<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title or subject</th>
</tr>
</thead>
<tbody>
<tr>
<td>1910</td>
<td>1</td>
<td>The Ajmer Courts (Amendment) Regulation, 1910</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>The Burma Laws Act, Kachin Hill Tribes Regulation and Chin Hills Regulation Amendment Regulation, 1910</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>The Aden Arms (Sea-traffic) Regulation, 1910</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>The Sonthal Parganas Rural Police Regulation 1910</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>The British Baluchistan Bazars Regulation, 1910</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>The Upper Burma Oil-fields Regulation, 1910</td>
</tr>
<tr>
<td>1911</td>
<td>1</td>
<td>The North-west Frontier Gazette Regulation, 1911</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>The Ajmere Talukdars Loan Regulation, 1911</td>
</tr>
<tr>
<td>Year</td>
<td>Number</td>
<td>Regulation</td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
<td>------------</td>
</tr>
<tr>
<td>1911</td>
<td>3</td>
<td>The Hazare Forest Regulation, 1911</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>The Coorg Land and Revenue (Amendment) Regulation, 1911</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>The Coorg District Fund (Amendment) Regulation, 1911</td>
</tr>
<tr>
<td>1912</td>
<td>1</td>
<td>The Laccadive Islands and Minicoy Regulation, 1912</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>The North-West Frontier Province Law and Justice (Amendment) Regulation, 1912</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>The Assam Forest (Amendment) Regulation, 1912</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>The Santhal Pargamas Justice (Amendment) Regulation</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>The British Baluchistan Forest (Amendment) Regulation, 1912</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>1913</td>
<td>1</td>
<td>The Coorg District Fund (Amendment) (Regulation) 1913.</td>
</tr>
<tr>
<td>2</td>
<td>The British Baluchistan Laws Regulation 1913.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>The Angul Laws Regulation, 1913</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>The Upper Burma Registration Amendment Regulation, 1913</td>
<td></td>
</tr>
<tr>
<td>1914</td>
<td>1</td>
<td>The Coorg Noxious Weeds Regulation, 1914</td>
</tr>
<tr>
<td>2</td>
<td>The Ajmere Repealing and Amending Regulation, 1914</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>The Ajmer Alienation of Land Regulation, 1914</td>
<td></td>
</tr>
</tbody>
</table>
REGULATION NO. I OF 1910.

Regulation further to amend the Ajmer Courts Regulation, 1877.

[Regulation of the Governor General on the 10th February, 1910; and published in the Gazette of India on the 17th.]

WHEREAS it is expedient further to amend the Ajmer Courts Regulation, 1877; It is hereby 1 of 1877. enacted as follows:—

1. This Regulation may be called the Ajmer (Amendment) Regulation, 1910.

2. In sections 5, 11, 13, 14 (a), 29 and 30 of the Ajmer Courts Regulation, 1877, the words "with the previous sanction of the Governor General in Council", and in section 11 of the same Regulation, the words "with like sanction", shall be omitted.

(Price one anna.)

CALCUTTA: PRINTED BY SUPP'T. GOVT. PRINTING, INDIA, 8, HASTINGS STREET.
REGULATION NO. II OF 1910.

A Regulation to amend the Burma Laws Act, 1898, the Kachin Hill-Tribes Regulation, 1895, and the Chin Hills Regulation, 1896.

[Received the assent of the Governor General on the 4th June 1910; published in the Gazette of India on the 11th June; and in the Burma Gazette on the 9th July 1910.]

WHEREAS it is expedient to amend the Burma Laws Act, 1898, the Kachin Hill-Tribes Regulation, 1895, and the Chin Hills Regulation, 1896; It is hereby enacted as follows:—

1. (1) This Regulation may be called the Burma Laws Act, Kachin Hill-Tribes Regulation and Chin Hills Regulation Amendment Regulation, 1910; and

(2) It shall come into force at once.

2. In section 10, sub-section (1), of the Burma Laws Act, 1898, for the words “with the previous sanction” the words “subject to the control” shall be substituted.

3. In section 1, sub-section (3), of the Kachin Hill-Tribes Regulation, 1895, for the words “with the previous sanction” the words “subject to the control” shall be substituted.

4. In section 3, sub-section (2), of the Kachin Hill-Tribes Regulation, 1895, for the words “with the previous sanction” the words “subject to the control” shall be substituted.

5. In section 3, sub-section (2), of the Chin Hills Regulation, 1896, for the words “with the previous sanction” the words “subject to the control” shall be substituted.

[Price one anna.]

CALCUTTA: PRINTED BY SUPPT. GOVT. PRINTING, INDIA, 8, HASTINGS STREET.
REGULATION No. III of 1910.

[Received the assent of the Governor General on the 14th June 1910; published in the Gazette of India on the 25th idem; and in the Bombay Government Gazette on the 30th idem.]

A Regulation to amend the law relating to restrictions on the sea-traffic in arms, ammunition, military stores and explosives between Aden and places in the Gulf of Aden.

WHEREAS it is expedient to amend the law relating to restrictions on the sea-traffic in arms, ammunition, military stores and explosives between Aden and places in the Gulf of Aden; It is hereby enacted as follows:

1. This Regulation may be called the Aden Arms (Sea-traffic) Regulation, 1910.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(a) "Resident" means the Political Resident at Aden; and

(b) all words and expressions defined in the Indian Arms Act, 1878, or the Indian Explosives Act, 1884, and used in this Regulation shall be deemed to have the meanings respectively assigned to them by those Acts.

3. No vessel shall depart or proceed from Aden or make voyage to any place in the Gulf of Aden without obtaining a port-clearance from such officer as the Resident may appoint in this behalf.

4. Subject to the control of the Governor of Coomoray in Council, the Resident may from time to time prepare and publish a list of selected ports in the

[Price two annas and three pies.]
Aden Arms (Sea-traffic).

The Gulf of Aden and declare that the master of any vessel arriving in Aden from any such selected port must produce a port-clearance, granted by the proper authority at such port, authorizing the vessel to depart or proceed from such port direct to Aden.

5. Subject to the control of the Governor of Bombay in Council, the Resident may from time to time, by published order, declare that any port included in a list published under section 4 shall be deemed to be a "prescribed port", for the purposes of this Regulation, in respect of any specified portion of the coast-line of the Gulf of Aden.

6. (1) When any port has been declared under section 5 to be a prescribed port in respect of any portion of the coast-line of the Gulf of Aden, the Resident may, subject to the control of the Governor of Bombay in Council, prohibit the grant of port-clearance at Aden for voyages to any port on such portion of the coast-line other than a prescribed port.

(2) When port-clearance is granted for a voyage to a prescribed port, it shall only authorise the vessel to depart or proceed from Aden direct to such port.

7. If any vessel—

(a) departs or proceeds from Aden on a voyage to any place in the Gulf of Aden without obtaining a port-clearance as required by section 3, or,

(b) in the case of a voyage to a prescribed port, after leaving Aden and before arriving at the prescribed port, touches at any other place otherwise than by reason of the perils of the sea or other unavoidable accident,

the master and the owner shall, on conviction before a Magistrate, be punishable with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to six months, or both.

8. If any vessel has, within a period of one month immediately before the institution of a prosecution under—
1910.] Aden Arms (Sea-traffic).

under this section in respect of the vessel, carried arms, ammunition, military stores or explosives between any places in the Gulf of Aden without, or in contravention of the terms of,—

(a) a license granted at Aden by such officer as the Resident may appoint in this behalf, or

(b) a pass granted elsewhere by a public official whose designation is included in a list to be prepared and published from time to time by the Resident subject to the control of the Governor of Bombay in Council,

the master and the owner shall, on conviction before a Magistrate, be punishable with fine which may extend to five thousand rupees, or with imprisonment for a term which may extend to three years, or with both.

9. If any vessel arrives in Aden from any port mentioned in a list published under section 4,—

(a) without having a port-clearance granted by the proper authority at such port, or

(b) having touched after leaving any such port and before arriving in Aden at any other place otherwise than by reason of the perils of the sea or other unavoidable accident,

the master and the owner shall, on conviction before a Magistrate, be punishable with fine which may extend to one thousand rupees, or with imprisonment for a term which may extend to six months, or with

9. (1) Where the owner or master of a vessel is charged with any offence punishable under section 7, section 8 or section 9, the Resident may, by order in writing, direct such vessel to be detained, and where the owner or master is sentenced to pay a fine for such offence, and the fine is not paid at the time in the manner prescribed by the order of payment, the Court may, in addition to any other means prescribed by law for enforcing payment, direct that the
1910.]  

Aden Arms (Sea-traffic).

(a) provide for the renewal of any such license, and its cancellation or suspension in the case of any breach of the terms and conditions on and subject to which it is granted;

(b) provide for ascertaining the quantity and description of any arms on board any native vessel;

(c) provide for the marking for the purpose of identification, and the registering, of any arms covered by any such license;

(d) require the person holding or acting under any such license to produce the same, and to produce or account for the arms covered by the same when called upon by an officer of Government so to do; and

(e) provide for the deposit and custody on shore of any arms covered by any such license, while the vessel is in port.

3. In making any rule under this section, the Resident may direct that a breach of it shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to three hundred rupees, or with both.

4. All rules under this section shall be published locally in such manner as the Resident, subject to the control of the Governor of Bombay in Council, may direct.

Explanation.—For the purposes of this section, "vessel" means a vessel fulfilling one of the following conditions, namely:—

(a) it must present the outward appearance of native build or rig; or

(b) it must be manned by a crew of whom the master and the majority of the seamen belong by origin to a country having a sea-coast on the Indian Ocean, the Red Sea or the Persian Gulf.

Aden Arms (Sea-traffic). [Reg. III, 1910.]

Bombay in Council, the Resident may declare that all or any of the provisions of this Regulation shall not apply in the case of any vessel or class of vessels, and may from time to time alter or vary any such declaration.

Repeal.

14. The Aden Sea-traffic in Arms Regulation, III of 1902, is hereby repealed.
REGULATION NO. IV of 1910.

A Regulation to provide for the organization and maintenance of the Rural Police in the Sonthal Parganas.

[Received the assent of the Governor General on the 20th June 1910; published in the Gazette of India on the 25th idem; and in the Calcutta Gazette on the 29th idem.]

WHEREAS it is expedient to provide for the organization and maintenance of the rural police in the Sonthal Parganas; It is hereby enacted as follows:

1. (1) This Regulation may be called the Sonthal Parganas Rural Police Regulation, 1910; and

   (2) It extends to the whole of the Sonthal Parganas, as described in the Schedule to the Sonthal Parganas Act, 1857, and in the Notification of the Governor General in Council, No. 478, dated the 12th March 1872, published at page 240 of Part I of the Gazette of India of the 16th idem.

2. The Local Government may, by notification in the Calcutta Gazette, withdraw this Regulation, or any part thereof, from any portion of the Sonthal Parganas, and may extend this Regulation, or any part thereof, to any portion of the Sonthal Parganas from which the same has been so withdrawn.

3. In this Regulation, unless there is anything beggant in the subject or context,—
   
   (a) "Deputy Commissioner" means the Commissioner of the Sonthal Parganas, and includes any officer appointed by the Local Government to perform the functions of the Deputy Commissioner under this Regulation:

   (b) "under-tenure"
Sonthal Parganas Rural Police. [Reg. IV

(b) "under-tenure" includes also the tenure known as mukarari, shikmi and khor-posh: and

c) "zamindar" means the person whose name is registered in the general register of estate paying revenue directly to the Government as the proprietor of an estate so paying revenue, or the person whose name is registered in the general register of revenue-free lands as the proprietor of a revenue-free tenure, and includes also the ghatwals of Tapah Sarath Deoghur, whose tenures are subject to the provisions of the Bengal Ghatwali Lands Regulation, 1814.

4. The Deputy Commissioner may, from time to time, by order in writing,—

(a) declare any local area of group of houses to be a village for the purposes of this Regulation;

(b) form any of such villages into circles; and

(c) appoint a sardar for each circle:

Provided that, in the Damin-i-Koh and in the ghatwals subject to the provisions of the Bengal Ghatwali Lands Regulation, 1814, the circles shall be so formed as to admit of the duties of sardar being performed by parganaits, sardars or ghatwals as the case may be, according to existing arrangements.

5. (1) The person or persons responsible for performing the duties of sardar in any circle may

appoint a deputy sardar for any period:

Provided that the appointment of any deputy sardar, and the period for which he is appointed, shall be subject to the approval of the Deputy Commissioner.

(2) A deputy sardar may perform any of the duties of the sardar who appointed him, but shall have no claim on the villagers for remuneration unless
less he has a customary right to receive remuneration from them or unless the Deputy Commissioner directs that he be paid by them and not by the sardar who appointed him.

6 The Deputy Commissioner shall determine the number of chaukidars to be employed in each village:
Provided that, without the previous sanction of the Commissioner, there shall not be more than one chaukidar for every sixty houses.

7. The amount required for the salaries and equipment of the sardars, deputy sardars and chaukidars employed under this Regulation shall be determined by the Deputy Commissioner:
Provided as follows:—
(a) the salary of a sardar shall not be less than eight rupees, nor more than twelve rupees, per mensem;
(b) the salary of a deputy sardar shall not be less than six rupees, nor more than eight rupees, per mensem;
(c) the salary of a chaukidar shall not be less than two rupees, nor more than six rupees, per mensem;
(d) in determining the salaries of the sardars, deputy sardars and chaukidars employed as aforesaid, the Deputy Commissioner shall take into consideration the value of any chakran lands which may be held by them, or be provided for them by the zamindars, under-tenure-holders or villagers, and any customary payments made to them by the villagers in money, in produce or in kind.

8. (1) Where a zamindar or under-tenure-holder holds subject to the condition, expressed or implied, of supporting the police within his zamindari or under-tenure, he shall be liable to pay the amount determined by the Deputy Commissioner under section 7:
Provided...
Provided that the Deputy Commissioner may, with the previous sanction of the Commissioner, in any case, after recording his reasons in writing, abstain from enforcing the said liability, or enforce the same only in part.

(2) The amount due under sub-section (1) from any zamindar or under-tenure-holder shall be paid in instalments to be fixed by the Deputy Commissioner; and, if any instalment is not paid on the due date, the Deputy Commissioner shall recover the same by the process prescribed for the recovery of arrears of Government revenue.

9. (1) In cases other than those referred to in section 8, and in cases in which the liability under that section is not enforced or is only partially enforced, the amount required for the salaries and equipment of the sardars or deputy sardars and chaukidars employed under this Regulation, together with a sum, not exceeding two annas in the rupee of that amount, to provide for payment of the costs of collection (including the remuneration of the person making the collection) and the keeping of accounts and for losses from the non-realization of sums from defaulters, shall be assessed on each village.

(2) Every owner or occupier of a house or land in any village, and every zamindar or under-tenure-holder who has a kachahri for the collection of rent within the village, shall be liable to the said assessment.

10. (1) The total amount payable by each village shall be fixed by the Deputy Commissioner; and thereupon the headman or headmen of the village, or, in areas in which there are no headmen, such persons as the Deputy Commissioner may appoint in this behalf, shall prepare a list showing—

(a) the amount payable by each person liable to assessment in the village, and

(b) such customary payments referred to in proviso (d) to section 7 as have not been discontinued
continued by order of the Deputy Commissioner.

(2) If, within three months after the Deputy Commissioner has fixed the amount payable by any village, the said list has not been prepared, the Deputy Commissioner may adopt either or both of the following courses, namely,—

(i) he may impose a daily fine of one rupee on the person whose duty it is to prepare the list, to be paid until the list is prepared;

(ii) he may cause the list to be prepared by such other means as he thinks fit.

(3) Every list prepared under this section shall, with the sanction of the Deputy Commissioner, be published at some conspicuous place within the village to which it relates, and shall remain in force until altered with the sanction of the Deputy Commissioner.

11. The amount at which each person is assessed under section 10, clause (a), shall be fixed according to the circumstances and the property to be protected of that person:

Provided as follows:—

(a) the amount to be assessed on any one person shall not exceed one rupee per mensem in the case of a zamindar, under-tenure-holder or trader, or eight annas per mensem in the case of an ordinary raiyat; and

(b) every person who is, in the opinion of the Deputy Commissioner, too poor to pay half an anna per mensem shall be exempted from assessment.

12. (1) The Deputy Commissioner may, from time to time, alter the amount assessed on any village.

(2) Before the month of October in the year immediately preceding that in which any alteration made under sub-section (1) is to take effect, the Deputy Commissioner shall give notice of the alteration.
tion to the person or persons whose duty it is to prepare the list prescribed by section 10; and thereupon a revised list of the sums payable by each person shall be prepared in the manner prescribed by that section.

13. Any person who is dissatisfied with the amount at which he has been assessed may apply to the Deputy Commissioner, either orally or in writing, for a revision of the assessment; and the Deputy Commissioner may amend, remit or confirm the assessment.

14. Every amount assessed under this Regulation, and all customary payments referred to in section 10, clause (b), shall be realizable by such instalments and on such dates as may be fixed by the Deputy Commissioner.

15. (1) The headman or other person whose duty it is to prepare the list prescribed by section 10 shall collect the amount payable under section 14 by each of the persons named in the list, and shall grant receipts for the same.

(2) In any village in which two or more persons are charged with the duty of preparing the list prescribed by section 10, those persons, or, if they fail to make the appointment, the Deputy Commissioner, shall appoint one of their number to receive the collections from the others and keep the accounts of the collections.

16. The person whose duty it is to make the collections referred to in section 15 shall pay, through such officers and on such dates as the Deputy Commissioner may direct, the dues to meet which the making of such collections is authorized.

17. As soon as may be after any payment has become due under section 14, the person whose duty it is to collect such payments shall prepare a list of the persons who have failed to pay the amounts due from them, and shall apply to the Deputy Commissioner for the attachment and sale of any movable property belonging to the defaulters, at the same time publishing a copy of the list at some conspicuous
arganas Rural Police. [REG. IV]

persons whose duty it is to prepare by section 10; and thereupon sums payable by each person shall manner prescribed by that section. who is dissatisfied with the amount assessed may apply to the Deputy orally or in writing, for a revision; and the Deputy Commissioner or confirm the assessment.

unt assessed under this Regu-stomary payments referred to in (b), shall be realizable by such such dates as may be fixed by the ner.

admin or other person whose the list prescribed by section 10 mount payable under section 14 persons named in the list, and shall he same.

age in which two or more persons the duty of preparing the list ion 10, those persons, or, if they pointment, the Deputy Commis-sent one of their number to receive a the others and keep the accounts

1 whose duty it is to make the d to in section 15 shall pay, and on such dates as the Deputy direct, the due to meet which a collections is authorized.

may be after any payment has section 14, the person whose duty uch payments shall prepare a list of have failed to pay the amounts and shall apply to the Deputy Com-attachment and sale of any move-longing to the defaulters, at the shing a copy of the list at some conspicuous place within the village to which it relates.

18. Where any person whose name has been included in a list of defaulters prepared under section 17 desires to dispute his liability to pay the amount mentioned therein, or any part thereof, he may, within fifteen days of the publication of the copy of the list within the village, apply to the Deputy Commissioner, either orally or in writing, stating the grounds of his objection; and the Deputy Commissioner shall examine his objection and pass such order thereon as he may think fit.

19. (1). Whenever the Deputy Commissioner imposes a fine under section 10, sub-section (2), he may issue a warrant in the form set forth in the Schedule.

(2) If any person whose duty it is to make the collections referred to in section 15, fails to pay any dues as directed under section 16, the Deputy Commissioner, if he is satisfied that such failure was due to the default of such person, may issue a warrant in the said form.

(3) Whenever the Deputy Commissioner receives a list of defaulters prepared under section 17, he shall, subject to any orders passed under section 18, issue a warrant in the said form.

(4) Every warrant issued under this section shall be signed by the Deputy Commissioner and shall authorize the person therein named in that behalf to recover, by distraint and sale of a sufficient portion of the moveable property of each of the defaulters, other than plough-cattle and tools and implements of trade or agriculture, the amount due from him, together with a sum equal to a proportionate share of the costs of distraint and sale.

20. (1) The person so authorized shall seize and keep in his own custody such portion of the moveable property of the defaulters as he may think sufficient, and shall make an inventory of all moveable property seized, and shall, at the same time, make procla-
tion, by beat of drum, of the time and place where the property will be sold.

(2) The time of sale fixed under sub-section (1) shall be not less than five, nor more than ten, days from the date of the proclamation thereof.

21. Where a defaulter does not, within the time so proclaimed, pay the amount due from him, together with his share of the costs of the distraint, the movable property distraint or a sufficient portion thereof shall be sold by public auction at the time and place so proclaimed, and the proceeds shall be applied to discharge of the said amount and costs, the surplus (if any) being returned to the owner of the distrain property.

22. No amount payable under this Regulation shall be recovered by distraint and sale under the foregoing provisions after the expiration of one year from the date on which the same became due.

23. The Deputy Commissioner may, from time to time, by order in writing, with the previous sanction of the Commissioner, delegate all or any of his powers under this Regulation to any Magistrate subordinate to him, or to the Superintendent of Police, and in like manner withdraw any order so made.

24. All fines levied from sardars and chaukidars under this Regulation shall be credited to a fund to be called the District Chaukidari Reward Fund, over which shall rest with the Deputy Commissioner.

