

THE <sup>1</sup>[GOVERNMENT] GRANT ACT, 1895<sup>2</sup>  
ACT NO. 15 OF 1895.<sup>2</sup>

[10<sup>TH</sup> October, 1895]

An Act to explain the Transfer of Property Act, 1882, so far as it relates to grants from the <sup>1</sup>[Government] and to remove certain doubts as to the powers of the <sup>1</sup>[Government] in relation to such grants.

**IV of 1882.**

Where doubts have arisen as to the extent an operation of the Transfer of Property Act, 1882, and as to the power of the <sup>1</sup>[Government] to impose limitations and restrictions upon grants and other transfers of land made by it or under its authority and it is expedient to remove such doubts;

It is hereby enacted as follows :-

1. **Title and extent** - (1) This Act may be called the <sup>1</sup>[Government] Grants Act, 1895.  
(2) It extends to <sup>3</sup>[the whole of India except <sup>4</sup>[the territories which, immediately before the 1<sup>st</sup> November, 1956, were comprised in Part B States] \* \* \* \*<sup>5</sup>.
2. **Transfer of Property Act 1882, not to apply to Government grants** - Nothing in the Transfer of Property Act, 1882, contained shall apply or be deemed ever to have applied to any grant or other transfer of land or of any interest therein heretofore made or hereafter to be made <sup>6</sup>[by or on behalf of the <sup>1</sup>[Government] to, or in favor of, any person whomsoever; but every such grant and transfer shall be construed and take effect as if the said Act had not been passed.

<sup>1</sup>Substituted for "Crown" by Adaptation of Laws Order, First Schedule.

<sup>2</sup>For Statement of Objects and Reasons, see Gazette of India 1895, Pt. V, p. 169 and for Proceedings in Council, see *ibid.*, Pt. VI, pp. 328 and 355.

This Act has been partially extended to Berar by the Berar Laws Act, 1941 (4 of 1941).

<sup>3</sup>Substituted for "the whole of British India" by Indian Independence (Adaptation of Central Acts and Ordinance) Order, 1948, and Adaptation of Laws Order, 1950.

<sup>4</sup>Substituted for "Part B States" by Adaptation of Laws (No. 2) Order, 1956. This Act has been extended to Pepsu Territories by Punjab Act 30 of 1958.

<sup>5</sup>The word "and" at the end of sub-section (1) and whole of sub-section (3) rep. By the Repealing and Amending Act, 1914 (10 of 1914) s. 3 and Sch. II.

<sup>6</sup>Substituted by Government of India (Adaptation of Indian Laws Order, 1937, for "by or on behalf of Her Majesty the Queen Empress, Her heirs or successors or by or on behalf of Secretary of State for India, in Council".

3. **Government Grants to take effect according to their tenor** - All provisions, restrictions conditions and limitations ever contained in any such grant or transfer as aforesaid shall be valid and take effect according to their tenor, any rule of law statute or enactment of the Legislature to the contrary notwithstanding.



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## Government Grants Act,1895

Act No : 15

### Section : Title and extent.



THE GOVERNMENT GRANTS ACT, 1895 ACT NO. 15 OF 1895 1\*[10th October, 1895.]An Act to explain the Transfer of Property Act, 1882, so far as relates to grants from the 2\*[Government], and to remove certain doubts as to the powers of the 2\*[Government] in relation to such grants. WHEREAS doubts have arisen as to the extent and operation of the Transfer of Property Act, 1882 (4 of 1882), and as to the power of the 2\*[Government] to impose limitations and restrictions upon grants and other transfers of land made by it or under its authority, and it is expedient to remove such doubts; It is hereby enacted as follows:- 1. Title and extent.-(1) This Act may be called the 2\*[Government] Grants Act, 1895. (2) It extends to the whole of India except 3\*[the territories which, immediately before the 1st November, 1956, were comprised in Part B States] 4\*\*\*. 4\* \* \* \* \*



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## Government Grants Act,1895

Act No : 15

### Section : Transfer of Property Act, 1882, not to apply to Government grants.



2. Transfer of Property Act, 1882, not to apply to Government grants.-Nothing in the Transfer of Property Act, 1882 (4 of 1882), contained shall apply or be deemed ever to have applied to any grantor other transfer of land or of any interest therein heretofore made or hereafter to be made 5\*[by or on behalf of the Government] to, or in favour of, any person whomsoever; but every such grant and transfer shall be construed and take effect as if the said Act had not been passed.



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## Government Grants Act,1895

Act No : 15

### Section : Government grants to take effect according to their tenor.



3. Government grants to take effect according to their tenor.-Allprovisions, restrictions, conditions and limitations over contained inany such grant or transfer as aforesaid shall be valid and take effectaccording to their tenor, any rule of law, statute or enactment of theLegislature to the contrary notwithstanding.-----1 This Act has been partially extended to Berar by the Berar LawsAct, 1941 (4 of 1941).The Act has been amended in- (i) Uttar Pradesh by U.P. Act 9 of 1959, s. 2 & Sch. (ii) Madhya Pradesh by M.P. Act 16 of 1971; (iii) Mysore by Mysore Act 13 of 1973.2 Subs. by the A. O. 1950, for "Crown".3 Subs. by the Adaptation of Laws (No. 2) Order, 1956, for "Part BStates".4 The word "and" at the end of sub-section (2), and sub-section(3), rep. by Act 10 of 1914, s. 3 and Sch. II.5 Subs. by the A. O. 1937, for "by or on behalf of Her Majesty theQueen Empress, Her heirs or successors, or by or on behalf of theSecretary of State for India in Council".-----Rep, in its application to Malabar District of Kerala by Kerala Act 30of 1960.The Act as been extended to, and brought into force in Dadra andNagar Haveli (w.e.f. 1-7-1965) by Reg. 6 opf 1963, s. 2 & Sch. I.The Act as been extended to- (i) Goa, Daman Diu by Reg. 11 of 1963, s. 3 & Sch.; (ii) Union territory of Laccadive, Minicoy and Amindivi Islands(w.e.f. 15-10-1970), vide Reg. 2 of 1970, s. 2 & Sch.

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