

Specific Relief Act 1963

Part I - Preliminary

- (1) This Act may be called the Specific Relief Act, 1963.
- (2) It extends to the whole of India except the State of Jammu and Kashmir.
- (3) It shall come into force on such date ¹ as the Central Government may, by notification in the Official Gazette, appoint.

1. It came into force on 1st March, 1964 vide Notification No. S.O. 189, dated 13th January, 1964, Gazette of India, Pt. II, Section. 3 (ii), p. 214.

Section 2 - Definitions

In this Act, unless the context otherwise requires,--

- (a) "Obligation" includes every duty enforceable by law;
- (b) "Settlement" an instrument (other than a will or codicil as defined by the Indian Succession Act, 1925) whereby the destination or devolution of successive interests movable or immovable property is disposed of or is agreed be disposed of;
- (c) "trust" has the same meaning as in section 3 of the Indian Trusts Act, 1882, and includes an obligation in the nature of a trust within the meaning of Chapter IX of that Act;
- (d) "trustee" includes every person holding property in trust;
- (e) all other words and expression used herein, but not defined, and defined in the Indian Contract Act 1872, have the meanings respectively assigned to them in that Act.

Section 3 - Savings

Except as otherwise provided herein, nothing in this Act shall be deemed--

- (a) to deprive any person of any right to relief, other than specific performance, which he may have under any contract; or
- (b) to affect the operation of the Indian Registration Act, 1908, on documents.

Section 4 - Specific relief to be granted only for enforcing individual civil rights and not for enforcing penal laws

Specific relief can be granted only for the purpose of enforcing individual civil rights and not for the mere purpose of enforcing a penal law.