25. (1) The Local Government may make rules to carry out the purposes and objects of this Regulation.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may,

(a) regulate the appointment of sardars, deputy sardars and chaukidars, and their punishment, whether by dismissal, suspension, or fine;

(b) determine the duties to be performed by sardars, deputy sardars and chaukidars;
1910.] Sonthal Parganas Rural Police.

(c) determine and regulate the method and times for paying sardars, deputy sardars and chaukidars their salaries;

(d) provide for the equipment of sardars, deputy sardars and chaukidars;

(e) regulate the mode of assessing and collecting the amounts payable under this Regulation; and

(f) regulate the payment of rewards out of the District Chaukidari Reward Fund.

26. The Sonthal Parganas Rural Police Regulation, 1900, is hereby repealed.
THE SCHEDULE.
(See section 19.)
FORM OF DISTRESS-WARRANT.

To

WHEREAS the several persons named in the following list have made default in payment of the sums in the said list set opposite to their respective names:

You are hereby authorized and required to recover, by distress and sale of a sufficient portion of the moveable property of the said defaulters, the said several sums set opposite to their respective names, together with the additional sums by way of costs mentioned in the said list:

List of Defaulters.

<table>
<thead>
<tr>
<th>Name and description</th>
<th>Amount</th>
<th>When due</th>
<th>Costs</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

Deputy Commissioner.

The 19.

CALCUTTA: PRINTED BY SUPRT. GOVT. PRINTING, INDIA, 8, HASTINGS STREET.
THE BRITISH BALUCHISTAN BAZARS REGULATION, 1910 (V OF 1910).

CONTENTS.

CHAPTER I.

Preliminary.

Sections.
1. Title, extent and commencement.
2. Definitions.

CHAPTER II.

Officers and Servants.
4. Employment of officers and servants.
5. Pensions and other allowances of officials not being Government servants.
   Pensions and other allowances of Government servants.

Contracts.
6. Authority to contract and mode of executing contracts.

Delegation of Authority.

CHAPTER III.

Taxation.
8. Taxes which may be imposed.
10. Water-tax.
11. Notification of and power to abolish and reduce taxes.
12. Power...
Sec
tions.
12. Power to exempt from taxation.
13. Taxes not invalid for defect of form.
15. Receipts to be given.
16. Appeals against taxation.
17. Limitation for appeals.
18. Taxation not to be questioned except under Regulation.
19. Power to examine article liable to octroi.
20. Power to search where octroi is leviable.
21. Presentation of bill for octroi.
22. Recovery of octroi.
23. Taxes leviable under the orders of the Chief Commissioner or the Governor General in Council to be deemed to be taxes under this Regulation.

CHAPTER IV.

BAZAR FUND AND PROPERTY.

27. Investment of same.

CHAPTER V.

POWERS FOR SANITARY AND OTHER PURPOSES.

Streets and buildings.
28. Power to acquire land for building-site adjoining new streets.
29. Power to close streets.
30. Power to permit temporary occupation of streets, etc.
31. Power to attach brackets for lamps.
32. Names of streets and numbers of buildings.
33. Notice of new buildings.
34. Removal of obstructing projections and encroachments.

Bathing
1910. Bazaars (British Baluchistan).

Bathing and washing places.

Sections.
35. Bathing and washing places.

Deposit of offensive matter and slaughter-places.
36. Removal and deposit of offensive matter.
37. Places for slaughter of animals.

Burial and burning places.
38. Powers in respect of burial and burning places.

Inflammable materials.
39. Inflammable materials.

Powers of entry and inspection.
40. Inspection of drains, privies and cesspools.
41. Power to enter and inspect buildings, etc.
42. Other powers of entry on building or land.
43. Power to enter for discovery of vehicles or animals liable to taxation.
44. Power to inspect places for sale of food or drink, etc., and to seize unwholesome articles exposed for sale.
45. Power of entry for purposes of scavenging.
46. Precautions to be observed in entering dwelling.

Water-pipes, privies and drains.
47. Troughs and pipes for rain-water.
48. Provision of privies, etc.
49. Construction, repairing and closing of drains, privies and cesspools.
50. Unauthorized buildings over drains, etc.
51. Renewal of latrines, etc., near any source of water-supply.
52. Power to require drainage, etc., of unwholesome land, etc.

Dangerous buildings and places.
53. Power to require buildings, wells, tanks, etc., to be secured.
54. Buildings, etc., in ruinous or dangerous state.

Buildings...
Buildings and grounds in unsanitary condition.

Sections.

55. Power to require owner to clear away noxious vegetation.
56. Power to trim hedges and trees bordering on streets.
57. Power to have building or land cleansed.
58. Powers in respect of building unfit for habitation.
59. Power to require untenanted building becoming a nuisance to be secured or enclosed.
60. Cultivation, use of manure or irrigation injurious to health, after prohibition.

Registration of trades.

61. Regulation of offensive and dangerous trades.
62. Power to prohibit such trades.
63. Execution of acts required to be done by any notice.
64. Compensation for damage caused by exercise of powers under this Regulation.

Restraint of infection.

65. Information to be given of cholera or small-pox or plague.
66. Removal to hospital of cholera, small-pox and plague patients.
67. Prohibition by Deputy Commissioner of use of unwholesome water.
68. Powers for certain purposes.

CHAPTER VI.

Offences affecting the Public Health, Safety or Convenience.

69. Depositing or throwing earth or materials or refuse, rubbish or offensive matter on roads or into drains.
70. Discharging sewage.
71. Non-removal of filth, etc.
72. Making or altering drains without authority.
73. Penalty for making or keeping latrines, etc., near any source of water-supply.
74. Keeping animals so as to be injurious to health.
75. Feeding animals on deleterious substances.
76. Driving vehicles without proper lights.
77. Discharging
1910.]  Bazaars (British Baluchistan).

Sections.

77. Discharging fire-arms, fire-works, etc.
78. Control of camels.
79. Suffering dogs to be at large.
80. Destruction of mad dogs.
81. Altering, obstructing or encroaching upon streets, etc.
82. Picketing animals and collecting carts.
83. Carrying corpses by prohibited routes or so as to cause annoyance.
84. Destroying direction-posts, lamp-posts, etc.
85. Penalty for disobedience to orders under Chapter V.

CHAPTER VII.

Supplemental.

86. Control.
87. Vaccination.
88. General rules.
89. Rules with respect to disorderly persons.
90. Penalties for breaches of rules under sections 88 and 89 and commencement of such rules.
91. Brothels.
92. Penalty on officer or servant of bazar being interested in contract made with Deputy Commissioner.
93. Suits and prosecutions.
94. Acquisition of land under Act I of 1894.
95. Official not to be deemed interested in prosecution.
96. Conduct of prosecution and enforcement of fines under this Regulation.
97. Recovery of taxes, etc.
98. Irregularities not to invalidate proceedings.
99. Validation of acts done before the commencement of this Regulation.

A Regulation to make better provision for the administration of certain Bazars in British Baluchistan.

[Received the assent of the Governor General on the 21st September 1910; and published in the Gazette of India on the 1st October 1910.]

WHEREAS it is expedient to make better provision for the administration of certain bazars in British Baluchistan; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Regulation may be called the British Baluchistan Bazars Regulation, 1910.

(2) It extends to the whole of British Baluchistan; and

(3) It shall come into force at once, but it shall not be operative except in such local areas as may be declared to be bazars under this Regulation.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

   (i) “bazar” means any local area declared by or under this Regulation to be a bazar:

   (ii) “Chief Commissioner” means the Chief Commissioner of British Baluchistan:

   (iii) “Commissioner” means the Revenue Commissioner in British Baluchistan:

   (iv) “Deputy Commissioner” means the Deputy Commissioner for the time being exercising jurisdiction within a bazar.
and, in the absence of the Deputy Commissioner, such officer as may be appointed, by name or by virtue of his office, by the Chief Commissioner to discharge the duties of the Deputy Commissioner under this Regulation:

(v) "inhabitant" includes any person ordinarily residing or carrying on business or owning or occupying immovable property in a bazar:

(vi) "notification" means a notification published by authority of the Chief Commissioner in the Gazette of India:

(vii) "notified" means published as aforesaid.

(viii) "owner" includes the person for the time being receiving the rent of any land or building, whether on his own account as agent or trustee for any person or society or for any religious or charitable purpose, or who would so receive it if the land or building were let to a tenant:

(ix) "prescribed" means prescribed by rules made by the Chief Commissioner under this Regulation:

(x) "street" includes any way, road, lane, square, court, alley, passage or open space, whether a thoroughfare or not over which the public have a right of way, and also the roadway and footways over any public bridge or causeway.

3. (i) The Chief Commissioner may, by notification, declare any town or village or group of towns or villages, together with or exclusive of any railway-station, building or land in the vicinity of any such town or village or group of towns or villages, to be a bazar, and may in such notification direct that any bazar so declared shall be exempt from the operation of any section of this Regulation:

Provided
(Chapter II.—Officers and Servants.)

Provided that no military cantonment or part of a military cantonment shall, without the consent of the Governor General in Council, be comprised in any such notification:

Provided also that no town or village or group of towns or villages shall be comprised in any such notification if it contains more than ten thousand inhabitants according to the returns of the most recent official census or is a purely agricultural village.

(2) The Chief Commissioner may at any time cancel or modify any notification under sub-section (1).

(3) When by reason of any order of cancellation under the last foregoing sub-section any area ceases to be a bazar under this Regulation, the unexpended proceeds of any taxes levied therein shall be applied for the benefit of the inhabitants of the said area as the Chief Commissioner may think fit.

CHAPTER III.

OFFICERS AND SERVANTS.

4. Subject to the other provisions of this Regulation and to the general control of the Commissioner and of the Chief Commissioner, the appointment of such officers and servants as may be necessary or proper for the efficient execution of the provisions of this Regulation shall rest with the Deputy Commissioner.

5. (1) In the case of an officer or servant appointed under the preceding section or employed before the commencement of this Regulation who is not a Government official, the Deputy Commissioner may—

(a) grant him leave-allowances;

(b) if

3
(b) if his monthly pay does not exceed ten rupees, grant him a gratuity on resignation or retirement:

(c) with the sanction of the Commissioner, grant him a gratuity or subscribe on his behalf for pension or gratuity under the rules contained in any general or special orders of the Governor General in Council for the time being in force, or purchase for him from the Government or otherwise an annuity on his retirement:

Provided that no pension, gratuity, leave-allowance or annuity shall exceed the sum to which, under any general or special orders of the Governor General in Council for the time being in force, the officer or servant would be entitled if the service had been performed under the Government.

(2) In the case of an officer or servant being an Government official, the Deputy Commissioner may,—

(a) if his services are wholly lent to the Deputy Commissioner for employment in a bazaar, meet any charges prescribed or authorized by any general or special orders of the Governor General in Council, for the time being in force, regarding contributions towards pension or gratuity and leave-allowances; and

(b) if he devotes only a part of his time to the performance of duties connected with a bazaar, meet any such charges as aforesaid in such proportion as may be determined by the Commissioner.

(3) Nothing in this or in any other section of this Regulation contained shall be deemed to prohibit the establishment of a Provident Fund by the officer or servants paid from a Bazar Fund under this Regulation.
1910.] Bazars (British Baluchistan).

(Chapter II.—Officers and Servants. Chapter III.
—Taxation.)

Regulation, not being Government officials, or to
debar the Deputy Commissioner, if otherwise ex-
pressly authorised by the Chief Commissioner in this
behalf, from contributing from the Bazar Fund
towards such Provident Fund at such rates and
under such conditions as the Deputy Commissioner
may, by rules to be confirmed by the Chief Com-
missioner, fix and apportion for such purpose.

CONTRACTS.

6. (1) The Deputy Commissioner may enter into
any contract for work to be performed for the benefit
of a bazar.

(2) Every such contract whereof the value or
amount exceeds fifty rupees shall be in writing.

(3) Every such contract shall be signed by the
Deputy Commissioner.

(4) If a contract to which this section applies is
executed otherwise than in conformity therewith, it
shall not be binding on the Deputy Commissioner.

DELEGATION OF AUTHORITY.

7. The Deputy Commissioner may, by general or
special order, delegate to any officer not below the
rank and status of a Tahsildar all or any of his
powers under Chapters V and VI:

Provided that from any order passed by an officer
so empowered under these Chapters, an appeal shall
lie to the Deputy Commissioner.

CHAPTER III.

TAXATION.

8. (1) Subject to any general rules or special
orders which the Governor General in Council may
make in


Bazars (British Baluchistan). [Reg.]
(Chapter III.—Taxation.)

make in this behalf, the Chief Commissioner may, from time to time, for the purposes of this Regulation and in the manner by this Regulation directed impose any of the following taxes:

(a) a tax on buildings and lands not exceeding seven-and-a-half per centum on the annual value;

(b) a tax on persons practising any profession or art or carrying on any trade or calling in the bazar, not exceeding two-and-a-half per centum on the annual income derived from such practice, trade or calling;

(c) a tax not exceeding four rupees a quarter on every vehicle, animal used for riding, driving, draught or burden, or dog kept within the bazar;

(d) a toll not exceeding one anna on every vehicle and every animal used as aforesaid entering the bazar;

(e) an octroi on animals for slaughter, or goods, or both, brought within the bazar for consumption or use therein;

and, with the previous sanction of the Governor General in Council, any other tax:

Provided that any person may compound for exemption from all tolls leviable in respect of any animal or vehicle under clause (d) of this sub-section by paying the tax which would have been leviable in respect thereof under clause (c) if the same had been kept within the bazar:

Provided also that goods, which are the property of Government at the time of import, shall pass free of any octroi imposed under clause (e) if accompanied by an invoice, with an endorsement signed by the proper Government officer certifying that they are the property of the Government.
Bazaars (British Baluchistan). [Reg. Chapter III.—Taxation.)

In behalf, the Chief Commissioner may, for the purposes of this Regulation directed by this Regulation, direct the Deputy Commissioner to assess any of the following taxes on buildings and lands not exceeding one-and-a-half per cent on the annual value:
1. Persons practising any profession or carrying on any trade or calling in the bazar, not exceeding two-and-a-half per cent on the annual income from such practice, trade or calling;
2. Exceeding four rupees a quarter or quarter of a bazar, not exceeding two-and-a-half per cent on the annual income from such practice, trade or calling;
3. Exceeding one anna on every vehicle or every animal used as aforesaid in the bazar;
4. Animals for slaughter, or goods brought within the bazar for sale or use therein:
5. Persons may compound for all leviable in respect of any clause (d) of this subsection if the person has been notified to that effect and no endorsement signed by the Chief Commissioner certifying that they are leviable in respect thereof.

The Deputy Commissioner may, for the purpose of constructing or maintaining works for the supply of water to a bazar or paying the principal or interest of any loan raised for the construction of such works, impose, in the manner prescribed under this Regulation, a tax, to be called the scavenging-tax, at such rate or of such amount as the Deputy Commissioner may think fit:
Provided that in fixing the rate or amount of such tax regard shall be had to the principle that the total net proceeds of the tax should not exceed the cost of the performance of the said duties.

10. Besides the taxes mentioned in the foregoing sections, the Deputy Commissioner, with the previous sanction of the Chief Commissioner, may, for the purpose of constructing or maintaining works for the supply of water to a bazar or paying the principal or interest of any loan raised for the construction of such works, impose, in the manner prescribed under this Regulation, a tax, to be called the water-tax, upon buildings or lands in a bazar which are so situated that their occupiers can benefit by the works:
Provided that, in fixing the rate of such tax, regard shall be had to the principle that the total net proceeds of the tax, with the estimated income from payments for water supplied from the works under special contracts, should not exceed the amount required for the said purpose.

11. (1) No tax shall come into force until one month after it has been notified.

(2) The notification of and power to reduce taxes.
(2) The Chief Commissioner may, by notification, abolish or reduce in amount any tax imposed under the foregoing sections.

12. (1) The Deputy Commissioner may, by order, exempt in whole or in part from the payment of any such tax any person who, by reason of poverty, may in his opinion be unable to pay the same.

(2) The Governor General in Council may, by order, exempt in whole or in part from the payment of any such tax any person or class of persons or any property or description of property.

13. No tax imposed under this Regulation shall be invalid merely for defect of form; and it shall be sufficient, in the case of any such tax on property, any assessment of value for the purpose of any such tax, if the property taxed or assessed is so described as to be generally known; and it shall not be necessary to name the owner or occupier thereof.

14. Any tax imposed under the foregoing sections and payable periodically shall be payable on such dates and in such instalments (if any) as the Deputy Commissioner may, from time to time, prescribe.

15. For all sums paid on account of any tax under this Regulation a receipt, stating the amount and the tax on account of which it is paid, shall be given, on his application, to the person making the payment.

16. (1) An appeal against the assessment or levying of any tax under this Regulation shall lie to the Commissioner.

(2) Subject to revision by the Chief Commissioner, the order of the appellate authority shall be final.

17. (1) No appeal shall lie in respect of a tax on any building or land in a bazar unless it is preferred within one month after the publication of the notice of assessment to be prescribed under section...
Bazars (British Baluchistan).

(Chapter III.—Taxation.)

88, and no appeal shall lie in respect of any other tax levied under this Regulation unless it is preferred within one month from the time when the demand for the tax is made:

Provided that an appeal may be admitted after the expiration of the period prescribed therefor by this section if the appellant satisfies the appellate authority that he had sufficient cause for not presenting it sooner.

20. If after the imposition of an octroi-tax any person bringing or receiving a conveyance or package within a bazar refuses, on the demand of an officer authorised by the Deputy Commissioner, in this behalf, to permit such officer to inspect the contents of the said article, or any part thereof, or the provincial octroi or local rates, or any other octroi or local rates on any such article, or the goods contained therein, or any part thereof, he may be proceeded against under this Regulation for the recovery of the amount of the said tax, with costs, and no appeal shall lie in respect of any such tax or any part thereof unless it is preferred within one month from the time when the demand for the tax is made:

Provided that an appeal may be admitted after the expiration of the period prescribed therefor by this section if the appellant satisfies the appellate authority that he had sufficient cause for not presenting it sooner.

(a) permit that officer to inspect, examine, weigh or otherwise deal with the article; and

(b) communicate to that officer any information and exhibit to him any bill, invoice or document of a like nature that he may possess relating to the article.
of the conveyance or package for the purpose of ascertaining whether it contains any articles in respect of which octroi is payable, such officer may cause the conveyance or package to be taken without unnecessary delay before a Magistrate, who shall cause the inspection to be made in his presence.

21. Every officer demanding octroi by authority of the Deputy Commissioner shall tender to every person introducing or receiving any article on which the tax is claimed, a bill specifying the article taxable, the amount claimed and the rate at which the tax is calculated.

22. (1) In case of non-payment of octroi on demand, the officer empowered to collect the same may seize any article on which it is chargeable, or any part thereof of sufficient value to satisfy the demand.

(2) The Deputy Commissioner may, after the lapse of five days from the seizure and the issue of a proclamation fixing the time and date of sale, cause the property so seized, or so much thereof as is necessary, to be sold by auction to satisfy the demand, with the expenses occasioned by the seizure, custody and sale thereof, unless the demand and expenses are paid in the meantime paid:

Provided that articles of a perishable nature may be sold after the lapse of such shorter time as the Deputy Commissioner, having regard to the nature of the articles, may think necessary in order to avoid serious risk or damage.

23. All taxes leviable in a bazar under the orders of the Chief Commissioner or of the Governor General in Council at the time when this Regulation comes into force shall, so far as their imposition and assessment are consistent with this Regulation and within the powers conferred thereby, be deemed to have been imposed and assessed under this Regulation.
Chapter IV.

Bazar Fund and Property.

24. (1) In each bazar there shall be formed a Constitution of Bazar Fund, and there shall be placed to the credit thereof—

(a) all sums received for expenditure on a bazar under this Regulation or otherwise;

(b) all fines realised in cases in which prosecutions are instituted under this Regulation or the rules made thereunder, or under section 34 of the Police Act, 1861, or under the Prevention of Cruelty to Animals Act, 1890, for offences committed within the bazar;

(c) the balance (if any) standing at the credit of any Local Fund existing at the date on which this Regulation becomes operative, for the benefit of the bazar;

(d) the proceeds of such property, moveable and immovable, as may for the time being be administered for the benefit of the Bazar Fund;

and this fund, together with all property purchased at its expense, shall be vested in the Chief Commissioner for the time being; and, subject to the provisions of this Regulation and of the rules made thereunder, and to the control of the Chief Commissioner, the management thereof shall be entrusted to the Deputy Commissioner.

(2) The property referred to in clause (d) of subsection (1) includes—

(a) land or other property acquired by the Deputy Commissioner for local public purposes or under competent authority constituted the property of the Bazar Fund;

(b) dust
Bazars (British Baluchistan). [REG. V
(Chapter IV.—Bazar Fund and Property.)

(b) dust, dirt, sewage, refuse, filth and rubbish of any kind collected under the orders of the Deputy Commissioner from the streets, houses, privies, sewers, cesspools or elsewhere, or deposited in any place separate by him for that purpose.

25. (1) The Deputy Commissioner shall, subject to the provisions of this Regulation, set apart and apply annually out of the Bazar Fund—

(a) first, such sum out of the net proceeds of the octroi receipts as the Governor General in Council may from time to time direct to be paid as a contribution to the fund of any neighbouring cantonment;

(b) secondly, such sum as may be required for the payment of any amounts falling due on any loan legally contracted for, or on behalf of, the Bazar Fund;

(c) thirdly, such sum as may be required to meet the charges of the Bazar Fund establishment, including such subscriptions, contributions and payments as are referred to in section 5.

