

**THE ACTING JUDGES ACT, 1867**

**ACT NO. 16 OF 1867 [ 1st March, 1867.]**

**An Act to authorize the making of acting appointments to certain Judicial Offices.**

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**Preamble.- WHEREAS the Governor General of India in Council or the Local Government, as the case may be, is empowered by divers enactments to appoint the Judges of certain Courts 2: And whereas it has been doubted whether he or it is empowered to appoint persons to act temporarily as such Judges, and it is expedient to remove such doubts; It is hereby enacted as follows:-**

1. Power to appoint acting Judges.- In every case in which the Central Government, or the State Government, as the case may be, has power under any Act or Regulation to appoint a Judge of any Court<sup>3</sup>, such power shall be taken to include the power to appoint any person capable of being appointed a permanent Judge of such Court, to act as Judge of the same Court for such time as the Central Government or the State Government, as the case may be, shall direct. Every person so appointed to act temporarily as a Judge of any such Court shall have the powers and perform the duties which he would have had and been liable to perform in case he had been duly appointed a permanent Judge of the same Court.

2. Certain enactments to be construed as if they contained a clause like section 1 of this Act. Every such Act and Regulation shall be construed as if it contained a special clause to the purport or effect of the first section of this Act. -----

1. This Act has been declared, by notification under s. 3 (a) of the Scheduled Districts Act, 1874 (14 of 1874 ), to be in force in the following Scheduled Districts, namely:- The Districts of Hazaribagh, Lohardaga now the Ranchi District, see Calcutta Gazette, 1899, Pt. 1, p. 44). and Manbhum. and Pargana Dhalbhum and the Kolhan in the District of Singbhum- see Gazette of India--, 1881, Pt. 1, p. 504. This Act has been extended to the new Provinces and Merged States by the Merged States (Laws) Act. 1949 (59 of 1949 ) and to the States of Manipur, Tripura a and Vindhya Pradesh by the Part C States (Laws) Act' 1950 of 1950 ), s. 2.

2. The words" in the Provinces" were omitted by the A. O. 1950.

3. The words" in British India" were rep. by the A. O. 1948.