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**Bihar Kolhan Civil Justice (Regulating And Validating) Act,  
1978****8 of 1978****CONTENTS**

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**SCHEDULE 1 :- SCHEDULE I****Bihar Kolhan Civil Justice (Regulating And Validating) Act,  
1978****8 of 1978**

An Act to Regulate the Administration of Civil Justice and validate certain past actions in the Kolhan with the Exception of the Areas comprised within the Municipality of Chaibassa in the Sadar Sub-division of the District of Singhbhum Be, it enacted by the Legislature of the State of Bihar in the Twenty ninth Year of the Republic of India as follows:-- 1. Received assent on 23rd August, 1978 and published in Bihar Gazette, Extra-ordinary No. 734, dated September 6, 1978.

**1. Short Title :-**

This Act may be called the Bihar Kolhan Civil Justice (Regulating and Validating) Act 1978.

**2. Regulation And Validation Of Certain Past Action In The Kolhan With The Exception Of Chaibassa Municipality In The Sadar Subdivision Of The District Of Singhbhum :-**

(1) Notwithstanding anything contained in any other law for the time being in force any judgment, decree or order of any Court, the officers mentioned in Column 1 of the Schedule shall, in regard to the trial of civil suits and proceedings arising within the local limits

of the Kolhan with the exception of the areas comprised within the Municipality of Chaibassa in the Sadar Sub-division of the District of Singhbhum and hearing of appeals or petitions for review or revision arising therefrom, be deemed to have validly exercised the powers which the officers, mentioned in the corresponding entries in Column 2 thereof exercised under the Wilkinsons Rule and under Regulation XIII of 1838, and no order, judgment or decree passed by them shall be deemed to be invalid or shall be called in question in any Court or proceeding whatsoever merely on the ground that they were not so empowered. (2) Where any judgment, decree or order in any appeal or proceeding has been set aside by any Court merely on the ground that the said officer had no power or authority to Act under the said Rule, the Court which set aside the judgment, decree or order shall on an application made to it within six months from the date of the commencement of this Act shall set aside its previous order and shall proceed to hear the suit, appeal or proceeding again and in case there has been any order for remand on such ground all subsequent proceedings after the remand shall be deemed to have terminated.

### **3. Indemnity :-**

No suit or other legal proceeding whatsoever whether civil or criminal, shall lie in any Court against any office or servant of the Government in respect of any order, judgment, or decree for any Act or thing which has been in good faith done or had been intended to be done by the said officer or servant of the Government purporting to Act under Wilkinsons Rules at any time prior to the commencement of this Act on the ground that said officer or the servant was not lawfully empowered to exercise any power under the said Rules.

### **4. Repeal :-**

The Kolhan Civil Justice (Regulating and Validating) Act, 1966 (Bihar Act III of 1967), is hereby repealed.

### **5. Repeal And Saving :-**

(1) The Bihar Kolhan Civil Justice (Regulating and Validating) Ordinance, 1978 (Bihar Ordinance No. 7 of 1978), is hereby repealed. (2) Notwithstanding such repeal anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act were in force on the day on which such thing or action was done or

taken.

SCHEDULE 1

SCHEDULE I

(See Section 2)

<b>Column 1</b>	<b>Column 2</b>
(a) Kolhan Superintendent or Kolhan Second Officer or Kolhan Third Officer or Deputy Collector-in-Charge of Land Reforms or any other Officer authorised by the Deputy Commissioner of Singhbhum to try civil suits and proceedings of the value not exceeding five thousand rupees.	Munsif.
(b) Deputy Commissioner or Additional Deputy Commissioner of Singhbhum or any officer authorised by the Deputy Commissioner of Singhbhum to try civil suits and proceedings of the value exceeding five thousand rupees and to hear appeal arising from the judgments of the officers mentioned in Column 1 above.	Assistant to the Governor-General's Agent.
(c) Commissioner of Chota Nagpur Division.	Governor-General's Agent.