(2) Subject to the charges specified in sub-section (1) and to such rules as the Chief Commissioner may make with respect to the priority to be given to several calls thereon, the Bazar Fund shall be applicable to the payment, in whole or in part, of the charges and expenses incidental to the following matters within the Bazar, namely:

(a) the construction, maintenance, improvement, cleansing and repair of public streets, bridges, drains, latrines and water courses;

(b) the watering and lighting of such streets and any of them;

(c)
1910.] Bazaars (British Baluchistan).

(Chapter IV.—Bazar Fund and Property.)

(c) the construction, establishment and maintenance of rest-houses, markets, pounds and other works of public utility;

(d) grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper asylums and other educational or charitable institutions;

(e) the supply, storage and preservation from pollution of water for the use of men or animals;

(f) the planting and preservation of trees and gardens;

(g) the taking of a census, the registration of births, marriages and deaths, public vaccination and any other sanitary measure;

(h) the destruction of stray and ownerless dogs;

(i) all acts and things which are likely to promote the safety, health, welfare or convenience of the inhabitants, or expenditure which may be declared by the Deputy Commissioner, with the sanction of the Commissioner, to be an appropriate charge on the Bazar Fund.

26. (1) In places where there is a Government treasury or sub-treasury, the Bazar Fund shall be kept in such treasury or sub-treasury.

(2) In places where there is no such treasury or sub-treasury, the Bazar Fund may be kept in such treasury or sub-treasury as may be appointed by the Commissioner.

27. (1) The Deputy Commissioner may, from time to time, with the previous sanction of the Chief Commissioner, invest any portion of the Bazar Fund in securities of the Government of India or such other securities as the Governor General in Council may, from time to time, approve in this behalf, and may vary such investments for others of a like nature.
nature, and may, with like sanction, realise any investments made under this sub-section.

(2) The income resulting from the securities and the proceeds of the sale of the same shall be credited to the Bazar Fund.

CHAPTER V.

POWERS FOR SANITARY AND OTHER PURPOSES.

Streets and buildings.

28. When any land in a bazar is required for a new street or for the improvement of an existing street, the Deputy Commissioner may cause to be acquired, in addition to the land to be occupied by the street, the land necessary for the sites of the buildings to be erected on the sides of the street.

29. The Deputy Commissioner may close temporarily any streets or parts thereof for any public purpose, and with the Chief Commissioner’s permission may divert, discontinue or permanently close any street.

30. The Deputy Commissioner may grant permission in writing for the temporary occupation of any street for the purpose of depositing any building materials or making any temporary excavation there-in or erection thereon, subject to such conditions and the payment of such fees as he may prescribe, and may at his discretion withdraw such permission.

31. The Deputy Commissioner may attach to the outside of any building brackets for lamps in such manner as not to cause injury thereto or inconvenience.

32. (1) The Deputy Commissioner may name any street, and cause that name and likewise any number to be affixed on any building, and may from time to time cause the same to be altered.

(2) Whoever
(2) Whoever destroys, pulls down, alters or defaces any such name or number shall be punishable with fine which may extend to twenty rupees.

33. (1) Every person intending to erect, re-erect, alter or repair any upper storey or other building shall give notice in writing of his intention to the Deputy Commissioner, and shall, if required to do so, submit a plan showing the levels at which the foundations and lowest floor are proposed to be laid and specifications of the works intended to be constructed and the materials to be used, and shall obey any written directions consistent with this Regulation given by the Deputy Commissioner thereupon; and the Deputy Commissioner may prohibit such erection, re-erection, alteration or repair, if in his opinion it is likely to be injurious to the neighbourhood or in respect of free passage or roadway, free circulation of air, facilities of scavenging, ventilation, drainage level, stability, line of frontage or any other matter which the Chief Commissioner may from time to time prescribe:

Provided that no compensation shall be claimable on account of any direction or prohibition under this section.

(2) If the erection, re-erection, alteration or repair of any building is begun without the permission of the Deputy Commissioner, or in disobedience to any direction issued by the Deputy Commissioner under this section, or continued contrary to those directions, the Deputy Commissioner may, by notice in writing, require such building to be altered or demolished, and the person so erecting, re-erecting, altering or repairing shall be punishable with fine which may extend to five hundred rupees.

34. The Deputy Commissioner may, by notice in writing, require the owner or occupier of any building to remove or alter any projection, encroachment, or
or obstruction built or placed against or in front thereof, if the same overhangs or projects into or encroaches on any street, public drain, aqueduct or sewer.

Bathing and washing places.

35. The Deputy Commissioner may set apart suitable places for the purpose of bathing, and may specify the times at which, and the sex of the persons by whom, such places may be used, and may also set apart suitable places for washing animals or clothes, or for any purpose connected with the health, cleanliness and comfort of the inhabitants; and may, by public notice, prohibit bathing, or the washing of animals or clothes, in any public place not so set apart or at times or by persons other than those specified, and all other acts by which water in public places may be rendered foul or unfit for use.

Deposit of offensive-matter and slaughter-places.

36. The Deputy Commissioner may fix places within, or beyond, the limits of a bazar for the deposit of refuse, rubbish or offensive matter of any kind or for the disposal of the dead bodies of animals, and may by public notice give directions as to the time, manner and conditions at, in and under which such refuse, rubbish or offensive matter or the dead bodies of animals may be removed along any street and deposited at such places.

37. (1) The Deputy Commissioner may fix and abolish places either within or beyond the limits of a bazar for the slaughter of animals or any specified description of animals for sale, and may grant and withdraw licenses for the use of such places, or, if they belong to a Bazar Fund, charge rent or fees for the use of the same.

(2) When any such place has been fixed, no person shall slaughter any such animal for sale within a bazar at any other place.

(3) Whoever
(3) Whoever slaughters any such animal at any other place for sale within a bazar shall be punishable with fine which may extend to twenty rupees.

Burial and burning places.

38. (1) The Deputy Commissioner may by public notice order any burial or burning ground which is, in his opinion, dangerous to the health of persons living in the neighbourhood, to be closed from a date to be specified in the notice.

(2) Private burial-places in such burial-grounds may be excepted from the notice, subject to such conditions as the Deputy Commissioner may impose in this behalf.

(3) No burial or burning ground, whether public or private, shall be made or formed after the passing of this Regulation without the permission in writing of the Deputy Commissioner.

(4) Whoever buries or burns, or causes or permits to be buried or burnt, any corpse in any burial or burning ground made or formed contrary to the provisions of this section, or after the date fixed thereunder for closing the same, shall be punishable with fine which may extend to fifty rupees.

(5) The Deputy Commissioner may by public notice prescribe routes for the removal of corpses to burial or burning places.

Inflammable materials.

39. The Deputy Commissioner may, where it appears to him to be necessary for the prevention of danger to life or property, by public notice, prohibit all persons from stacking or collecting wood, straw or other inflammable materials, or placing mats, erecting booths or thatched huts, or lighting fires, in any place or within any limits specified in the notice.
Powers of entry and inspection.

40. (1) The Deputy Commissioner, or any person authorised by him in this behalf, may, after giving six hours' notice in writing to the occupier of any land or building in which any drain, privy or cesspool is situated, inspect any such drain, privy or cesspool at any time between sunrise and sunset, and may, if necessary, cause the ground to be opened wherever he may think fit for the purpose of preventing or removing any nuisance arising therefrom.

(2) If on such inspection it appears that the opening of the ground was necessary for the prevention or removal of a nuisance, the expenses thereby incurred shall be paid by the owner of the land or building or by the occupier, as the Deputy Commissioner may direct; but if it is found that no nuisance exists, or but for such opening would have existed, the ground shall be closed and made good as soon as may be, and the expense of opening, closing and making it good shall be paid from the Bazar Fund.

41. The Deputy Commissioner, or any person authorised by him in this behalf, may, after giving twenty-four hours' notice in writing to the occupier, or, if there is no occupier, to the owner, of any building, at any time between sunrise and sunset, enter and inspect the building, and may by notice direct all or any part thereof to be forthwith internally or externally lime-washed, disinfected or otherwise cleansed for sanitary reasons.

42. The Deputy Commissioner, or any person authorised by him in this behalf, may, after giving twenty-four hours' notice in writing to the occupier, or, if there is no occupier, to the owner, of any building or land at any time between sunrise and sunset—

(a) enter on and survey and take levels of any land;

(b) enter
1910.] Bazars (British Baluchistan).

(Chapter V.—Powers for Sanitary and other Purposes.)

(b) enter, inspect and measure any building for the purpose of valuation; or

(c) enter into any building or any land for the purpose of examining works under construction, of ascertaining the course of sewers or drains, or of executing or repairing any work authorised by this Regulation.

43. The Deputy Commissioner, or any person authorised by him in this behalf, may, at any time between sunrise and sunset, enter and inspect any stable, coach-house or other place wherein there is reason to believe that there is any vehicle or animal liable to taxation under this Regulation, for which a license has not been duly taken out.

44. The Deputy Commissioner, or any person authorised by him in writing in this behalf, may, at all reasonable times, enter into and inspect any market, building, shop, stall or place used for the sale of food or drink for human consumption, or as a slaughter-house, or for the sale of drugs, and inspect and examine any food or drink, animal or drug which may be therein, and, if any article of food or drink or any animal therein appears to be intended for human consumption and to be unfit therefor, may seize and remove the same or may cause it to be destroyed, or to be so disposed of as to prevent its being exposed for sale or used for such consumption;

and, in case any drug is reasonably suspected to be adulterated in such manner as to lessen its efficacy or to change its operation or to render it noxious, may remove the same, giving a receipt therefor, and may cause it to be brought before a Magistrate for inquiry whether any offence has been committed in respect thereof, and for his orders as to its disposal.

45. (1) The
45. (1) The Deputy Commissioner may provide for the performance by servants of the bazar of the duties usually performed by sweepers in respect of any buildings or lands, or of any drains, privies, cesspools or other receptacles for offensive matter pertaining to buildings or land.

(2) Such provision may be made in respect of individual buildings or lands or of buildings or lands generally.

(3) Nothing in this section or section 9 shall be deemed to preclude the Deputy Commissioner from making provision of a different nature for different buildings or lands, and charging scavenging-tax at different rates therefor, or from exempting wholly or in part from such tax at his discretion any individual who has made arrangements to his satisfaction for the performance of the duties aforesaid.

(4) When the Deputy Commissioner has undertaken to provide for the performance of such duties as aforesaid, the persons employed by him to perform the same may enter on the property at all reasonable times so far as may be necessary for the proper discharge of those duties; and the Deputy Commissioner, or any person authorised by him in this behalf, may enter on the property at all reasonable times for the purpose of ascertaining that such duties have been duly performed.

46. When any building used as a human dwelling is entered under this Regulation, due regard shall be paid to the social and religious sentiments of the occupiers, and before any apartment in the actual occupation of any woman, who, according to custom, does not appear in public, is entered under this Regulation, notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing.
Bazars (British Baluchistan).

(Chapter V.—Powers for Sanitary and other Purposes.)

Water-pipes, privies and drains.

47. The Deputy Commissioner may, by notice in writing, require the owner of any building in any street to put up and keep in good condition proper troughs and pipes for receiving and carrying the water from the roof and other parts thereof and for discharging the same, so as not to inconvenience persons passing along the street.

48. (1) The Deputy Commissioner may, by notice in writing, require the owner of any building to provide any privy or cesspool or additional privies or cesspools which should in his opinion be provided for the building.

(2) The Deputy Commissioner may, by notice in writing, require the owner or occupier of any building or land to have any privy provided for the same shut out by a sufficient roof and wall or fence from the view of persons passing by or dwelling in the neighbourhood, or to remove or alter, as he directs, any door or trap-door of a privy opening on to any street or drain.

(3) The Deputy Commissioner may, by notice in writing, require any person employing more than twenty workmen or labourers to provide such latrines and urinals as the Deputy Commissioner may think fit and to cause the same to be kept in proper order and to be daily cleaned.

49. (1) The Deputy Commissioner may by notice in writing, require the owner or occupier of any building or land to repair or alter and put in good order any drain, privy or cesspool or to close any cesspool belonging thereto.

(2) The Deputy Commissioner may, by notice in writing, require any person who constructs any new drain, privy or cesspool without his permission in writing or contrary to his directions or rules or to
the provisions of this Regulation, or who constructs, rebuilds or opens any drain, privy or cesspool which has been ordered to be demolished or closed or not to be made, to demolish such drain, privy or cesspool or to make such alteration therein as he thinks fit.

50. The Deputy Commissioner may, by notice in writing, require any person who, without his permission in writing, newly erects or rebuilds any building over any public sewer, drain, culvert, water-course or water-pipe, to pull down or otherwise deal with the same as he thinks fit.

51. The Deputy Commissioner may, by notice in writing, require any owner or occupier on whose land any drain, latrine, urinal, cesspool or other receptacle for filth or refuse for the time being exists within fifty feet of any spring, well, reservoir or other water-source, to remove or close the same within one week.

52. The Deputy Commissioner may, by notice in writing, require any owner or occupier of any land or building to cleanse, repair, cover, fill up or drain off any private land, well, reservoir, pool or excavation therein which appears to him to be injurious to health or offensive to the neighbourhood.

Dangerous buildings and places.

53. If any building or any well, tank or other excavation is for want of sufficient repair, protection or enclosure dangerous to persons passing by, or dwelling or working in the neighbourhood, the Deputy Commissioner may, by notice in writing, require the owner or occupier thereof to repair, protect or enclose the same; and if it appears to him to be necessary in order to prevent imminent danger, he shall forthwith take such steps as are necessary to avert the danger.

54. If
54. If any building, wall or structure, or any-thing affixed thereto, is deemed by the Deputy Com-missioner to be in a ruinous state or in any way dangerous, he may, by notice in writing, require the owner or occupier thereof forthwith either to remove the same or to cause such repairs to be made to it as he considers necessary for the public safety; and, if it appears to him to be necessary in order to prevent imminent danger, the Deputy Commissioner may forthwith take such steps as are necessary to avert the danger.

Buildings and grounds in unsanitary condition.

55. The Deputy Commissioner may, by notice in writing, require the owner or occupier of any land to clear away and remove any thick or noxious vegetation, jungle or undergrowth which may appear to be injurious to health or offensive to the neighbour-hood.

56. The Deputy Commissioner may, by notice in writing, require the owner or occupier of any land within three days to cut or trim the hedges thereof bordering on any street, or branches of trees growing thereon which overhang any street and obstruct the same or cause danger therein or which so overhang any well, tank or other water-source as to be likely to pollute the water thereof.

57. If the owner or occupier of any building or land suffers the same to be in a filthy or unwhole-some state, the Deputy Commissioner may, by notice in writing, require him within twenty-four hours to cleanse the same or otherwise put it in a proper state.

58. If any building appears to the Deputy Com-missioner to be unfit for human habitation in con-sequence of the want of proper means of drainage or ventilation or for any other sufficient reason, the Deputy Commissioner may, by notice in writing, prohibit the owner or occupier thereof from using the same for human habitation or suffering it to be
so used until the Deputy Commissioner is satisfied that it has been rendered fit for such use.

59. The Deputy Commissioner may, by notice in writing, require the owner or person claiming to be the owner of any building or land which, by reason of abandonment or disputed ownership or other cause, remains untenantable and thereby becomes a resort of idle and disorderly persons or otherwise a nuisance, to secure or enclose the same within a reasonable time to be fixed in the notice.

60. (1) The Deputy Commissioner may, on the report of the Chief Medical Officer of the district that the cultivation of any description of crop or the use of any kind of manure or the irrigation of land in any specified manner in any place within the limits of a bazar is injurious to the health of persons dwelling in the neighbourhood, by notification, prohibit the cultivation of the crop, the use of the manure or the irrigation so reported to be injurious, or regulate such cultivation, use or irrigation by imposing such conditions thereon as may prevent injury:

Provided that, when on any land to which such notification applies the act prohibited has been practised during the five years next preceding the notification in the ordinary course of husbandry, compensation shall be paid from the Bazar Fund to all persons interested therein for any damage caused to them by the effect of such notification.

(2) Whoever cultivates, uses manure or irrigates in disregard of any prohibition or conditions notified under sub-section (1), shall, on conviction by a Magistrate, be punishable with fine which may extend to fifty rupees, and with a further fine which may extend to five rupees for every day after the date of such conviction during which the offence is proved before a Magistrate to have been persisted in.
61. (1) The owner or occupier of every place within a bazar used for any of the following purposes, namely:

- melting tallow, or boiling bones, offal or blood;
- as a soap-house, oil-boiling house, dyeing house or tannery;
- as a brick-kiln, pottery or lime-kiln;
- as any other manufactory or place of business from which offensive or unwholesome smells arise;
- as a yard or depot for trade in hay, straw, thatching grass, wood, coal or other highly inflammable material; or
- as a store-house for kerosine, petroleum, naphtha or any inflammable oil, spirit or explosive substance;

shall register the same in a book to be kept by the Deputy Commissioner for the purpose.

(2) No place shall be newly used for any of the said purposes except under a license from the Deputy Commissioner which shall be renewable annually.

(3) The license shall not be withheld unless the Deputy Commissioner considers that the business which it is intended to establish or maintain would be offensive or dangerous to persons residing in or frequenting the immediate neighbourhood.

(4) The Deputy Commissioner may charge such fees for such licenses and may impose such conditions in respect thereof as he may deem fit.

(5) Whoever without such registration or without a license uses any place for any such purpose shall, on conviction, be punishable with fine which may extend to fifty rupees, and with further fine which may extend to ten rupees for every day during which
which the offence is proved before a Magistrate to have been persisted in after he has been convicted thereof; and the Deputy Commissioner may, after conviction, by notice in writing, direct that the use of such place for such purpose shall be discontinued.

(6) The Deputy Commissioner, or any person specially authorised by him in writing in this behalf, may at any time enter and inspect any place or building which there is reason to believe is used without license for any of the purposes enumerated in this section.

62. (1) If it is shown to the satisfaction of the Deputy Commissioner that any place licensed under section 61 is a nuisance to the neighbourhood or likely to be dangerous to life, health or property, he may, by notice in writing, require the occupier thereof to discontinue the use of the place, or to use it in such manner as will in the opinion of the Deputy Commissioner render it no longer a nuisance or dangerous.

(2) Whoever after such notice has been given uses the place or permits it to be used in disregard of such requisition shall, on conviction, be punishable with fine which may extend to two hundred rupees, and with further fine which may extend to forty rupees for every subsequent day during which the offence is proved before a Magistrate to have been persisted in.

63. (1) When any notice under this Chapter requires any act to be done for which no time is fixed by this Regulation, it shall fix a reasonable time for doing the same.

(2) When the owner or occupier of any land or building fails to comply with the terms of any notice under this Chapter requiring him to do any act upon that land or building, the Deputy Commissioner may, after six hours' notice in writing, cause that act to be done, and may recover the expenses incurred in so doing from the person in default.

64. The
64. The Deputy Commissioner may make compensation out of the Bazar Fund to any person sustaining any damage by reason of the exercise of any of the powers vested in him, his officers and servants under this Regulation, and shall make such compensation where the person sustaining the damage was not himself in default in respect of the matter in respect of which the power was exercised; where the compensation is claimable on account of injury to buildings or land, it shall be calculated with due regard to the provisions of the Land Acquisition Act, 1894.

Restraint of infection.

65. Whoever,—

(a) being a medical practitioner or a person openly and constantly practising the medical profession and in the course of such practice becoming cognizant of the existence of cholera or small-pox or plague in any dwelling other than a public hospital, or, in default of such medical practitioner or person practising the medical profession,

(b) being the owner or occupier of such dwelling, and being cognizant of the existence of cholera or small-pox or plague therein, or, in default of such owner or occupier,

(c) being the person in charge of or in attendance on any person suffering from cholera or small-pox or plague in such dwelling, and being cognizant of the existence of the disease therein,

fails to give information, or gives false information, to the Deputy Commissioner respecting the existence of such disease, shall be punishable with fine which may extend to fifty rupees;

Provided
Provided that a person not required to give information in the first instance but only in default of some other person, shall not be punishable if it be shown that he had reasonable cause to suppose that the information had been, or would be, duly given.

66. When any person suffering from cholera or small-pox or plague is—
(a) without proper lodging or accommodation, or
(b) living in a sarai or other public hostel, or
(c) living in a room or house which he neither owns nor pays rent for, or
(d) lodged in premises occupied by members of two or more families, and any of such occupiers objects to his continuing to lodge in such premises,

the Deputy Commissioner, by any person authorised by him in this behalf, may, on the advice of any medical officer, remove the patient to any hospital or place at which persons suffering from such disease are received for medical treatment, and may do anything necessary for such removal.

67. Should the Deputy Commissioner consider that the water in any well, tank or other place is likely, if used for drinking, to engender or cause the spread of any dangerous disease, he may, by public notice, prohibit the removal or use of such water for drinking.

68. The Deputy Commissioner may, by bye-law and with the previous sanction of the Chief Commissioner,—
(a) prohibit the manufacture or preparation for sale of any specified articles of food or drink in any premises not licensed by the Deputy Commissioner;
(b) regulate the grant and withdrawal of licenses to premises for the manufacture or
1910.] Bazars (British Baluchistan).

(Chapter VI.—Offences affecting the Public Health, Safety or Convenience.)

