*}[2. Short title and extent.--(1) This Act] may be called the Caste Disabilities Removal Act, 1850.

(2) It extends to the whole of India except the State of Jammu and Kashmir.]

1. Subs. by Act 3 of 1951, s. 3 and Sch., for "the territories subject to the Government of the East India Company".

2. Subs. by s. 3 and Sch., *ibid.*, for "in the Courts of the East India Company, and in the Courts established by Royal Charter within the said territories".

3. Added by s. 3 and Sch., *ibid.*

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