



Government of India Act 1935

1935 CHAPTER 2

PART IX

THE JUDICATURE.

CHAPTER I

THE FEDERAL COURT.

204 Original jurisdiction of Federal Court.

- (1) Subject to the provisions of this Act, the Federal Court shall, to the exclusion of any other court, have an original jurisdiction in any dispute between any two or more of the following parties, that is to say, the Federation, any of the Provinces or any of the Federated States, if and in so far as the dispute involves any question (whether of law or fact) on which the existence or extent of a legal right depends:

Provided that the said jurisdiction shall not extend to—

- (a) a dispute to which a State is a party, unless the dispute—
- (i) concerns the interpretation of this Act or of an Order in Council made thereunder, or the extent of the legislative or executive authority vested in the Federation by virtue of the Instrument of Accession of that State; or
 - (ii) arises under an agreement made under Part VI of this Act in relation to the administration in that State of a law of the Federal Legislature, or otherwise concerns some matter with respect to which the Federal Legislature has power to make laws for that State; or
 - (iii) arises under an agreement made after the establishment of the Federation, with the approval of His Majesty's Representative for the exercise of the functions of the Crown in its relations with Indian States, between that State and the Federation or a Province, being an agreement which expressly provides that the said jurisdiction shall extend to such a dispute;

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- (b) a dispute arising under any agreement which expressly provides that the said jurisdiction shall not extend to such a dispute.
- (2) The Federal Court in the exercise of its original jurisdiction shall not pronounce any judgment other than a declaratory judgment.