... or preparation for sale of such specified articles of food or drink;

c) regulate the hours and manner of transport within a bazar of any specified articles of food or drink;

d) fix the places in which any specified article of food or drink may be sold or exposed for sale or the places in which it may not be sold or exposed for sale;

e) fix the conditions on which licenses under this section are to be granted and may be revoked:

Provided that no person shall be punishable for breach of any bye-law made under clause (a) or clause (d) by reason of the continuance of such manufacture, preparation or exposure for sale or sale upon any premises which are, at the time of making of such bye-law, used for such purposes, until he has received from the Deputy Commissioner six months' notice in writing to discontinue such manufacture, preparation or exposure for sale or such sale in such premises.

CHAPTER VI.

Offences affecting the Public Health, Safety or Convenience.

69. Whoever, without the permission of the Deputy Commissioner or in disregard of his orders, throws or deposits, or permits his servants or members of his household under his control to throw or deposit, earth or materials of any description, or refuse, rubbish or offensive matter of any kind upon any street or public place, or into any public sewer or any drain communicating therewith, shall be punishable with fine which may extend to twenty rupees.

70. Whoever...
70. Whoever, without the permission of the Deputy Commissioner, causes or knowingly or negligently allows the water of any sink, sewer, cesspool, or any other offensive matter to pass or be put upon any street or public place or into any sewer or drain not set apart for the purpose, shall be punishable with fine which may extend to twenty rupees.

71. Whoever, being the owner or occupier of any building or land, keeps or knowingly or negligently allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil or filth, or any noxious or offensive matter, in or upon such building or land, or suffers any such receptacle to be in a filthy or noxious state, or neglects to employ proper means to cleanse and purify the same, shall be punishable with fine which may extend to fifty rupees.

72. Whoever, without the permission of the Deputy Commissioner, makes or causes to be made, or alters or causes to be altered, any drain leading into any public sewer or drain under the management of the Deputy Commissioner, shall be punishable with fine which may extend to fifty rupees.

73. Whoever, without the permission of the Deputy Commissioner, makes or keeps for a longer time than one week after notice under section 51, any drain, latrine, urinal, cesspool or other receptacle for filth or refuse within fifty feet of any spring, well, tank, reservoir or other source from which water is or may be derived for public use, shall be punishable with fine which may extend to twenty rupees, and, when a notice has been issued, with a further fine not exceeding five rupees for each day during which the offence is continued after the lapse of the period allowed for removal.

74. Whoever keeps any swine in disregard of any orders which the Deputy Commissioner may give.
give to prevent them from becoming a nuisance, or keeps any other animals so as to be injurious to health or to become a nuisance, shall, on conviction, be punishable with fine which may extend to twenty rupees, and with a further fine which may extend to five rupees for every day after the date of the conviction during which the offence is proved before a Magistrate to have been persisted in.

75. Whoever feeds or allows to be fed any animal which is kept for dairy purposes or may be used for food on deleterious substances, filth or refuse of any kind, shall be punishable with fine which may extend to fifty rupees.

76. Whoever drives any vehicle after dark in any public street or thoroughfare unless the vehicle is properly supplied with lights, or there is sufficient moonlight to render lights unnecessary, shall be punishable with fine which may extend to twenty rupees.

77. Whoever discharges fire-arms or air-guns or lets off fire-works or fire-balloons, or engages in any game in such a manner as to cause danger to persons passing by or dwelling or working in the neighbourhood or risk of injury to property, shall be punishable with fine which may extend to twenty rupees.

78. Whoever, being a camel-driver, omits, on being requested to do so, to remove his camel so far as may be practicable to a safe distance on the approach of a horse, whether ridden or driven, shall be punishable with fine which may extend to twenty rupees.

79. Whoever, being the owner or person in charge of any dog which is likely to annoy or intimidate passengers, neglects to restrain it so that it shall not be at large without a muzzle in any street or public place, shall be punishable with fine which may extend to twenty rupees.

80. (1) The
80. (1) The Deputy Commissioner, by any person authorized by him in this behalf, may destroy or cause to be destroyed or confined, or cause to be confined, for such period as the Deputy Commissioner may direct, any ownerless dog or any dog suffering from rabies or reasonably suspected to be suffering from rabies.

(2) No damages shall be payable in respect of any dog destroyed under this section.

81. Whoever, without the permission of the Deputy Commissioner alters, obstructs or encroaches upon any street or public drain, aqueduct or sewer, or displaces, takes up or alters the pavement or other materials or the fences or posts of any street or public place, or deposits building materials or makes any hole or excavation on or in any street, shall be punishable with fine which may extend to fifty rupees.

82. Whoever, contrary to the orders of the Deputy Commissioner, pickets animals or collects carts on any public ground, or uses any such ground as a halting-place for vehicles or animals of any description or as a place of encampment, or causes or permits animals to stray, shall be punishable with fine which may extend to twenty rupees.

83. Whoever carries a corpse along a prohibited route or in a manner likely to cause annoyance to the public, shall be punishable with fine which may extend to ten rupees.

84. Whoever, without being authorized by the Deputy Commissioner, defaces or disturbs any direction-post or lamp-post, or extinguishes any light in any street or public place, shall be punishable with fine which may extend to twenty rupees.

85. Whoever disobeys any bye-law issued under section 68 or any lawful directions given by public notice or disobeys any written notice lawfully issued under
under the powers conferred by Chapter V or by rules under section 38 or fails to comply with the conditions subject to which any permission was given to him under those powers, shall, if the disobedience or omission is not an offence punishable under any other section, be punishable on conviction with fine which may extend to fifty rupees, and, in the case of a continuing breach, with a further fine which may extend to five rupees for every day after the date of the conviction during which the offence is proved before a Magistrate to have been persisted in:

Provided that when the notice fixes a time within which a certain act is to be done and no time is specified in this Regulation, it shall rest with the Magistrate to determine whether the time so fixed was a reasonable time within the meaning of this Regulation.

CHAPTER VII.

SUPPLEMENTAL.

36. The Deputy Commissioner shall be subject in all respects to the control of the Commissioner and of the Chief Commissioner.

37. The Chief Commissioner may, by notification in the Gazette of India, declare that, from a date to be fixed in the notification, the Vaccination Act, I of 1880, shall apply, so far as it can be made applicable, to a bazar.

38. (i) The Chief Commissioner may from time to time make rules consistent with this Regulation as to—

(a) the assessment and recovery of taxes, fees and monies claimable under this Regulation and for preventing evasion of the same;

(b) the
(b) the authority on which money may be paid from the Bazar Fund, and the management and regulation of any Provident Fund which may be established under section 5, sub-section (5);

(c) the conditions on which property under management of the Deputy Commissioner may be transferred by lease or otherwise;

(d) the control of traffic, public processions and music;

(e) the registration of births and deaths, the regulation of vaccination, compulsory or otherwise, and the taking of a census;

(f) the offences under this Regulation or under rules made thereunder which shall be cognizable by the police; and

(g) generally for the purposes of this Regulation.

(2) The Deputy Commissioner, with the previous sanction of the Chief Commissioner, may by by-law—

(a) render licenses necessary for the proprietors or drivers of vehicles, drawn by animals or persons, kept or plying for hire within the limits of a bazar, and fix the fees payable for such licenses, and the conditions on which they are to be granted and may be revoked; and

(b) limit the rates which may be demanded for the hire of any vehicle, and the loads to be carried by such vehicle when hired within a bazar for a period not exceeding twenty-four hours, or for a service which would ordinarily be performed within twenty-four hours.

89. The Chief Commissioner may make rules for the suppression of mendicancy and of loitering or importuning for the purpose of prostitution, and
for the removal and exclusion from a bazar of disorderly persons, of persons convicted under Chapter XVII of the Indian Penal Code, or ordered under the Code of Criminal Procedure, 1898, to execute a bond for their good behaviour, and of persons whom the Chief Commissioner deems it necessary to exclude from the bazar with or without assigning any reasons for excluding them therefrom.

90. (1) In making any rule or bye-law under either of the two last foregoing sections, the Chief Commissioner or the Deputy Commissioner, as the case may be, may direct that a breach of it shall be punishable on conviction with fine which may extend to fifty rupees, and, when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

(2) No rule or bye-law under either of the said sections shall come into force until it has been notified by the Chief Commissioner or the Deputy Commissioner, as the case may be.

91. On the complaint of three or more inhabitants of a bazar that a house, in their immediate neighbourhood and within the limits of the bazar, is used as a brothel or by disorderly persons of any description to the annoyance of the respectable inhabitants of the vicinity, any Magistrate of the first class having, as such, jurisdiction in the place where the house is situated may summon the owner or tenant of the house to answer the complaint; and on being satisfied that the house is so used, and is a source of annoyance and offence to the neighbours, may order the owner or tenant to discontinue such use of it; and, if he fails to comply with such order within five days, may impose upon him a fine not exceeding twenty-five rupees for every day thereafter on which it is proved that the house has continued to be so used.

92. If
92. If any officer or servant of a bazar is, otherwise than with the permission in writing of the Commissioner, directly or indirectly interested in any contract made with the Deputy Commissioner, he shall be deemed to have committed an offence under section 165 of the Indian Penal Code.

93. No suit or prosecution shall be entertained by any Court against the Deputy Commissioner or any officer or person for anything in good faith done or purporting to be done in pursuance of powers conferred by or under this Regulation on the Deputy Commissioner, officer or person, whether the thing done was or was not authorised by the powers so conferred.

94. Where any land, whether within or without the limits of a bazar, is required for the purposes of this Regulation, the Chief Commissioner may proceed to acquire it under the provisions of the Land Acquisition Act, 1894; and, on payment by the Deputy Commissioner of the compensation awarded under that Act, and of the charges incurred by the Government in connection with the proceedings, the land shall vest in the Chief Commissioner for the time being for the purposes of this Regulation.

95. No Judge or Magistrate shall be deemed to be a party to, or personally interested in, any prosecution for an offence punishable under this Regulation or any rule thereunder or any other enactment within the meaning of section 556 of the Code of Criminal Procedure, 1898, because as Deputy Commissioner he merely approved the prosecution.

96. (1) Subject to such rules as the Chief Commissioner may make under section 88 prescribing the offences which shall be cognizable by the police, no Court shall take cognizance of an offence punishable under this Regulation or rule made thereunder except on the complaint of the Deputy Commissioner or of some person authorised by him in that behalf.

(2) In
(2) In default of payment of any fine imposed under this Regulation or rule made thereunder, the defaulter shall be liable to simple imprisonment for a term not exceeding eight days.

97. Any arrear of any tax or any fee or other money claimable by or on behalf of the Deputy Commissioner may, in addition to any manner provided under section 88, be recovered on application to a Magistrate having jurisdiction within the limits of the bazar by the distress and sale of any moveable property within those limits belonging to the person from whom the money is claimable; and if payable by the owner in respect of any property, moveable or immovable, such arrear shall be a charge on the property.

98. No act done nor any proceeding taken under this Regulation shall be questioned on account of any defect or irregularity not affecting the merits of the case.

99. All acts of executive authority, proceedings, decrees and sentences which have been done, taken or passed in any bazar before this Regulation comes into force by any officer of the Government or by any person acting under his authority, or otherwise in pursuance of an order of the Government and which have been or may hereafter be ratified by the Chief Commissioner, shall be as valid and operative as if they had been done, taken or passed in accordance with law; and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that such acts, proceedings, decrees or sentences were not done, taken or passed in accordance with law.
REGULATION NO. VI OF 1910.

A Regulation to provide for the control of the petroleum-mining industry in Upper Burma.

[Received the assent of the Governor General on the 28th October 1910; published in the Gazette of India on the 29th October 1910; and in the Burma Gazette on the 26th November 1910.]

WHEREAS it is expedient to control and regulate the petroleum-mining industry in Upper Burma; It is hereby enacted as follows:—

1. (1) This Regulation may be called the Upper Burma Oil-Fields Regulation, 1910.

(2) It extends to the whole of Upper Burma; and

(3) It shall come into force on such date as the Local Government may, by notification in the Burma Gazette, prescribe.

2. In this Regulation, unless there is something repugnant in the subject or context,—

(a) "oil-field" means an area which the Local Government has, by notification as aforesaid, declared to be an oil-field for the purposes of this Regulation;

(b) "company" means a company registered under the Indian Companies Act, 1882, or under the Companies (Consolidation) Act, 1908, or any Act thereby repealed, or incorporated by an Act of Parliament or of the Governor General in Council or by Royal Charter or Letters Patent, and carrying on oil-winning operations in an oil-field;

(c) "oil" means petroleum oil, and includes crude oil, refined oil, oil partially refined and any of the products of petroleum;

(d) "well"

[Price two annas and nine pies.]
CALCUTTA
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
8, HASTINGS STREET.
Upper Burma Oil-Fields. [Reg. VI

(3) "well" means an excavation made in the ground for the purpose of extracting oil; and

(5) "flowing well" means a well which flows continuously or intermittently from the well mouth, and includes a pumped well which occasionally flows and a well which only gives gas.

3. (1) The Local Government may, by notification as aforesaid, declare any area to be an oil-field for the purposes of this Regulation, and may define the limits of such area and from time to time alter such limits.

(2) Such limits may extend to any place where oil is stored or pipe-line stations are erected, and to any portion of a foreshore where oil is loaded into flats or boats.

4. (1) The Local Government may appoint an officer of the Government, to be called the Warden, to exercise such powers and perform such duties within any oil-field as may be assigned to him under this Regulation.

(2) The Warden shall be deemed to be a Revenue officer within the meaning of the Upper Burma Land and Revenue Regulation, 1889.

5. (1) The control of all oil-winning operations in an oil-field is vested in the Local Government, which may make rules to regulate all matters connected with such operations.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

(a) define the powers of the Warden;

(b) provide for the appointment by Companies working in an oil-field of responsible local officers, and the duties to be carried out by such officers;

(c) provide for the upkeep of registers, and the submission of records, reports and statistics by persons holding grants or leases from
from the Government of oil-sites or working in an oil-field, and for the inspection of such records by the public or by any persons;

(d) prescribe the manner in which persons owning wells or well-sites shall demarcate such wells or sites, and provide for the preservation of the demarcation marks prescribed;

(e) prescribe the manner in which hand-dug wells shall be protected;

(f) regulate or prohibit the access of any person not employed on any work in the oil-field, or who appears to be present for any vexatious or unlawful object or purpose;

(g) prescribe methods for securing the proper weighing or measurement of the oil produced;

(h) provide for the reporting of fires and accidents which may occur in an oil-field;

(i) prescribe the precautions which persons working on adjacent sites shall take, so as not to interfere with the safety or convenience of persons carrying on oil-winning operations in the neighbourhood or with the lines of communication across the oil-field;

(j) regulate the rights of ingress or egress to and from any site in the oil-field, and the right to transport materials, tools or machinery across any such site or to lay pipes or wires above or below ground across any site belonging to any other person engaged in the oil-industry;

(k) prescribe the measures to be taken to shut off water from wells, whether in use or abandoned;

(l) provide
provide for the prohibition or limitation of the drilling of any well where such drilling might cause danger of flooding to any part of the oil-field; and

(m) provide for the precautions to be taken to detect and prevent the influx of water into the oil-sands.

(3) The Local Government may, by rule, attach to the breach of any rule under this section any punishment not exceeding a fine of five hundred rupees, and if fraudulent intention is proved or actual injury or damage to person or property in the oil-field ensues, any punishment not exceeding imprisonment for a term of six months, or a fine of one thousand rupees, or both.

The Local Government may also, by rule, attach to the breach of any rule made under sub-clause (m) of sub-section (2) the penalty of forfeiture of the grant or lease held by the offender or his employer from Government.

6. (1) The Local Government may make rules for the prevention and extinction of fires in an oil-field or in any specified portion thereof.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

(a) regulate or prohibit the use of naked lights and of lamps other than those of a prescribed description or pattern;

(b) regulate or prohibit smoking and the use or possession of matches;

(c) regulate or prohibit the use of forges and open fires;

(d) regulate or prohibit all or any kind of work by night;

(e) regulate or prohibit the use of steam-boilers;

(f) regulate the use of engines and machinery;

(g) provide for the prohibition within or removal from any area of any construction which might in the opinion of the Warden prove a source of danger to the oil-field.

(h) provide
Upper Burma Oil-Fields.

(h) provide for the disposal of inflammable gases;
(i) regulate or prohibit the use of oil-tanks;
(j) provide for the institution and regulation of fire-brigades, voluntary or otherwise;
(k) prescribe and regulate the use of lightning conductors;
(l) prescribe the use of fire-extinguishers and of fire-extinguishing apparatus;
(m) regulate the position of pipes for the conveyance of oil and for the laying of such pipes underground where necessary;
(n) prescribe the method of dealing with flowing wells;
(o) prescribe the procedure to be adopted when a fire breaks out;
(p) provide for the compulsory cessation or limitation of operations of any kind in order to prevent or limit the spread of fire;
(q) provide for the bringing to the surface of all well-diggers immediately on an alarm of fire;
(r) provide for the construction of gate-valves or stop-cocks on flowing wells and their closure on an alarm of fire being given; and

(s) provide for the maintenance of fire-lines.

(3) The Local Government may, by rule, attach to the breach of any rule under this section any punishment not exceeding a fine of five hundred rupees, and if fraudulent intention is proved or actual injury or damage to person or property in the oil-field ensues, any punishment not exceeding imprisonment for a term of six months, or a fine of one thousand rupees, or both.

(4) The Local Government may also, by rule, attach to the breach of any rule made under clauses (a), (b), (h), (i) and (n) of sub-section (2) the penalty of
of forfeiture of the grant or lease held by the offender or his employer from Government.

(5) The Warden may from time to time define the limits within which all or any of the rules made under this section shall apply.

7. The Local Government may, by notification as aforesaid, declare that all steam-boilers consuming crude oil-fuel in any oil-field shall be subject to the payment of a tax at such rate as may be specified in such notification.

8. Whenever, in the opinion of the Commissioner, the Deputy Commissioner or the Warden, an inquiry ought to be held into the cause of any accident by flooding, explosion or fire, which has been attended with loss of human life or serious injury to person or property, or which was of a description usually attended with such loss or injury, or of any occurrence in connection with the working of any well likely to affect injuriously any part of an oil-field, the Warden may hold an inquiry, and shall for the purposes of conducting such inquiry have all the powers which a Magistrate would have in holding an inquiry into an offence under the Code of Criminal Procedure, 1898.

9. The Warden shall not be deemed, within the meaning of section 556 of the Code of Criminal Procedure, 1898, to be a party to or personally interested in any prosecution for an offence under this Regulation or any rule made thereunder.

10. No suit or criminal prosecution shall lie against any public servant for anything done under this Regulation or in good faith intended to be done under this Regulation.

11. The Government shall not be responsible for any loss or damage which may occur owing to any action taken in good faith by any public servant under this Regulation.

12. Every person empowered by any rules made under section 6, sub-section (2), clause (j), to do any act shall in that behalf for the purposes of Chapter
1910.] Upper Burma Oil-Fields.

X of the Indian Penal Code be deemed to be a public servant within the meaning of section 21 of the said Code.

13. (1) An order made by the Warden under this Regulation shall be subject to review and revision in the same manner and to the same extent as an order of a Revenue-officer under sections 10 and 11 of the Upper Burma Land and Revenue Regulation, 1889.

(2) Save as provided by this section, no appeal shall lie from any order made under this Regulation, but such order shall be final and shall not be liable to be contested by suit or otherwise.

14. The Local Government may revoke any grant or lease and take possession of any well or site in respect of which there has been committed a breach of any rule made under this Regulation to which this penalty may be attached by the Local Government.

15. (1) The power to make rules conferred on the Local Government by sections 5 and 6 shall be subject to the condition of the rules being made after previous publication.

(2) All rules made under this Regulation shall be published in the Burma Gazette, and on such publication shall have effect as if enacted in this Regulation.

16. Notwithstanding anything contained in section 53 of the Upper Burma Land and Revenue Regulation, 1889, a Revenue-officer shall not exercise jurisdiction over any of the following matters, which shall be cognisable exclusively by a Civil Court, namely:

Any claim as between private persons to the ownership or possession of any well or well-site, whether situate on State or other land, or to establish any lien upon or other interest in any such well or well-site, or the rents, profits or produce thereof.
REGULATION NO. I OF 1911.

A Regulation to provide for the substitution of references to the North-West Frontier Gazette for references to the Gazette of India in certain enactments.

[Received the assent of the Governor General on the 13th April 1911; and published in the Gazette of India on the 29th April 1911.]

WHEREAS it is expedient to provide that references to the North-West Frontier Gazette shall be substituted for references to the Gazette of India in certain enactments; It is hereby enacted as follows:—

1. This Regulation may be called the North-West Frontier Gazette Regulation, 1911.

2. In clause (g), sub-section (1), section 6 of the North-West Frontier Province Law and Justice Amendment Regulation, 1901, and in clause (c) of the proviso to section 6 (7), Regulation VII of 1901, and of clause (c) of the proviso to section 2 of Wards Regulation, 1904, for the words “Gazette of India” the words “North-West Frontier Gazette” shall be substituted.

[Price one anna.]
REGULATION NO. II OF 1911.

A Regulation to provide for the grant of loans to indebted Talukdars in Ajmer.

(Received the assent of the Governor General on the 25th May 1911; and published in the Gazette of India on the 27th idem.)

WHEREAS it is expedient to provide for the grant of loans to indebted talukdars in Ajmer; it is hereby enacted as follows:—

1. (1) This Regulation may be called the Ajmer Talukdars Loan Regulation, 1911.

