



**The Bengal, Agra and Assam Civil Courts (Uttar Pradesh Amendment and
Supplementary Provisions) Act, 1995**

Act 25 of 1995

Keyword(s):

Civil Courts, Civil Judge, Munsif, District Judge

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Dated Lucknow, August 25, 1995

In pursuance of the provisions of clause (3) of Article 343 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Bengal, Agra and Assam Civil Nyayalaya (Uttar Pradesh Sanshodhan Anuprak Upbandh) Adhiniyam, 1995 Uttar Pradesh Adhiniyam Sankya 25 of 1995) as passed by the Uttar Pradesh Legislature and assented to by the President on August 24, 1995.

**THE BENGAL, AGRA AND ASSAM CIVIL COURTS (UTTAR
PRADESH AMENDMENT AND SUPPLEMENTARY PROVISIONS)
ACT, 1995**

(U. P. Act no.25 of 1995)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Bengal, Agra and Assam Civil Courts Act, 1887 in its application to Uttar Pradesh.

IT IS HEREBY enacted in the Forty-sixth Year of the Republic of India as follows :—

1. (1) This Act may be called the Bengal, Agra and Assam Civil Courts (Uttar Pradesh Amendment and Supplementary Provisions) Act, 1995.

Short title, extent and commencement

(2) It shall extend to the whole of Uttar Pradesh.

(3) It shall come into force on January 13, 1995.

2. In the Bengal, Agra and Assam Civil Courts Act, 1887 hereinafter referred to as the principal Act,—

Amendment of Act No. 12 of 1887

(a) in Sections 3, 4, 6, 10, 11, 13, 18, 21, 22, 23, 24 and 25, for the words "Civil Judge" and "Civil Judges" wherever occurring, the words "Civil Judge (Senior Division)" and "Civil Judges (Senior Division)" shall respectively be substituted ;

(b) in Sections 3, 4, 13, 19, 21, 22, 23, 24 and 25, for the words "Munsif" and "Munsifs" wherever occurring, the words "Civil Judge (Junior Division)" and "Civil Judges (Junior Division)" shall respectively be substituted ;

(c) for the existing marginal headings to the sections shown in Column I of the table below, the marginal headings as shown in Column II thereof shall be substituted, namely:—

TABLE

Section		Marginal headings as hereby substituted
I	II	
4	Number of District Judges	Civil Judges (Senior Division) and Civil Judges (Junior Division)
6	Vacancies among District or Civil Judge (Senior Division)	
11	Transfer of proceedings on vacation of office of Civil Judge (Senior Division)	
18	Extent of original jurisdiction of District or Civil Judge (Senior Division)	
19	Extent of jurisdiction of Civil Judge (Junior Division)	
21	Appeals from Civil Judges (Senior Division) and Civil Judges (Junior Division)	
22	Power to transfer to Civil Judges (Senior Division) appeal from Civil Judges (Junior Division)	
23	Exercise by Civil Judge (Senior Division) or Civil Judge (Junior Division) of jurisdiction of District Court in certain proceedings	
25	Power to invest Civil Judges (Senior Division) and Civil Judges (Junior Division) with Small Cause Court Jurisdiction.	

Supplementary provisions

3. With effect from the commencement of the Bengal, Agra and Assam Civil Courts (Uttar Pradesh Amendment and Supplementary Provisions) Act, 1995 any reference to the Civil Judge or Munsif in:—

- (a) any Uttar Pradesh Act;
- (b) any Central Act relating to matters in respect of which the State Legislature has powers to make laws;
- (c) any notification, order, scheme, rule, regulation or bye-law issued or made under the Acts referred to in clauses (a) and (b); or
- (d) any rule made by the High Court under Article 227 of the Constitution,

shall be construed as reference to the Civil Judge (Senior Division) or Civil Judge (Junior Division), as the case may be.

Repeal and savings

4. (1) The Bengal, Agra and Assam Civil Courts (Uttar Pradesh Amendment and Supplementary Provisions) (Second) Ordinance, 1995 is hereby repealed.

U. P. Ordinance no. 17 of 1995

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1) or Bengal, Agra and Assam Civil Courts (Uttar Pradesh Amendment and Supplementary Provisions) Ordinance, 1995, shall be deemed to have been done or taken under the provisions of the corresponding provisions of the principal Act, as amended by this Act, as if the provisions of this Act were in force at all material times.

U. P. Ordinance No. 3 of 1995

By order,
N. K. NARANG
Pramukh Sachiv,