(2) It extends to the territories for the time being administered by the Chief Commissioner of Ajmer.

2. In this Regulation, unless there is anything repugnant in the subject or context, “talukdar” includes istimrardar, jagirdar, and bhumia.

3. Any talukdar may apply in writing to the Commissioner stating that he is subject to, or that his immovable property is charged with, debts of liabilities other than debts due or liabilities incurred to Government, and requesting that he may be granted a loan in accordance with the provisions of this Regulation.

4. The application shall contain a declaration that the applicant has made himself acquainted with the provisions of this Regulation and agrees to abide by them and by the rules made thereunder, and such other particulars as the Chief Commissioner may by rule prescribe, and shall be verified by the applicant in manner required by law for the verification of plaints.

5. The

[Price Two annas and six pies only.]
5. The Commissioner, on receipt of an application under section 3, shall forward the same to the Chief Commissioner. The Chief Commissioner may—

(a) summarily reject such an application, or

(b) direct that the Commissioner proceed to take further action under this Regulation.

6. (1) The Commissioner, on receipt of an order from the Chief Commissioner under section 5, clause (b), shall cause to be published in the Gazette of India, and in such other manner as the Chief Commissioner may by general or special order direct, a notice in English and also in the vernacular, declaring that the applicant has applied for a loan under this Regulation, reciting the provisions of this section and sections 7, 8, 16, 17 and 18, and calling upon all persons having claims against the applicant or his immoveable property to submit a statement of the same in writing within six months from the date of the publication of the notice aforesaid.

(2) Every claim against the applicant or his immoveable property (other than a claim on the part of the Government) not submitted to the Commissioner in compliance with the provisions of sub-section (1) shall, save in the cases provided for by sections 6 and 13 of the Indian Limitation Act, 1908, be deemed for all purposes and on all occasions to have been duly discharged, unless in any suit or proceeding instituted by the claimant or by any person claiming under him in respect of any such claim, it is proved to the satisfaction of the Court that he was unable to comply with the notice published under sub-section (1).

(3) Every claim admitted by the Court under the provisions of sub-section (2) shall, notwithstanding any law, contract, decree or award to the contrary, cease to carry interest after the expiry of six months from the date of the publication of the notice under sub-section (1).

7. With
7. With effect from the date of the publication of a notice under section 6, sub-section (1), the following consequences shall ensue, namely:

(a) the applicant shall be incompetent to transfer or create any charge on, or interest in, his property or any part thereof, or to enter into a contract which may involve him in any pecuniary liability; and

(b) all suits and proceedings in any Civil Court in respect of any claim against the applicant shall be stayed, and no fresh suit or proceeding shall be instituted in respect of any such claim in any Civil Court.

8. Nothing in section 7, clause (a), shall—

(a) apply to debts due or liabilities incurred to the Government,

(b) apply to debts or liabilities which are incurred for necessaries for the maintenance of the applicant or his family, or for the due observance of funeral and other ceremonies to the extent approved by the Commissioner, or

(c) affect the capacity of the applicant to enter into a contract of marriage:

Provided that he shall not incur in connection with such contract of marriage any pecuniary liability except such as the Commissioner, having regard to the personal law to which he is subject, and his rank and circumstances, may in writing declare to be reasonable.

9. Every claimant submitting his claim in compliance with the provisions of section 6, shall furnish together with his written statement of claim, full particulars thereof, and shall produce all documents on which he relies to support his claim.

10. When the period for the submission of statements of claims under section 6 has expired, the Commissioner shall prepare—

(a) a schedule of such claims, and
Ajmer Talukdars Loan.

(b) a statement showing the assets of the applicant, exclusive of the property mentioned in the proviso to section 60 of the Code of Civil Procedure, 1908.

11. The Commissioner may make to any claimant a proposal in writing for the reduction of his claim; and if such proposal, or any modification thereof, as accepted by the claimant, and his acceptance is recorded or attested by the Commissioner, such acceptance shall, in the event of a loan being granted under this Regulation, be conclusively binding upon the claimant.

12. When the Commissioner has completed the consideration of all claims submitted to him, he shall submit to the Chief Commissioner the schedule and statement referred to in section 10, and a report setting out in detail the claims against the applicant which he considers should be met from any loan sanctioned under this Regulation, together with a statement of any composition which has been agreed to by the claimants or by any of them.

13. (1) The Chief Commissioner, on receipt of a report under section 12, shall either—

(a) pass an order rejecting the application, or
(b) grant a loan to the applicant on such conditions regarding repayment and rate of interest as he may prescribe.

(2) If an order is passed under sub-section (1) granting a loan, such order shall specify the liabilities to be discharged by means of the loan.

14. When an order has been passed under section 13 rejecting an application or when an application is withdrawn under section 19 before orders are passed under section 13, the following consequences shall ensue, namely:

(a) all rights and remedies shall revive to any claimants who have accepted a proposal for the reduction of their claims under the provisions
provisions of section 11 as if such agreement had not been entered into; and
(b) in computing the period of limitation applicable to any suit or other proceeding for the recovery of claims due from the applicant, the period from the date of the publication of the notice under section 6, sub-section (I), to the date of the order rejecting the application, shall be excluded.

15 (1) When a loan is granted under section 13, the Commissioner shall forthwith discharge therefrom the liabilities specified under section 13, sub-section (2), and shall notify the date of such discharge in the Gazette of India.

(2) All the rights and remedies of claimants in respect of claims duly submitted under section 6, sub-section (I), which are not discharged by the Commissioner under sub-section (I), shall revive as if no action had been taken under this Regulation; and in computing the period of limitation applicable to any suit or other proceeding for the recovery of such claims, the period from the date of publication of the notice under section 6, sub-section (I), to the date of publication of the notification under sub-section (I), shall be excluded.

16. (1) No suit shall be brought in any Civil Court against any talukdar upon any promise made after he has repaid a loan under this Regulation, to pay any debt contracted during the period between the grant and the repayment of such loan, or upon any ratification made after such loan has been repaid of any promise or contract made during such period, whether there is or is not any new consideration for such promise or ratification.

(2) Nothing in sub-section (I) shall apply to the debts or liabilities specified in section 8.

17. (1) If any talukdar to whom a loan has been granted under this Regulation—

(a) infringes any condition imposed under section 13, sub-section (I), clause (b), or

(b) attempts
Ajmer Talukdars Loan. [Reg. II

(b) attempts to do any act which, under section 7, clause (a), he is incompetent to do,
the Chief Commissioner may by order in writing, declare such talukdar to be disqualified from managing his own property, and such talukdar shall be deemed to be a landholder who is disqualified to manage his own property within the meaning of the Ajmer Government Wards Regulation, 1888, and the Court of Wards shall thereupon assume the superintendence of the property of such talukdar.

(2) The Court of Wards shall withdraw its superintendence from any property of which it has assumed superintendence under sub-section (1) as soon as all loans granted to such talukdar under the provisions of this Regulation have been repaid to Government with the interest thereon.

18. In each of the following cases, namely:—

(c) when a loan made under section 13 has been repaid to Government with the interest thereon, or

(b) when the amount so lent with interest has been recovered by the management of the property under section 17, or

(c) when an order rejecting an application has been passed under section 13,

the Commissioner shall notify, in the Gazette of India and in such other manner as the Chief Commissioner may, by special or general order, direct, that the talukdar has ceased to be subject to the disabilities mentioned in section 7, with effect from the date of the publication of such notification.

19. If an applicant, with regard to whom a notice has been published under section 6, dies before a notification under section 18 has been published—

(a) the proceedings under this Regulation shall be continued as nearly as possible in all respects as if he were still living,

(b) any person succeeding to the whole or any portion of his rights in land shall become subject
subject in respect of those rights to the disabilities imposed by section 7, and shall continue so subject as if he had been the applicant.

20. (1) The Chief Commissioner, subject to the Power to make rules, control of the Governor General in Council, may make rules for the purpose of carrying into effect the provisions of this Regulation.

(2) All rules made under this Regulation shall be published in the Gazette of India, and on such publication shall have effect as if they were enacted in this Regulation.

21. No suit, prosecution or other proceeding shall be entertained in any Court against any public servant for anything done by him in pursuance or execution of this Regulation or done in good faith and in intended execution of this Regulation.
THE HAZARA FOREST REGULATION, 1911
(NO. III OF 1911).

CONTENTS.

CHAPTER I.
PRELIMINARY.

Sections.
1. Short title and extent.
2. Definitions.

CHAPTER II.
RESERVED FORESTS.
3. Management of reserved forests.
4. Reserved forests to be property of Government.
5. Alienation of right in or over reserved forest.
6. Acquisition of right in or over reserved forest.
7. Demarcation.
8. Power to stop ways and water-courses.
10. Forfeiture of implements, cattle and conveyances.
11. Power to constitute new areas as reserved forests.
12. Power to declare forest no longer reserved.

CHAPTER III.
WASTE-LANDS.
15. Power to set apart waste-land for growth of grass, trees or brushwood.
16. Power to set apart waste-land for growth of trees, brushwood or grass on application of landowners.
17. Power

Price seven annas and six pies.
Sections.

17. Power to protect waste-lands from erosion, etc.
18. Appointment of village-forest-officers and issue of management orders.
20. Village-officers and village-forest-officers bound to report acts contrary to the above prohibitions.
21. Treatment of illicit cultivation, etc.
22. Treatment of encroachments on common land.
23. Assessment of cultivation in protected waste.
24. Protection of groves.
25. Protection of cultivation by retaining walls.
26. Treatment of cultivation in dangerous positions on hillsides.
27. Cost of management.

CHAPTER IV.
DUTIES AND FEES.

29. Seigniorage-fees.
30. Power to impose duty on timber.

CHAPTER V.
CONTROL OF FOREST-PRODUCE IN TRANSIT.


CHAPTER VI.
DRIFT AND STRANDED TIMBER.

32. Certain kinds of timber to be deemed the property of Government until title thereto proved.
33. Procedure on claim preferred to such timber.
34. Disposal of unclaimed timber.
35. Government and its officers not liable for damage to such timber.

CHAPTER VII.
CHAPTER VII.

Penalties and Procedure.

Sections.
36. Liability to assist in preventing forest-offences and fires, etc.
37. Burning of forests; joint liability of villagers.
38. Power to close forests that have been burnt or otherwise damaged.
39. Power to close waste-lands in cases of violation of the provisions of the Regulation.
40. Punishment for act in contravention of order passed under section 39.
41. Power to close land illicitly cultivated.
42. Power of seizure of forest-produce unlawfully removed.
43. Punishment for wrongful seizure.
44. Penalty for counterfeiting or defacing marks on trees and timber or altering boundary-marks.
45. Power of arrest.
46. Power to compound offences.
47. Procedure.
48. Jurisdiction.

CHAPTER VIII.

Cattle-Trespass.

49. Cattle-trespass Act to apply.

CHAPTER IX.

Forest-Officers.

50. Conferment on Forest-officers of powers of Deputy Commissioner or Assistant Collector.
51. Conferment on Forest-officers of certain other powers.
52. Forest-officers deemed public servants.
53. Forest-officers not to trade.
CHAPTER X.

SUPPLEMENTAL PROVISIONS.

Sections.

54. Additional power to make rules.
55. Publication of rules in official Gazette.
56. Indemnity for acts done in good faith.
57. Recovery of money due to the Government.
58. Repeal of Hazara Forest Regulation, 1893.

SCHEDULE I.—List of Protected Trees.
SCHEDULE II.—Lands comprising Kaghan Ilaqua.
REGULATION NO. III OF 1911.

A Regulation to consolidate and amend the law relating to reserved forests and waste-lands in the Hazara District.

[Received the assent of the Governor General on the 26th August 1911; published in the Gazette of India on the 2nd September 1911; and in the North-West Frontier Province Gazette on the 6th October 1911.]

WHEREAS it is expedient to consolidate and amend the law relating to reserved forests and waste-lands in the Hazara District; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Regulation may be called the Hazara Forest Regulation, 1911.

   (2) It applies to the whole of the Hazara District with the exception of Upper Tanawal as defined in Regulation II of 1900:

   Provided that the Local Government may, by notification in the official Gazette, exempt any specified area from the operation of its provisions.

   (3) A notification under the proviso to sub-section (2) exempting an area from the operation of this Regulation shall not protect any person committing within the exempted area an act in regard to forest-produce of unexempted areas which, if committed within an area not so exempted, would be an offence.

2. In


2. In this Regulation, unless there is anything repugnant in the subject or context,—

(1) "brushwood" includes all woody plants with the exception of trees as defined below and of the following fruit trees when cultivated:

   pears, apples, plums, apricots, peaches and vines:

(2) "cattle" includes, besides horned cattle, camels, horses, asses, mules, sheep, goats and the young of such animals:

(3) "Deputy Commissioner" means the Deputy Commissioner of the Hazara District or any other officer who may be invested by the Local Government with all or any of the powers of a Deputy Commissioner under or for the purposes of this Regulation:

(4) "estate," "village-officer," "landowner" and "tenant" shall be deemed to have the meanings respectively attributed to them by the Punjab Tenancy Act, 1887, and the Punjab Land-revenue Act, 1887:

(5) "forest-offence" means an offence punishable under this Regulation or under any rule made under this Regulation:

(6) "Forest-officer" means any person whom the Local Government or any officer empowered by the Local Government in this behalf may appoint to carry out all or any of the purposes of this Regulation or to do anything required by this Regulation or any rule made under this Regulation to be done by a Forest-officer:

(7) "forest-produce" includes the following when found in or brought from a reserved forest or from waste-land, namely,
7. Whenever the limits of any reserved forest are not sufficiently indicated by natural marks or other existing boundaries, they shall be demarcated by permanent and conspicuous marks; and the limits of the tracts assigned for the exercise of recorded rights (where such exist) within the reserved forest and also of the portion of the forest attaching to each village for seigniorage purposes shall, where necessary, be similarly demarcated.

8. Any Forest-officer may, with the previous sanction of the Local Government or of any officer duly authorized in that behalf, stop any public or private way or water-course in a reserved forest; provided that a substitute for the way or water-course so stopped, which the Local Government deems to be reasonably convenient, already exists or has been provided or constructed by the Forest-officer in lieu thereof.

9. (i) Whoever—

(a) sets fire to a reserved forest or kindles any fire or leaves any fire burning in such way as to endanger such a forest;
or who, in a reserved forest,—

(b) kindles, keeps or carries any fire;

(c) grazes or drives cattle, or permits cattle to trespass;

(d) cuts, lops, taps or burns any tree or brushwood, or strips off the bark or leaves from or otherwise damages the same;

(e) causes any damage by negligence in felling any tree or cutting or removing any forest-produce;

(f) quarries stone, burns lime or charcoal, or collects or removes any forest-produce;

(g) cultivates any land or clears or breaks up any land for cultivation or any other purpose;

(h) erects
namely, minerals, surface-soil, trees, timber, brushwood, grass, peat, canes, creepers, reeds, leaves, flowers, fruits, roots, bark, honey, wax, lac, gum and resin:

(8) "Kaghan Ilaqa" means the lands of the estates in the Mansehra Tahsil of the Hazara District specified in Schedule II:

(9) "protected waste-land" means waste-land in respect of which an order has been passed under section 14:

(10) "reserved forest" means land which was demarcated as such at settlement or land constituted as such under section 11:

(11) "Revenue Commissioner" means the Revenue Commissioner of the North-West Frontier Province or any other officer who may be invested with the powers of the Revenue Commissioner for the purposes of this Regulation:

(12) "settlement" means the first and second regular settlements of the Hazara District including the Agror Valley:

Provided that in any case where the records of the two settlements do not agree, the term shall be understood to refer to the second regular settlement:

(13) "timber" includes trees when they have fallen or have been felled and all wood of such trees whether cut up or fashioned or hollowed out for any purpose or not:

(14) "tree" means any tree of a kind specified in Schedule I or any other kind that the Local Government may add to that schedule:

(15) "Village-forest-officer" means any person entrusted by the Deputy Commissioner
sioner with any function or charge in the waste-land of villages: and

(16) "waste-land" includes all uncultivated land except reserved forests, graveyards, sacred places, land recorded at settlement as part of the village-site and land shown as fallow ("khali" or "banjar jadid") in annual records.

CHAPTER II.

RESERVED FORESTS.

3. The management of reserved forests is vested in the Forest-officers.

4. Subject only to the rights defined and recorded at settlement and to the payment to the village-landowners of seigniorage-fees as provided in section 29, the reserved forests shall be deemed to be the property of Government and the forest-income accruing from them shall be credited to Government as forest-revenue.

5. No right or privilege in a reserved forest and no produce obtained by its exercise shall be alienated by sale, lease or otherwise except to Government, unless such alienation is expressly permitted in the order defining and recording such right or privilege:

Provided that when any such right or privilege attaches to any land it may be sold or otherwise alienated along with such land.

6. No right of any description shall be acquired in or over a reserved forest except by succession or under a grant or contract in writing made by or on behalf of Government or by or on behalf of some person in whom such right was vested under Regulation II of 1873 or Regulation VI of 1893.

7. Whenever
7. Whenever the limits of any reserved forest are not sufficiently indicated by natural marks or other existing boundaries, they shall be demarcated by permanent and conspicuous marks; and the limits of the tracts assigned for the exercise of recorded rights (where such exist) within the reserved forest and also of the portion of the forest attaching to each village for seigniorage purposes shall, where necessary, be similarly demarcated.

8. Any Forest-officer may, with the previous sanction of the Local Government or of any officer duly authorized in that behalf, stop any public or private way or water-course in a reserved forest: Provided that a substitute for the way or water-course so stopped, which the Local Government deems to be reasonably convenient, already exists or has been provided or constructed by the Forest-officer in lieu thereof.

9. (f) Whoever—

(a) sets fire to a reserved forest or kindles any fire or leaves any fire burning in such way as to endanger such a forest;

or who, in a reserved forest,—

(b) kindles, keeps or carries any fire;

(c) grazes or drives cattle, or permits cattle to trespass;

(d) cuts, lops, taps or burns any tree or brushwood, or strips-off the bark or leaves from or otherwise damages the same;

(e) causes any damage by negligence in felling any tree or cutting or removing any forest-produce;

(f) quarries stone, burns lime or charcoal, or collects or removes any forest-produce;

(g) cultivates any land or clears or breaks up any land for cultivation or any other purpose;

(h) erects
(h) erects any building or makes any enclosure;
(i) enters into a fenced enclosure;
(j) in contravention of any rules which the Local Government may prescribe, shoots or fishes;
(k) sets snares or traps, or poisons water;

shall be punishable with imprisonment for a term which may extend to six months, or with fine not exceeding five hundred rupees, or with both, and shall, in addition thereto, be liable to pay such compensation for damage done to the forest as the convicting Magistrate may direct.

(2) When the person who is in charge of cattle which have been permitted to trespass in contravention of clause (c) of sub-section (1) is a child under the age of sixteen years, the owner of the cattle shall be deemed to be a person who is guilty of an offence within the meaning of that clause.

(3) Nothing in this section shall be deemed to prohibit—

(a) any act done by permission in writing of the Forest-officer or under any rule made by the Local Government, or

(b) the exercise of any right recorded at settlement or created by grant or contract made by or on behalf of the Local Government.

10. The penalty provided in section 9 may, in the discretion of the adjudicating Magistrate, be accompanied by the forfeiture of all implements, cattle or conveyances used in the commission or furtherance of the offence adjudicated; and all forest-produce illicitly obtained shall be restored to the Government Forest Department.

11. If the Local Government considers it advisable to constitute any area as reserved forest beyond that demarcated at settlement, the provisions of the Indian
1911.] Hazara Forests.

(Chapter II.—Reserved Forests. Chapter III.—Waste-lands.)

Indian Forest Act, 1878, Chapter II, sections 3 to 21, shall apply.

12. (1) The Local Government may, with previous sanction of the Governor General in Council, by notification in the official Gazette, direct that, from a date to be fixed by such notification, any reserved forest or portion thereof shall cease to be a reserved forest.

(2) From the date so fixed, such forest or portion shall cease to be reserved; but the rights (if any) which have been extinguished therein shall not revive in consequence of such cessation.

CHAPTER III.

Waste-lands.

13. (1) Subject to the rights and powers of the Government in respect to seigniorage and forest conservancy as defined in this Regulation or in rules made thereunder, and subject also to the claims of right-holders not being owners of the soil, all waste-lands are the property, held jointly or severally, as the case may be, of the land-owners of the village in whose boundaries they are included; and such landowners are entitled to use free of charge for their own domestic and agricultural requirements any trees and forest-produce found in those waste-lands. But they shall have no right or power to sell any trees or brushwood growing in such lands except with the permission of the Deputy Commissioner or other officer authorised by the Government and under such conditions as the Deputy Commissioner or other officer aforesaid may impose; and all such sales shall be subject to payment to the Government of seigniorage-fees as provided by section 29.

(2) The
(2) The claims of right-holders other than landowners of the village shall be recognised to the extent defined and recorded at settlement, or, in case of doubt or dispute, to the extent which may hereafter be defined by the Deputy Commissioner with the sanction of the Local Government, and the exercise of such rights shall be subject to the provisions of this Regulation and the rules made thereunder.

(3) All deodar trees in the Kaghan Ilaga shall be deemed to be the property of the Government, and nothing in this section shall be held to affect the right of the Government thereto.

14. (1) Whenever it appears to be necessary to prohibit the breaking up for cultivation of waste-land or its occupation as sites for sheds, buildings or enclosures in order to the better protection of—

(a) the crests and slopes immediately below the crests of hills within the limits of tree vegetation,

(b) catchment-basins of streams, torrents or ravines,

(c) the banks and beds of rivers, streams, torrents and ravines,

(d) steep slopes,

(e) waste-lands which, though not situated in any of the above positions, are nevertheless of such value or utility for the supply of forest-produce or otherwise that their breaking up or occupation would in the judgment of the Deputy Commissioner be inadvisable,

the Deputy Commissioner may issue orders prohibiting the breaking up or occupation of such waste-land, and defining the area to which such prohibition shall extend, and may cause the limits of such area to be shown on the village-map and to be demarcated.
marked on the ground with boundary-marks so far as may be necessary.

(2) All orders passed by the Settlement-officer under section 11 of the Hazara Forest Regulation, 1893, at the second regular settlement of the Hazara District shall be deemed to be orders passed under this section.

(3) No such order as is referred to in sub-section (1) or sub-section (2) shall be cancelled by the Deputy Commissioner without the sanction of the Revenue Commissioner, but the Deputy Commissioner may from time to time revise such orders by altering the boundary of the protected land so as to exclude any particular plot the protection of which may appear to be unnecessary.

15. (1) If the Deputy Commissioner is of opinion that in any estate the supply of grass, trees or brushwood is not adequate for the present and prospective wants of the residents, he may direct that an area of waste-land not exceeding one-fifth of the total uncultivated area of the estate shall be set apart in a convenient and suitable position, and may record a proceeding providing—

(a) for the prohibition within this area of all or any of the acts detailed in sub-section (1) of section 9;

(b) for the enjoyment of its produce by the residents of the estate and any other right-holders and for the due regulation of that enjoyment;

(c) for the recovery of costs of management of the area from the said residents and right-holders.

(2) No compensation shall be claimable by the owners or other right-holders of such land in respect of any orders passed under this section.

16. If in any case such proportion of the landowners of the estate as pay not less than two-thirds of
of the land-revenue due thereon, make an application to the Deputy Commissioner requesting that a stated area of waste-land owned in common by them be set apart for the growth of trees, brushwood or grass, the Deputy Commissioner shall have power to proceed in respect of that area as provided in section 15.

17. (1) If the Deputy Commissioner is of opinion that it is necessary to guard more securely against erosion or the formation or extension of ravines or landslips, he may issue special orders prohibiting within the area likely to be affected or that adjacent thereto all or any of the acts detailed in sub-section (1) of section 9, or permitting them only on such conditions as he may see fit to impose.

(2) No compensation shall be claimable by the owners or other right-holders of such land in respect of any orders passed under this section.

18. (1) The Deputy Commissioner may appoint village-forest-officers to manage the forestry of waste-lands and may issue general or special management orders to such officers for the prohibition of the barking, boring, girdling or otherwise injuring of trees or brushwood and for the regulation of the felling or lopping of trees or brushwood in such waste-lands for village requirements.

(2) In case of any contravention of orders issued under sub-section (1), the Deputy Commissioner may direct that no trees be felled in the waste without the previous permission in writing of himself or of such officials as may be authorized by him in this behalf; and if permission to sell brushwood has been accorded he may cancel such permission.

19. The Deputy Commissioner may issue special orders in writing permitting the firing of any waste-lands within such limits and subject to such conditions as he may think fit.

20. Every
20. Every Village-officer and Village-forest-officer shall be bound to report any breaking up of waste-land protected under section 14 and any breach of any order passed under the provisions of this Chapter as soon as the fact comes to his knowledge.

21. The Deputy Commissioner may cause to be summarily ejected any person cultivating land or committing any other act in contravention of an order passed under section 14, section 15, section 16 or section 17, and may direct that any building or enclosures erected or crop grown on such land in contravention of such order shall be confiscated.

22. Where waste-land which has been recorded at settlement as shamilat or common land or which has been specially reserved as a grazing ground or as a fuel or timber preserve of the village is broken into by cultivation, the Deputy Commissioner, on the application of any right-holder in the village or of his own motion, may eject the author of the encroachment and forbid its repetition by a proclamation published in like manner as a proclamation under section 22 of the Punjab Land-revenue Act, 1887.

23. Where the Deputy Commissioner permits the breaking up and cultivation of land in protected waste or where land has been broken up without his permission, and he does not think it necessary or expedient to stop the cultivation thereof, he may impose on the land newly brought under cultivation an assessment at rates which shall not exceed double the rates on land of similar quality in the same or adjacent villages and, in cases where application has been made for his sanction previous to the breaking up of the land, shall ordinarily not be higher than those rates. Such assessment shall not be a bar to a prosecution under section 28 in cases of unauthorised cultivation.

24. The
24. The Deputy Commissioner may issue general or special orders forbidding the felling of or injury to any kinds of trees growing in groves near villages, along roads, at burying places or shrines or near springs and streams.

25. (1) In the case of existing cultivation in dangerous positions on hill-sides the Deputy Commissioner may require the owner or tenant of the land so cultivated to protect it by a retaining wall or to take such other precaution to ensure the stability of the soil as he may deem necessary.

(2) Should the owner or tenant fail to comply with the requisition within a reasonable time and also persist in cultivating the land, the Deputy Commissioner may summarily eject him from so much of the land as may be in danger and deal with it in accordance with the provisions of section 17.

(3) Similarly, the Deputy Commissioner may direct that any extension of cultivation after the date of the introduction of the second regular settlement in dangerous positions on a hillside shall be protected by retaining walls, and may summarily eject the cultivator of such land if he fails to comply with the order.

(4) No compensation shall be claimable by the owner or tenant of such land in respect of any order passed under this section.

26. (1) Where after the date of the introduction of the second regular settlement land is brought into cultivation in dangerous positions on hill-sides and the slope is too steep to admit of the construction of retaining walls, the Deputy Commissioner may, if he is of opinion that the prohibition of such cultivation is in the general interests of the village, eject the person cultivating and direct that the land remain uncultivated in future.

(2) No compensation shall be claimable by the person ejected in respect of any order passed under this section.

27. The
1911.]

Hazara Forests.

(Chapter III.—Waste-lands. Chapter IV.—Duties and Fees.)

27. The cost of management of any waste-land, and of the demarcation of any waste-land directed by the Deputy Commissioner to be demarcated in accordance with the provisions of this Chapter, may be recovered from all land-owners, or from all landowners and right-holders, concerned as an arrear of land-revenue.

28. Whoever commits or abets the commission of any of the following offences, namely:

(i) breaks up or occupies or, being the owner of the land or a joint owner thereof, permits the breaking up or occupation of any waste-land protected under section 14;
(ii) contravenes any order passed under section 15, section 16, section 17, section 22, section 24, section 25 or section 26;
(iii) without permission knowingly sells or conveys for sale any tree, timber or brushwood produced on waste-land, or fells, lops, barks, bores, girdles or otherwise injures any such tree or brushwood contrary to any general or special management orders issued under section 18;
(iv) sets fire to any waste-land otherwise than as permitted by an order passed under section 19, or negligently permits any fire to extend thereto;

shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

CHAPTER IV.

Duties and Fees.

29. (i) In the case of—

(a) trees felled in reserved forests,

(b) firewood supplied for kilns from the same,

and

(c) deodar
Hazara Forests.

(Chapter IV.—Duties and Fees.)

(c) deodar trees felled in the waste-lands of villages in the Kaghan Talqa,
the Forest-officer shall credit to the Government as forest revenue the price realised by the sale of such trees or firewood, and on the other hand debit to the Government and pay to the right-holders entitled thereto in such manner as the Deputy Commissioner may direct the seigniorage-fees due according to the list of such fees that is in force for the time being.

(2) Similarly, in the case of trees which are set from waste-lands, the Deputy Commissioner shall credit to the Government as forest-revenue the seigniorage-fees, and the balance of the price realised shall be paid to the right-holders entitled thereto: Provided that the trees referred to in this subsection are of one or other of the kinds entered in the seigniorage-list which is in force for the time being.

(3) The list of the seigniorage-fees in force at the commencement of this Regulation is hereby maintained.

(4) With the previous sanction of the Government in Council, the Local Government may, with due reference to the average actual prices realisable for timber or fuel, revise the rates of fees in such list and may add trees to it or exclude trees from it.

(5) The fees may be uniform throughout the district or varied in different parts thereof, but shall not exceed in any case a fair estimate of half the average net profits realisable on the sales.

(6) Whenever the list of seigniorage-fees has been revised, the Local Government shall publish a notification in the official Gazette which shall set forth the rates of seigniorage-fees payable, the circumstances under which any trees have been exempted from charge, and such other matters connected with seigniorage-payments as the Local Government may see fit to regulate.

30. The Local Government may direct the levy of a duty in such manner, at such places and at such rates,
Hazara Forests.

(Chapter V.—Control of Forest-produce in Transit. Chapter VI.—Drift and Stranded Timber.)

rates, ad valorem or otherwise, as it may prescribe by notification in the official Gazette, on all timber produced in the Hazara District or brought into that district from beyond the frontier or elsewhere.

CHAPTER V.

CONTROL OF FOREST-PRODUCE IN TRANSIT.

31. The Local Government may make rules to regulate—

(a) the import of timber or of any forest-produce into the Hazara District;

(b) the transport of timber or of any forest-produce by land or by rivers and streams within the district, the custody thereof during transit, and the levy of fees in respect of timber or of any forest-produce transported;

(c) the collection and disposal of waif and un-owned timber or of any forest-produce; and

(d) the use of property-marks for timber and the registration of such marks;

and may prescribe as penalty for the infringement of such rules imprisonment which may extend to six months, or fine which may extend to five hundred rupees, or both.

CHAPTER VI.

DRIFT AND STRANDED TIMBER.

32. (1) All timber found adrift, beached, stranded or sunk, all timber bearing marks which have not been registered in accordance with any rules which the Governor has made. Certain kinds of timber to be condemned.
the Local Government may have issued, all timber
on which the marks have been altered, defaced or ob-
literated, and, in such areas as the Local Govern-
ment may, by notification in the official Gazette,
direct, all unmarked timber, shall be deemed to be
the property of the Government unless and until some
person establishes his right and title thereto.

(2) Such timber may be collected by any Forest-
oficer and be brought to any depot appointed for its
reception.

(3) Due public notice shall be given from time to
time of such collection, and any person claiming such
timber shall be required to present a written state-
ment of his claim within two months from the date of
such notice.

33. (1) When any such statement is presented as
aforesaid, the Forest-officer may, after making such
inquiry as he thinks fit, either reject the claim after
recording his reason for so doing, or deliver the tim-
er to the claimant.

(2) If such timber is claimed by more than one
person, the Forest-officer may either deliver the same
to any of such persons whom he deems entitled thereto,
or may refer the claimants to the Civil Courts
and retain the timber pending the receipt of an order
from any such Court for its disposal.

(3) Any person whose claim has been rejected
under this section may, within three months from the
date of such rejection, institute a suit to recover
possession of the timber claimed by him; but no per-
son shall recover any compensation or costs against
the Government, or against any Forest-officer, on
account of such rejection, or the detention or removal
of any timber, or the delivery thereof to any other
person under this section.

(4) No such timber shall be subject to process of
any Civil, Criminal or Revenue Court until it has
been delivered, or a suit has been brought, as provided
in this section.

34. If
34. If no such statement is presented as aforesaid, or if the claimant omits to prefer his claim in the manner and within the period prescribed by the notice issued under section 32, or, on such claim having been so preferred by him and having been rejected, omits to institute a suit to recover possession of such timber within the further period limited by section 33, the ownership of such timber shall vest in the Government, or, when such timber has been delivered to another person under section 33, in such other person, free from all incumbrances not created by him.

35. The Government shall not be responsible for any loss or damage which may occur in respect of any forest-produce while at a depot or while detained elsewhere for the purposes of this Regulation, and no Forest-officer shall be responsible for any such loss or damage unless he has caused such loss or damage negligently, maliciously or fraudulently.

CHAPTER VII.

Penalties and Procedure.

36. (1) Every person having rights in a reserved forest or owning, occupying or having rights in waste-land or land adjacent to a reserved forest or to waste-land, and every person employed in a reserved forest by Government or in waste adjacent to reserved forest by any owner of the waste, shall be bound to furnish without unnecessary delay to the nearest Revenue-officer, Forest-officer, Village-forest-officer or Police-officer any information he may possess respecting the commission of, or intention to commit, any forest-offence; and shall further be bound to use his best endeavours—

(a) to extinguish any fire occurring in any such reserved forest or in any such waste-land,

(b) to prevent fire from spreading thereto,

(c) to...
Hazara Forests.

(Chapter VII.—Penalties and Procedure.)

(c) to prevent the commission of any forest-offence therein,

(d) when there is reason to believe that a forest-offence has been committed therein, to discover and arrest the offender.

(2) All contractors and all persons employed by contractors in any reserved forest or waste-land, and all persons holding any permit or lease therein, shall be bound in the same way as regards the lands in which their employment or permit or lease subsists.

(3) Every person who neglects any duty imposed on him by this section shall, on conviction before a Magistrate, be punishable with fine which may amount to one hundred rupees, and in default of payment may be sentenced to simple imprisonment for a term not exceeding six months. In a case of second conviction, simple imprisonment not exceeding six months may be awarded in addition to the above penalty.

37. (1) In cases of illicit firing of reserved forests or waste-lands, or in any case in which it may appear that any community of villagers, landowners or occupants of land, or any section of such community, has neglected to render reasonable assistance in the prevention or prosecution of any forest-offence, it shall be lawful for the Deputy Commissioner to impose a fine on such community or section, in whose vicinity the firing has occurred or by whom such default has been made.

(2) Such fine shall not exceed double the land-revenue for one year payable by the community or section convicted, but in addition thereto or in lieu thereof the Deputy Commissioner may order the forfeiture to the Government of the whole or any part of the seigniorage-fees due at the time to the convicted persons under section 29.

(3) The Deputy Commissioner may in his discretion summon only the representatives of such community or section to answer to the offence or the
the neglect charged, and in imposing such fine the
Deputy Commissioner may direct in what manner
it shall be levied from the community or section as
a whole.

38. In cases of illicit firing of any reserved
forest or of repeated or serious damage thereto in
contravention of any of the provisions of this Regu-
lation or rules made thereunder, the Deputy Com-
missioner (whether or not any punishment has been
inflicted under section 9, section 36 or section 37)
may direct that the area so burnt or damaged and
also the whole or any part of the area of the forest
attaching to the village to which the offender or
offenders are proved or believed to belong shall be
closed against all or any of the following acts, namely,
cattle-grazing, grass-cutting, the felling and lop-
ing of trees and the cutting and gathering of dead
wood, for a period not exceeding two years or, with
the sanction of the Local Government, for any long-
period that may be thought fit.

39. In cases of a flagrant or habitual violation
of any of the provisions of this Regulation or rules
made thereunder, the Deputy Commissioner (wheth-
er or not any punishment has been inflicted under
section 28, section 36 or section 37) may, with the
previous sanction of the Revenue Commissioner,
direct that within the limits of the whole of the
waste-land affected or of a specified portion thereof
all or any of the following acts, namely, cattle-graz-
ing, grass-cutting, tree-felling and the cutting and
gathering of brushwood or any other kind of wood
shall be totally prohibited or allowed only with his
special permission, for a period not exceeding two
years or, with the sanction of the Local Government,
for any longer period that may be thought fit.

40. Whoever contravenes an order passed under
section 39 shall be punishable with imprisonment
for a term which may extend to one month, or with
fine which may extend to five hundred rupees, or
with both.

41. In
41. In all cases of illicit cultivation in any reserved forest or protected waste-land (whether or not any punishment has been inflicted under section 9 or section 28), the Deputy Commissioner may demarcate the land so cultivated, and may suspend the exercise in such land of all rights therein for two years, or for such longer time as may be necessary for the reproduction of any trees, brushwood or turf that may have been destroyed in order to its cultivation.

42. (1) Any Revenue, Police or Forest officer may seize—

(a) any forest-produce which he has reason to believe has been obtained or is being transported contrary to any provision of this Regulation or of any rules or orders made thereunder; and

(b) any tools or carriage, wagon, cart, truck or other vehicle used in the commission of any offence against such Regulation, rules or orders.

(2) Such seizure shall be reported forthwith to the nearest Magistrate having jurisdiction in respect of such offence.

(3) All forest-produce in respect of which an offence under this Regulation or any rule made thereunder has been committed, and any tools, or carriage, wagon, cart or other vehicle used in committing any such offence, shall be liable to confiscation.

(4) When the offender is not known or cannot be found, the Magistrate may, if he finds that an offence has been committed, direct that any thing seized under sub-section (1) shall be confiscated.

43. Any Forest-officer or Police-officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Regulation shall be punishable with imprisonment.
prisonment for a term which may extend to six
months, or with fine which may extend to five hun-
dred rupees, or with both.

44. Whoever, with intent to cause damage or in-
jury to the public or to any person or to cause wrong-
guful gain as defined in the Indian Penal Code,—

(a) knowingly counterfeits upon any timber or
standing tree a mark used by Forest-offi-
cers or other person to indicate that such
timber or tree is the property of the Gov-
ernment or of such other person, or that
it may lawfully be cut or removed by
some person; or

(b) alters, defaces or obliterates any such mark
placed on a tree or on timber by or under
the authority of a Forest-officer; or

(c) alters, moves, destroys or defaces any
boundary-mark of any forest or wasteland to which the provisions of this Re-
gulation are applied;

shall be punishable with imprisonment for a term
which may extend to two years, or with fine, or with
both.

45. (1) Any Revenue, Police, Forest or Village-
forest officer may arrest without a warrant any per-
son committing within his sight an offence punish-
able under this Regulation.

(2) Every officer making an arrest under this sec-
tion shall without unnecessary delay take or send
the person so arrested to the nearest Magistrate or
police-station, there to be released on bail or per-
sonal recognizance pending the trial of the case.

46. (1) The Local Government may, by notifica-
tion in the official Gazette, empower any Forest-
officer—

(a) to accept from any person against whom
a reasonable suspicion exists that he has
committed any forest-offence, other than
an offence specified in section 43 or sec-
tion 45
section 44, a sum of money by way of compensation for the offence which such person is suspected to have committed; and,

(b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.

(2) On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged; the property, if any, seized shall be released, and no further proceedings shall be taken against such person or property.

(3) No Forest-officer shall be empowered under this section unless he is of a rank not inferior to that of Ranger, and is in receipt of a monthly salary amounting to at least one hundred rupees, and the sum of money accepted as compensation under subsection (1), clause (a), shall in no case exceed the sum of fifty rupees.

47. All proceedings relating to offences and criminal liabilities under this Regulation shall (except as herein otherwise provided by section 37) be governed by the Code of Criminal Procedure, 1898. 

48. (1) No Civil Court shall exercise jurisdiction over any of the following matters, namely:—

(a) any matter provided for in sections 3 to 27 (both inclusive);

(b) any matter provided for in sections 38, 39 and 41.

(2) In the matters referred to in sub-section (1) jurisdiction shall rest with the Revenue-officers only, and all proceedings shall be governed by the procedure prescribed by law for the time being in force for the regulation of such proceedings.

(3) Every order passed by a Revenue-officer in exercise of the above jurisdiction shall be subject to such rights of appeal and powers of review and revision as are provided in sections 80 to 84 of the Punjab Tenancy Act, 1887.

CHAPTER VIII.
CHAPTER VIII.

CATTLE-trespass.

49. (1) Cattle trespassing in a reserved forest or in any waste-land set apart or protected under section 15, section 16 or section 17, or in any area which has been closed to grazing under section 38, shall be deemed to be cattle doing damage to a public plantation within the meaning of section 11 of the Cattle-trespass Act, 1871, and may be seized and impounded as such by any Forest or Village-forest or Police officer.

(2) The Local Government may, by notification in the official Gazette, direct that in lieu of the fines fixed by section 12 of the said Act there shall be levied for each head of cattle impounded under subsection (1) such fines as it may think fit, not exceeding the following, that is to say:—

<table>
<thead>
<tr>
<th>Description</th>
<th>Rs.</th>
<th>a.</th>
<th>p.</th>
</tr>
</thead>
<tbody>
<tr>
<td>For each buffalo or camel</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>For each horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid</td>
<td>0.8</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Provided that—

(a) when cultivation closely adjoins the boundary of a forest, no cattle straying from such cultivation or its neighbourhood shall be liable to seizure under this section unless the forest in that part adjoining the said cultivation has been clearly demarcated; and

(b) no cattle shall be liable to seizure which are being lawfully driven along a road or track on which a right of way exists even though they stray from such road or track;

so long as the driver has used reasonable care and diligence to prevent his cattle from so straying and to drive back such as stray.

CHAPTER IX.
CHAPTER IX.
FOREST-OFFICERS.

50. The Local Government may invest any gazetted Forest-officer with all or any of the powers of a Deputy Commissioner under this Regulation and with all or any of the powers with which an Assistant Collector may be invested under the provisions of the Punjab Land-revenue Act, 1887: Provided that any Forest-officer invested with any powers under this section shall exercise such powers subject to the control of the Deputy Commissioner of the Hazara District.

51. (1) The Local Government may invest any Forest-officer with all or any of the following powers, that is to say:—

(a) power to enter upon any land and to survey, demarcate and make a map of the same;
(b) powers of a Civil Court to compel the attendance of witnesses and the production of documents;
(c) power to issue a search-warrant under the Code of Criminal Procedure, 1898;
(d) power to hold inquiry into forest-offences, and, in the course of such inquiry, to receive and record evidence.

(2) Any evidence recorded under clause (d) of sub-section (1) shall be admissible in any subsequent trial before a Magistrate: Provided that it has been taken in the presence of the accused person and that he has had an opportunity of cross-examining the witness.

52. All Forest-officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

53. Except with the permission in writing of the Local Government, no Forest-officer shall, as principal or agent, trade in timber or any forest-produce, or be or become interested in any lease of any forest or in any contract for working any forest, whether in British or foreign territory.
CHAPTER X.

Supplemental Provisions.

54. (1) The Local Government may make rules to carry out the objects and purposes of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

(a) prescribe and limit the powers and duties of any Forest-officer under this Regulation;

(b) provide for the disposal of the proceeds of fines, confiscations and other sums received under this Regulation and the regulation of rewards to be paid therefrom to officers, informers and others;

(c) provide for the preservation, reproduction and disposal of trees, brushwood and timber produced on waste-lands.

55. All rules made under this Regulation shall be published in the official Gazette, and on such publication shall have effect as if enacted in this Regulation.

56. No suit, prosecution or other proceeding shall be entertained in any Court against any public servant for anything done in pursuance or execution of this Regulation or done in good faith in the intended execution of this Regulation.

57. All money payable to the Government under this Regulation, or any rule made thereunder, or on account of the price of any forest-produce or of expenses connected with any act done in accordance with the provisions of this Regulation or the rules made under it in respect of such produce, may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land-revenue.

58. The Hazara Forest Regulation, 1893, is repealed.

SCHEDULE I. Repeal of Hazara Forest Regulation, 1893.
### Hazara Forests

**(Schedule I.)**

**SCHEDULE I.**

**LIST OF PROTECTED TREES.**

[See section 2 (14).]

<table>
<thead>
<tr>
<th>Scienctific Name</th>
<th>Local Name</th>
<th>English Name</th>
<th>Remark</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Tamarisk articulata</em></td>
<td>Rukh</td>
<td>Tamarisk</td>
<td></td>
</tr>
<tr>
<td><em>Bombax malabaricum</em></td>
<td>Simbal</td>
<td>Silk cotton tree</td>
<td></td>
</tr>
<tr>
<td><em>Grewia oppositifolia</em></td>
<td>Dhaman</td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Melia Azedarach</em></td>
<td>Dhrek</td>
<td>Persian lilac or bastard cedar.</td>
<td></td>
</tr>
<tr>
<td><em>Cedrela Toona</em></td>
<td>Drawa</td>
<td>Toon</td>
<td></td>
</tr>
<tr>
<td><em>Cedrela serrata</em></td>
<td>Drawa</td>
<td>Hill toon</td>
<td></td>
</tr>
<tr>
<td><em>Acer caceous</em></td>
<td>Trikan</td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Acer conlratam</em></td>
<td>Tarkana</td>
<td>Maple</td>
<td></td>
</tr>
<tr>
<td><em>Aesculus Indica</em></td>
<td>Bankhor</td>
<td>Indian horse chestnut.</td>
<td></td>
</tr>
<tr>
<td><em>Pistacia integerrima</em></td>
<td>Kangar</td>
<td>Pistachio</td>
<td></td>
</tr>
<tr>
<td><em>Dalbergia Sinooc</em></td>
<td>Tali</td>
<td>Shisham</td>
<td></td>
</tr>
<tr>
<td><em>Cassia Fistula</em></td>
<td>Amalas</td>
<td>Indian laburnum</td>
<td></td>
</tr>
<tr>
<td><em>Bauhinia variegata</em></td>
<td>Kaehnar</td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Acacia Catechu</em></td>
<td>Khair</td>
<td>Cutch</td>
<td></td>
</tr>
<tr>
<td><em>Acacia modesta</em></td>
<td>Phula</td>
<td>Acacia</td>
<td></td>
</tr>
<tr>
<td><em>Albizzia Lebbek</em></td>
<td>Sirin</td>
<td>Siris</td>
<td></td>
</tr>
<tr>
<td><em>Prunus Padus</em></td>
<td>Kala kat</td>
<td>Bird Cherry</td>
<td></td>
</tr>
<tr>
<td><em>Eugenia Jambolana</em></td>
<td>Jaman</td>
<td>Black plum</td>
<td></td>
</tr>
<tr>
<td><em>Corinus macrophylla</em></td>
<td>Kandar</td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Pieria ovalifolia</em></td>
<td>Rattankath</td>
<td></td>
<td></td>
</tr>
<tr>
<td><em>Rhododendron arboecem</em></td>
<td>Rantol</td>
<td></td>
<td>Rhododendron</td>
</tr>
<tr>
<td></td>
<td>Chhan</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

30
<table>
<thead>
<tr>
<th>Scientific name</th>
<th>Local name</th>
<th>English name</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diospyros Lotus</td>
<td>Amluk</td>
<td>European date-plum.</td>
<td></td>
</tr>
<tr>
<td>Ficus pashia</td>
<td>Banangi</td>
<td>Wild pear.</td>
<td></td>
</tr>
<tr>
<td>Ficus floribunda</td>
<td>Sum</td>
<td>Ash</td>
<td></td>
</tr>
<tr>
<td>Ficus Xanthoxyloides</td>
<td>Hanaz</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Olea ferruginea</td>
<td>Kao</td>
<td>Indian olive</td>
<td></td>
</tr>
<tr>
<td>Olea glandulifera</td>
<td>Bankao</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ebreia acuminata</td>
<td>Punuk</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phoebe lancealata</td>
<td>Chan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phyllanthus Emblica</td>
<td>Amla</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ulmus Wallichiana</td>
<td>Kain</td>
<td>Large leaved elm</td>
<td></td>
</tr>
<tr>
<td>Ulmus Villosa</td>
<td>Mannu</td>
<td>Small leaved elm</td>
<td></td>
</tr>
<tr>
<td>Celtis australis</td>
<td>Batkar</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Baktara</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Morus alba</td>
<td>Tut, Tuli</td>
<td>White mulberry.</td>
<td></td>
</tr>
<tr>
<td>Ficus bengalensis</td>
<td>Bor</td>
<td>Banyan</td>
<td></td>
</tr>
<tr>
<td>Ficus religiosa</td>
<td>Pipal</td>
<td>Pipal</td>
<td></td>
</tr>
<tr>
<td>Ficus Roxburghii</td>
<td>Barb or Hurmal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Platanus orientalis</td>
<td>Chenar</td>
<td>Plane</td>
<td></td>
</tr>
<tr>
<td>Juglans regia</td>
<td>Arkhrot, Akhor</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Betula utilis</td>
<td>Bhurj</td>
<td>Birch</td>
<td></td>
</tr>
<tr>
<td>Alnus nitida</td>
<td>Sharol</td>
<td>Alder</td>
<td></td>
</tr>
<tr>
<td>Quercus semecarpifolia</td>
<td>Banhar</td>
<td>Brown oak</td>
<td></td>
</tr>
<tr>
<td>Quercus dilata</td>
<td>Barungi</td>
<td>White oak</td>
<td></td>
</tr>
<tr>
<td>Quercus Ilex</td>
<td>Rahn</td>
<td>Holm oak</td>
<td></td>
</tr>
<tr>
<td>Quercus incana</td>
<td>Bhun</td>
<td>White oak</td>
<td></td>
</tr>
<tr>
<td>Quercus glauca</td>
<td>Barin</td>
<td>Oak</td>
<td></td>
</tr>
<tr>
<td>Scientific name</td>
<td>Local name</td>
<td>English name</td>
<td>Remarks</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>-------------------</td>
<td>----------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Salix tetrasperma</td>
<td>Bis, bina</td>
<td>Willow</td>
<td></td>
</tr>
<tr>
<td>Populus cilinta</td>
<td>Palach</td>
<td>Himalayan poplar</td>
<td></td>
</tr>
<tr>
<td>Populus alba</td>
<td>Safeda</td>
<td>White poplar</td>
<td></td>
</tr>
<tr>
<td>Taxus baccata</td>
<td>Barmi, thuni</td>
<td>Yew</td>
<td></td>
</tr>
<tr>
<td>Pinus excelsa</td>
<td>Bhir</td>
<td>Blue pine</td>
<td></td>
</tr>
<tr>
<td>Pinus longifolia</td>
<td>Chir</td>
<td>Long leaved pine</td>
<td></td>
</tr>
<tr>
<td>Cedrus Libani</td>
<td>Dar</td>
<td>Deodar</td>
<td>Called Paladar in Kaghan Ilaqa.</td>
</tr>
<tr>
<td>Picea Moringa</td>
<td>Kachal</td>
<td>Himalayan spruce</td>
<td></td>
</tr>
<tr>
<td>Eucalyptus sp.</td>
<td>Gurul</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SCHEDULE II.**

**LANDS COMPRISING KAGHAN ILAQ.**

[See section 2 (8).]

Kaghan, Jared, Bhunia, Manur, Phagal Bhatuandes, Kamal-ban, Kawai Suban, Bela Saha, Chushal, Parias, Sangar, Ghanul, Hingrai, Balakot Khas, Banbigar, Bibhara Pathlang, Jiggen, Mitti Kot, Ghanela, Khet Sarash, Sathami, Kaushian, Kumbi, Khangiri, Bhangia Josuch.
REGULATION NO. IV OF 1911.

[Received the assent of the Governor General on the 28th December, 1911; published in the Gazette of India on the 6th January, 1912; and in the Coorg District Gazette Extraordinary on the 18th idem.]

A Regulation further to amend the Coorg Land and Revenue Regulation, 1899.

WHEREAS it is expedient further to amend the Coorg Land and Revenue Regulation, 1899; It is hereby enacted as follows:—

1. This Regulation may be called the Coorg Land and Revenue (Amendment) Regulation, 1911. Short title.

2. In section 3, clause (10), of the Coorg Land and Revenue Regulation, 1899, for the words “land-revenue, cesses and mohatarfa”, the words “land-revenue and cesses” shall be substituted. Amendment of section 3, clause (10), Regulation I, 1899.

3. The proviso to sub-section (3) of section 53 of the said Regulation is hereby repealed. Repeal of proviso to section 53, sub-section (3), Regulation I, 1899.

[Price one anna.]

CALCUTTA: PRINTED BY SUPPL. CO. PRINTING, INDIAN INK, 5, HASTINGS STREET.
REGULATION NO. V OF 1911.

[Received the assent of the Governor General on the 28th December, 1911; published in the Gazette of India on the 6th January, 1912; and in the Coorg District Gazette Extraordinary on the 18th idem.]

A Regulation to amend the Coorg District Fund Regulation, 1900.

WHEREAS it is expedient to amend the Coorg District Fund Regulation, 1900; it is hereby enacted as follows:—

1. This Regulation may be called the Coorg District Fund (Amendment) Regulation, 1911. Short title.

2. After section 3 of the Coorg District Fund Regulation, 1900, the following section shall be inserted, namely:—

“3A. (1) The Chief Commissioner, with the previous sanction of the Governor General in Council, may, by notification in the Coorg District Gazette, impose upon non-agriculturists in rural areas in Coorg a house-tax, levied with reference to the estimated annual income of the occupant at such rates as may be fixed from time to time.

(2) The Chief Commissioner, with the like sanction, may, by a like notification, exempt any non-agriculturists or class of non-agriculturists from the payment of the whole or any part of such house-tax.”

3. In section 5 of the said Regulation, after the word and figure “section 3”, the words and figure “and by each non-agriculturist on account of the house-tax imposed under section 3A” shall be inserted.

4. In section 6 of the said Regulation, after the word and figure “section 3”, the words and figure “or of the house-tax imposed under section 3A” shall be inserted.

[Price one anna.]

CALCUTTA: PRINTED BY HUPE. COY. PRINTING, INDIAN, 8, HASTINGS STREET.
REGULATION NO. I OF 1912.

[Received the assent of the Governor General on the 22nd January 1912; published in the Gazette of India on the 3rd February 1912; and in the Fort Saint George Gazette Extraordinary on the 1st idem.]

A Regulation to declare the Law applicable to the Laccadive Islands and Minicoy.

WHEREAS it is expedient to declare the law applicable to the Laccadive Islands and Minicoy; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Regulation may be called the Laccadive Islands and Minicoy Regulation, 1912; and

(2) It extends to the Laccadive Islands and Minicoy.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(i) “the islands” mean the Laccadive Islands and Minicoy:

(ii) “the Inspecting officer” means any officer directed by the Local Government or Collector to inspect the islands or any of them: and

(iii) words and expressions used herein and defined in the Indian Penal Code have the same meaning respectively attributed to them in that Code.

CHAPTER II.

[Five three annas.]
CHAPTER II.

LAW APPLICABLE.

3. Notwithstanding anything in any enactment now in force, this Regulation, the Madras State Prisoners Regulation, 1819, the State Prisoners Act, III of 1819, III of 1858, and the Scheduled Districts Act, 1874, shall be X of 1874, the only enactments in force in the islands.

CHAPTER III.

CRIMINAL JUSTICE.

4. (1) Whoever commits any of the following offences shall be liable to the punishment mentioned below in respect of such offence:—

- Rioting: Imprisonment which may extend to two years, or fine, or both.
- Giving false evidence: Imprisonment which may extend to seven years, and fine.
- Murder: Death or transportation for life or imprisonment which may extend to ten years.
- Culpable homicide not amounting to murder: Transportation for life or imprisonment which may extend to ten years.
- Causing death by rash or negligent act: Imprisonment which may extend to two years, or fine.
- Grievous hurt: Imprisonment which may extend to seven years, and fine.
- Wrongful confinement: Imprisonment which may extend to one year, or fine.
- Kidnapping: Imprisonment which may extend to seven years, and fine.
- Rape: Transportation for life or imprisonment which may extend to ten years, and fine.
- Extortion: Imprisonment which may extend to three years, or fine, or both.
- Robbery: Rigorous imprisonment which may extend to ten years, and fine.
- Dacoity: Transportation for life, or rigorous imprisonment which may extend to ten years, and fine.

Criminal
(Chapter III.—Criminal Justice.)

Criminal misappropriation. Imprisonment which may extend to two years, or fine, or both.
Criminal breach of trust. Imprisonment which may extend to three years, or fine, or both.
Dishonestly receiving stolen property. Imprisonment which may extend to three years, or fine, or both.
Cheating. Imprisonment which may extend to one year, or fine, or both.
Mischief by fire. Imprisonment which may extend to seven years, and fine.
Forgery. Imprisonment which may extend to two years, or fine.

(2) When any offence specified in sub-section (1) has been committed, the local amin shall hold an investigation, and if a prima facie case is made out against any person, such person shall be charged before and tried by the Inspecting officer or the Collector or any of the Collector's assistants empowered by him by general or special order in this behalf.

(3) The Inspecting officer or the Collector or any assistant of the Collector empowered under sub-section (2), when trying a case in accordance with sub-section (2), shall, when the trial is held in the islands, sit with or more island assessors.

5. Whoever—

(a) commits any of the following offences, namely:—

theft, criminal force, assault, hurt, criminal trespass,

(b) uses abusive language to another,

(c) obstructs any person in seizing stray cattle,

(d) without reasonable cause fails to attend the kachahri when ordered to do so,

(e) causes mischief to property otherwise than by fire,

(f) makes any imputation concerning any person knowing that such imputation is liable to harm the reputation of the person,

(g) being
Locodice Islands and Minicoy.  [Reg. I

(Chapter III.—Criminal Justice.)

(g) being convicted or charged with an offence and being in lawful custody escapes from such custody,

on conviction by the amin shall be punishable with imprisonment for a term which may extend to fifteen days, or with fine which may extend to fifteen rupees, or with both.

6. Subject to the control of the Governor General in Council, the Governor in Council may, by notification in the Fort St. George Gazette, add to the list of offences specified in section 4, sub-section (1), and section 5, and prescribe the punishments for the offences so added.

7. Whoever fails to give information of a birth or death in his house shall be punishable with fine which may extend to five rupees.

8. (1) Whoever, when ordered to do so by the amin,—

(a) fails to assist in launching or drawing up a boat,

(b) fails to attend when called upon to assist in protecting coconut plantations from ravages of rats,

shall be punishable with fine which may extend to two rupees:

Provided that a fine imposed under clause (b) may be refunded if the offender within forty-eight hours makes reparation to the satisfaction of the amin and assessors.

(2) Whoever, in a case not provided for by sub-section (1), disobeys any reasonable order of an amin or other public servant, shall be punishable with imprisonment which may extend to fifteen days, or fine which may extend to fifteen rupees, or with both.

9. (1) The local amin of each island shall have jurisdiction to try persons accused of offences specified

(4) Omitted by Reg. 5 of 1865, C. 17.
fied in sections 5 to 8 in the island and may inflict on persons found guilty of any such offence the punishment prescribed therefor.

(2) The local amin in the exercise of such jurisdiction shall sit with four or more assessors called karnavars in the islands. Such assessors shall be specially appointed by the Collector or Inspecting officer for life, subject to good behaviour.

(3) Whenever an amin is of opinion that an accused person tried before him is guilty of an offence specified in section 5 or in section 8, sub-section (2), and ought to receive a more severe punishment than he is empowered to inflict, he shall submit his proceedings, and forward the accused, to the Inspecting officer or the Collector, and such officer may pass such order as he thinks fit: Provided that he shall not pass any sentence of imprisonment exceeding one year.

10. (1) The amin may take cognizance of cases on complaint or on his own initiative.

(2) In every case the amin shall make a memorandum of the evidence of the prosecution witnesses, the plea of the accused, and the evidence of the defence witnesses.

(3) The evidence shall be taken in the presence of the accused, and the accused and the complainant shall be allowed to cross-examine the witnesses for the other side.

(4) The amin shall deliver a written judgment, recording therein the opinions of the assessors sitting with him and the reasons for his own decision.

11. (1) The Collector may withdraw to his own file any case pending before the Inspecting officer or an amin.

(2) The Collector may transfer any case pending before himself or before the Inspecting officer to any of his Divisional officers for trial.

(3) The Inspecting officer may withdraw to his own file any case pending before an amin.

12. From
12. From any sentence or order passed by an amin an appeal shall lie either to the Collector or the Inspecting officer in cases in which the Collector or the Inspecting officer grants special leave to appeal.

13. Any person convicted by the Inspecting officer or by a Divisional officer may appeal (a) to the High Court if the sentence is one of death or of imprisonment for five years or upwards, and (b) to the Collector in other cases if the sentence exceeds three months' imprisonment or one hundred rupees fine.

14. From any sentence or order passed by the Collector as a Court of original criminal jurisdiction an appeal shall lie to the High Court.

15. No second appeal shall lie in any case whatever.

16. Every appeal shall be stamped with an eight-anna stamp, and shall be accompanied by a copy on stamped copy paper of the judgment or order appealed against:

Provided that nothing in this section shall apply to an appeal by a prisoner.

17. Every appeal shall be filed within six months from the date of the judgment or order appealed against:

Provided that the months of June, July, August and September shall be excluded in reckoning such period.

18. No pleader shall be allowed in any Court except with the special permission of the Collector. Parties may, however, be represented by their island mukhtyars.

19. Every mukhtyar, appearing before a Court on the mainland on behalf of a party in the islands, must produce a stamped mukhtyarnama or power-of-attorney bearing a court-fee stamp of eight annas.

20. Any person convicted of a criminal offence and sentenced to a term of imprisonment exceeding
two months by a Court on the islands, or to any term of imprisonment by a Court on the mainland, may be sent for imprisonment to the Cannanore Central Jail.

CHAPTER IV.

CIVIL JUSTICE.

21. All questions relating to any rights claimed or set up in the Civil Courts of the islands shall be determined in accordance with any custom not manifestly unjust or immoral governing the parties or property concerned, and, in the absence of any such custom, according to justice, equity and good conscience.

22. The local amin of each island sitting with four or more assessors shall be the Civil Court for the island, and shall have jurisdiction over all civil claims arising therein.

23. Every suit shall be commenced by presenting a plaint to the amin having jurisdiction over the suit.

24. The Collector or the Inspecting officer may transfer any civil suit to his own file and shall then proceed to try it sitting with two or more of the island assessors. The Collector may transfer any such suit from his own file to that of any of his Divisional officers, who shall proceed to try the case with two or more such assessors.

25. (1) The Collector or the Inspecting officer may refer any case for disposal or report to two or more of the island assessors. When it is referred for disposal, the assessors shall report their decision to the Court referring the case.

(2) The parties may challenge any assessor, and on sufficient reason being given another assessor shall be selected in his place.

(3) The parties shall be allowed to attend the hearing of the suit in person or by a mukhtyar, and the evidence shall be taken in open Court.

(4) The
(4) The officer trying the suit shall make a memorandum of the evidence of each witness as it is given, and shall, after the conclusion of the hearing, pronounce judgment in open Court either in the presence of the parties or after notice to them. The judgment shall be in writing and shall contain the points for determination and the decision thereon.

26. (1) An appeal shall lie from the decision of the amin to the Inspecting officer or to the Collector. The Collector may transfer any such appeal to the Inspecting officer or any other of his Divisional officers for disposal.

(2) No appeal shall ordinarily lie from a decision of the Inspecting officer in the exercise of his original jurisdiction, but an appeal may be admitted by the Collector if sufficient grounds are shown. From a decision of a Divisional officer in the exercise of his original jurisdiction an appeal shall lie to the Collector.

(3) Save as otherwise provided in section 31, an appeal shall lie to the High Court from any decision of the Collector in the exercise of his original jurisdiction.

27. The provisions of sections 15, 16, 17, 18 and 19 shall also apply to civil cases.

28. All decrees shall ordinarily be executed by the amin of the island where the suit was instituted. But the Collector or the Inspecting officer may execute his own decrees if convenient.

29. If a judgment-debtor wilfully refuses to obey the decree of the Court, he shall be liable to punishment under section 8, sub-section (2), and where the amin is of opinion that such punishment is inadequate the procedure prescribed in section 9, sub-section (3), shall be followed.

30. Cases in which attachment and sale of property is found necessary shall be reserved for the Inspecting officer, who shall attach the property of
the judgment-debtor and sell it in execution of the decree.

31. Decrees or processes issued by a mainland Court against an islander, or by one island Court against a person residing in another island, shall be forwarded to the Collector for execution; and he shall cause it to be executed unless for reasons to be recorded in writing he may consider execution inadvisable, in which case he may refuse to execute it. In the case of any such refusal an appeal shall lie to the Governor in Council.

32. Nothing in this Regulation shall be deemed to limit or otherwise affect the inherent power of a Civil Court to make such orders as may be necessary for the ends of justice or to prevent abuse of the powers of the Court.

CHAPTER V.
MISCELLANEOUS.

33. The Governor in Council may by order prohibit persons residing on the mainland from visiting or taking up their residence in the islands, and may require persons ordinarily residing on the mainland who have taken up their residence in the islands to leave the islands; and he may make such rules as he deems fit in pursuance of the above.
A Regulation further to amend the North-West Frontier Province Law and Justice Regulation, 1901.

WHEREAS it is expedient further to amend the North-West Frontier Province Law and Justice Regulation, 1901; it is hereby enacted as follows:—

1. This Regulation may be called the North-West Frontier Province Law and Justice (Amendment) Regulation, 1912.

2. In section 9 of the North-West Frontier Province Law and Justice Regulation, 1901, the following amendments shall be made, namely:—

(1) To sub-section (1) the following proviso shall be added, namely:—

"Provided further that any order by the Judicial Commissioner conceding or refusing to concede authority so to appear and practise shall be subject to revision by the Local Government."

(2) In sub-section (2), for the words "The Judicial Commissioner with the previous sanction of the Local Government" the words "The Local Government" shall be substituted.

3. (1) In section 26, sub-section (1), of the said Regulation, after the words "the Local Government may" the words "subject to the control of the Governor General in Council" shall be inserted.

(2) In the same section, clause (c) of sub-section (2) and the words in sub-section (3) "with the previous sanction of the Governor General in Council" are hereby repealed.

[Price one anna.]
REGULATION NO. III OF 1912.

A Regulation to amend the Assam Forest Regulation, 1891.

[Received the assent of the Governor General on the 20th March, 1912; published in the Gazette of India on the 30th idem; and in the Assam Gazette on the 24th April, 1912.]

WHEREAS it is expedient to amend the Assam Forest Regulation, 1891; it is hereby enacted as follows:

1. This Regulation may be called the Assam Forest (Amendment) Regulation, 1912.

2. In section 28 of the Assam Forest Regulation, Amendment VII of 1891, 1891, for the words "with the previous sanction" of section 28 of Regulation VII of 1891, the words "subject to the control" shall be substituted.

[Price one anna.]

CALCUTTA: PRINTED BY BPO, GOVT. PRINTING, INDIA, 6 HAVING STREET.
REGULATION NO. IV OF 1912.

A Regulation further to amend the Sonthal Parganas Justice Regulation, 1893.

[Received the assent of the Governor General on the 27th March, 1912; published in the Gazette of India on the 30th March, 1912; and in the Government Gazette, Bihar and Orissa, on the 3rd April 1912.]

WHEREAS it is expedient further to amend the Sonthal Parganas Justice Regulation, 1893; It is hereby enacted as follows:—

1. (1) This Regulation may be called the Sonthal Parganas Justice (Amendment) Regulation, 1912.

(2) It shall come into force on such date as the Local Government may, by notification in the official Gazette, appoint in this behalf.

2. For clause II of section 4 of the Sonthal Parganas Justice Regulation, 1893, the following shall be substituted, namely:—

"II.—The Sonthal Parganas shall be a sessions division, the Court of Session and the Sessions Judge for that division shall be such Court of Session and Sessions Judge as the Local Government may from time to time appoint by notification in the official Gazette, and the Court so appointed shall sit within the Sonthal Parganas."

[Price one anna.]
REGULATION No. V of 1912.

[Received the assent of the Governor General on the 7th June, 1912; and published in the Gazette of India on the 8th June, 1912.]

A Regulation further to amend the British Baluchistan Forest Regulation, 1890.

WHEREAS it is expedient further to amend the British Baluchistan Forest Regulation, 1890; it is hereby enacted as follows:—

1. This Regulation may be called the British Baluchistan Forest (Amendment) Regulation, 1912. Short title.

2. In section 9, sub-sections (1) clause (e) and (6), and in section 10, sub-section (1), of the British Baluchistan Forest Regulation, 1890, for the words "with the previous sanction" the words "subject to the control" shall be substituted. Amendment of sections 9 and 10, Regulation V, 1890.

*Price one anna.*

CALCUTTA: PRINTED BY SUPRT. GOVT. PRINTING, INDIA, 5, HASTINGS STREET.
REGULATION No. I of 1913.

A Regulation further to amend the Coorg District Fund Regulation, 1900.

[Received the assent of the Governor General on the 25th February, 1913; published in the Gazette of India on the 1st March, 1913; and in the Coorg District Gazette Extraordinary on the 12th March, 1913.]

WHEREAS it is expedient further to amend the Coorg District Fund Regulation, 1900; It is hereby enacted as follows:

1. This Regulation may be called the Coorg District Fund (Amendment) Regulation, 1913.

2. To section 9 of the Coorg District Fund Regulation, 1900, the following clauses shall be added, namely:

“(d) the control of markets, slaughter-houses, cart-stands, burial and burning grounds and offensive trades and all matters connected with conservancy; and

(e) the use of all public roads (whether maintained by the Coorg District Board or not) and the traffic thereon, and all matters connected with cleanliness, safety and order in respect of the same.”

And the word “and” between clauses (b) and (c) of the said section shall be omitted.

3. After section 9 of the said Regulation, the following sections shall be added, namely:

“10. In making any rule under clauses (d) and (e) of section 9, the Chief Commissioner may direct that a breach of it shall be punishable with fine which may extend to fifty rupees, and, in the case of

[Price one anna and three pies.]
Coorg District Fund. [Reg. 1, 1913.]

a continuing breach, with a further fine, which may extend to ten rupees for every day during which the breach continues after notice from the Coorg District Board.

11. All rules duly made under the Regulation shall have the force of law."
REGULATION NO. II OF 1913.

A Regulation to consolidate and amend the Regulations declaring the Law in force in British Baluchistan.

[Received the assent of the Governor General on the 18th August 1913: and published in the Gazette of India on the 23rd August, 1913.]

WHEREAS it is expedient to consolidate and amend the Regulations declaring the Law in force in British Baluchistan; It is hereby enacted as follows:—

1. (1) This Regulation may be called the British Baluchistan Laws Regulation, 1913, and

   (2) It shall come into force at once.

2. The Local Government, with the previous sanction of the Governor General in Council, may for administrative purposes, divide British Baluchistan into districts and tahsils, and each of those districts into tahsils, and vary the limits of those districts and tahsils.

3. (1) So much of each of the enactments specified in Schedule I as is in force in the territories to which the enactment generally applies shall be deemed to be in force in British Baluchistan or in the part thereof specified in the Schedule, subject to the modifications therein stated, and to any amendments to which the enactments are for the time being subject in the territories to which they generally apply.

   Price Annas five.
(2) An enactment not comprised in Schedule I shall not be deemed to be, or to have been, in force in British Baluchistan or in any part of British Baluchistan unless it is expressed, by special mention of British Baluchistan, or a part of British Baluchistan, to extend thereto, or, after the commencement of this Regulation, is extended thereto in exercise of the powers conferred by section 5 of the Scheduled Districts Act, 1874, or by any other enactment for the time being in force.

(3) The Local Government, with the previous sanction of the Governor General in Council, may, by notification in the Gazette of India, declare that any enactment which is comprised in Schedule I, or which may, after the commencement of this Regulation, be extended in exercise of any such powers as aforesaid, shall no longer be in force in British Baluchistan or in any part of British Baluchistan specified in the notification.

4. The provisions of the Indian Stamp Act, 1899, with respect to the consequences of instruments not being duly stamped, shall be read as not applying to any instrument which may have been executed in British Baluchistan before the 19th April, 1890.

5. (1) For the purpose of facilitating the application of any enactment for the time being in force in British Baluchistan, a Court may construe the enactment with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Court.

(2) All references in enactments in force in British Baluchistan to the Gazette or to the local official Gazette shall be construed as referring to the Gazette of India.

6. The enactments mentioned in Schedule II are repealed to the extent specified in the fourth column thereof.
## SCHEDULE I.

(See section 3.)

Enactments to be deemed in force in British Baluchistan.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1812</td>
<td>XI</td>
<td>The Bengal Foreign Immigrants Regulation, 1812.</td>
<td></td>
</tr>
<tr>
<td>1818</td>
<td>III</td>
<td>The Bengal State Prisoners Regulation, 1818.</td>
<td></td>
</tr>
<tr>
<td>1850</td>
<td>XVIII</td>
<td>The Indian Slavery Act, 1843</td>
<td></td>
</tr>
<tr>
<td>1850</td>
<td>XXX</td>
<td>The Judicial Officers’ Protection Act, 1850</td>
<td></td>
</tr>
<tr>
<td>1850</td>
<td>XXXIV</td>
<td>The State Prisoners Act, 1850</td>
<td></td>
</tr>
<tr>
<td>1852</td>
<td>XXX</td>
<td>The Indian Naturalization Act, 1852</td>
<td></td>
</tr>
<tr>
<td>1853</td>
<td>XXIV</td>
<td>The Penal Servitude Act, 1853</td>
<td></td>
</tr>
<tr>
<td>1857</td>
<td>XI</td>
<td>The State Offences Act, 1857</td>
<td></td>
</tr>
<tr>
<td>1858</td>
<td>III</td>
<td>The State Prisoners Act, 1858</td>
<td></td>
</tr>
<tr>
<td>1859</td>
<td>IX</td>
<td>The Forfeiture Act, 1859</td>
<td></td>
</tr>
<tr>
<td>1860</td>
<td>IX</td>
<td>The Employers and Workmen (Disputes) Act, 1860</td>
<td></td>
</tr>
<tr>
<td>1860</td>
<td>XXI</td>
<td>The Societies Registration Act, 1860</td>
<td></td>
</tr>
<tr>
<td>1861</td>
<td>XLV</td>
<td>The Indian Penal Code, 1860</td>
<td></td>
</tr>
<tr>
<td>1864</td>
<td>V</td>
<td>The Police Act, 1861</td>
<td></td>
</tr>
<tr>
<td>1864</td>
<td>XVI</td>
<td>The Stage-Carriages Act, 1861</td>
<td></td>
</tr>
<tr>
<td>1864</td>
<td>III</td>
<td>The Foreigners Act, 1864</td>
<td></td>
</tr>
<tr>
<td>1865</td>
<td>X</td>
<td>The Indian Succession Act, 1865</td>
<td></td>
</tr>
<tr>
<td>1865</td>
<td>XV</td>
<td>The Pari Marriage and Divorce Act, 1865</td>
<td></td>
</tr>
</tbody>
</table>

Section 5 only.

The last paragraph of section 18 as to pardoned persons shall be omitted.
### SCHEDULE I—contd.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1867</td>
<td>III</td>
<td>The Public Gambling Act, 1867.</td>
<td></td>
</tr>
<tr>
<td>1869</td>
<td>IV</td>
<td>The Indian Divorce Act.</td>
<td></td>
</tr>
<tr>
<td>1889</td>
<td>XX</td>
<td>The Indian Volunteers Act; 1889</td>
<td></td>
</tr>
<tr>
<td>1870</td>
<td>VII</td>
<td>The Court-foes Act, 1870.</td>
<td>In section 7 (v) (4) for the word &quot;five&quot; the word &quot;ten&quot; shall be substituted.</td>
</tr>
<tr>
<td>1871</td>
<td>I</td>
<td>The Cattle Trespass Act, 1871.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>V</td>
<td>The Prisoners Act, 1871.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XXIII</td>
<td>The Pensions Act, 1871.</td>
<td></td>
</tr>
<tr>
<td>1872</td>
<td>I</td>
<td>The Indian Evidence Act, 1872.</td>
<td>In section 26 after the words &quot;Police Officer&quot; the words &quot;who is a Magistrate&quot; shall be inserted.</td>
</tr>
<tr>
<td></td>
<td>III</td>
<td>The Special Marriage Act, 1872.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IX</td>
<td>The Indian Contract Act, 1872.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XV</td>
<td>The Indian Christian Marriage Act, 1872.</td>
<td></td>
</tr>
<tr>
<td>1873</td>
<td>X</td>
<td>The Indian Oaths Act, 1873.</td>
<td></td>
</tr>
<tr>
<td>1874</td>
<td>II</td>
<td>The Administrator General's Act, 1874.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IV</td>
<td>The Foreign Recruiting Act, 1874.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IX</td>
<td>The European Wergeld Act, 1874.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XIV</td>
<td>The Scheduled Districts Act, 1874.</td>
<td></td>
</tr>
<tr>
<td>1876</td>
<td>IX</td>
<td>The Indian Majority Act, 1876.</td>
<td></td>
</tr>
<tr>
<td>1877</td>
<td>I</td>
<td>The Specific Relief Act, 1877.</td>
<td>Section only.</td>
</tr>
</tbody>
</table>
### SCHEDULE I—contd.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1878</td>
<td>I</td>
<td>The Opium Act, 1878</td>
<td></td>
</tr>
<tr>
<td></td>
<td>II</td>
<td>The Indian Treasure Trove Act, 1878</td>
<td></td>
</tr>
<tr>
<td>1879</td>
<td>XI</td>
<td>The Local Authorities Loans Act, 1879</td>
<td></td>
</tr>
<tr>
<td>1880</td>
<td>XII</td>
<td>The Vaccination Act, 1880</td>
<td></td>
</tr>
<tr>
<td>1881</td>
<td>V</td>
<td>The Probate and Administration Act, 1881</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XXVI</td>
<td>The Negotiable Instruments Act, 1881</td>
<td></td>
</tr>
<tr>
<td>1882</td>
<td>VI</td>
<td>The Indian Companies Act, 1882</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XII</td>
<td>The Indian Salt Act, 1882</td>
<td></td>
</tr>
<tr>
<td>1883</td>
<td>XIX</td>
<td>The Land improvement Loans Act, 1883</td>
<td></td>
</tr>
<tr>
<td>1884</td>
<td>XII</td>
<td>The Agriculturists' Loans Act, 1884</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XIII</td>
<td>The Indian Telegraph Act, 1885</td>
<td></td>
</tr>
<tr>
<td></td>
<td>VI</td>
<td>The Births, Deaths and Marriages Registration Act, 1886</td>
<td></td>
</tr>
<tr>
<td>1887</td>
<td>VII</td>
<td>The Suit Valuation Act, 1887</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IX</td>
<td>The Provincial Small Cause Courts Act, 1887</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XI</td>
<td>The Sind-Pishin Railway Act, 1887</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XVII</td>
<td>The Punjab Land Revenue Act, 1887</td>
<td>Application restricted to the taluk of Pishin, and modified as follows:— (1) The expressions 'Financial Commissioner' and 'Commissioner' shall in each case be construed to mean the Revenue Commissioner in Baluchistan.</td>
</tr>
</tbody>
</table>

Section 2 only.
<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>The Punjab Land Revenue Act, 1887—contd.</td>
<td>(2) The following provisions shall not be deemed to be in force, namely:—</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sub-sections (a) and (b) of section 1;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sub-sections (c) and (d) of section 2;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Clauses (e) and (f) of sub-section (d) of section 3;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sub-section (e) of section 6;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Section 7;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sub-section (b) of section 10;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Clause (a) of section 12;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Clause (a) of section 13;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Section 14;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>In section 68 from the word &quot;and from the appellate order&quot; to the end of the section;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Clause (a) of sub-section (2) of section 78;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Proviso (a) in section 75;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Clause (c) of section 98;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Clause (a) of sub-section (2) of section 117;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sub-section (2) of section 137.</td>
</tr>
</tbody>
</table>
### SCHEDULE I—cont'd.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1887</td>
<td>XVII</td>
<td>Acts of the Governor General in Council—cont'd.</td>
<td>(3) In sub-section (2) of section 2, for the words &quot;under any of the repealed enactments&quot; the words &quot;prior to the extension of this Act&quot; shall be substituted. &lt;br&gt; (4) In sub-section (13) of section 3, for the words &quot;the Legal Practitioners Act, 1879, except a Mubtäsir,&quot; the words &quot;section 18 of the British Baluchistan Civil Justice Regulation, 1890,&quot; shall be substituted. &lt;br&gt; (5) For section 5, the following section shall be substituted, namely —&lt;br&gt; &quot;5. The Local Government may, by order in writing and with the previous sanction of the Governor General in Council, vary the limits of the taluk of Pishin.&quot; &lt;br&gt; (6) For sub-section (3) of section 6, the following sub-section shall be substituted, namely:—&lt;br&gt; &quot;(3) The Deputy Commissioner for Pishin shall be the Collector of the taluk of Pishin.&quot; &lt;br&gt; (7) From section 8 the words &quot;Commissioners, Deputy Commissioners, Assistant Commissioners and&quot; shall be omitted.</td>
</tr>
</tbody>
</table>
### Schedule I—contd.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
</table>

- (8) From sub-section (4) of section 11, the words "as aforesaid and" shall be omitted.
- (9) From clause (a) of sub-section (1) of section 27, the words "Financial Commissioner, Commissioner or" shall be omitted.
- (10) From sub-section (2) of section 27, the words "Financial Commissioner, Commissioner" shall be omitted.
- (11) In sub-section (1) of section 40, for the words "either of the two last foregoing sections," the words "section 41" shall be substituted.
- (12) In clause (e) of sub-section (5) of section 117 for the words "Divisional Court or Chief Court, as the case may be," the words "Court of the Judicial Commissioner" shall be substituted.
- (13) In section 136 and in sub-section (2) of section 136 for the words and figures "Punjab Courts Act, 1884," the words and figures "British Baluchistan Civil Justice Regulation, 1896," shall be substituted, and in sub-section (2) of section 137 the words "In the absence of any such notification" shall be omitted.
### SCHEDULE I—contd.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>IV</td>
<td>The Indian Reserve Forces Act, 1888</td>
<td></td>
</tr>
<tr>
<td>1889</td>
<td>VII</td>
<td>The Succession Certificate Act, 1889</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XV</td>
<td>The Indian Official Secrets Act, 1889</td>
<td></td>
</tr>
<tr>
<td>1890</td>
<td>XI</td>
<td>The Prevention of Cruelty to Animals Act, 1890</td>
<td></td>
</tr>
<tr>
<td>1891</td>
<td>XVIII</td>
<td>The Bankers’ Books Evidence Act, 1891</td>
<td></td>
</tr>
<tr>
<td></td>
<td>II</td>
<td>The Marriage Validation Act, 1892</td>
<td></td>
</tr>
<tr>
<td>1894</td>
<td>I</td>
<td>The Land Acquisition Act, 1894</td>
<td></td>
</tr>
<tr>
<td>1895</td>
<td>XII</td>
<td>The Indian Companies (Memorandum of Association) Act, 1895</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XV</td>
<td>The Crown Grants Act, 1895</td>
<td></td>
</tr>
<tr>
<td>1896</td>
<td>XII</td>
<td>The Excise Act, 1896</td>
<td></td>
</tr>
<tr>
<td>1897</td>
<td>IV</td>
<td>The Indian Fisheries Act, 1897</td>
<td></td>
</tr>
<tr>
<td></td>
<td>VIII</td>
<td>The Reformatory Schools Act, 1897</td>
<td></td>
</tr>
<tr>
<td></td>
<td>X</td>
<td>The General Clauses Act, 1897</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XIV</td>
<td>The Indian Short Titles Act, 1897</td>
<td></td>
</tr>
<tr>
<td>1898</td>
<td>V</td>
<td>The Code of Criminal Procedure, 1898</td>
<td>All references in the British Baluchistan Criminal Justice Regulation, 1896 (VIII of 1896), to the Code of Criminal Procedure, 1882 (Act X of 1882), shall be construed as referring to the</td>
</tr>
</tbody>
</table>
### British Baluchistan Laws Regulation

**SCHEDULE I—contd.**

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1898</td>
<td>V</td>
<td>Acts of the Governor General in Council—contd.</td>
<td>Corresponding provisions of the Code of Criminal Procedure, 1898 (Act V of 1898), and the said</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Code as now extended shall be subject to the provisions of the said Regulation so construed.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>VIII The Indian Petroleum Act, 1899</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>XIII The Glanders and Farcy Act, 1899.</td>
<td></td>
</tr>
<tr>
<td>1900</td>
<td>IV</td>
<td>The Indian Companies (Branch Registrars) Act, 1900</td>
<td></td>
</tr>
<tr>
<td>1901</td>
<td>VII</td>
<td>The Native Christian Administration of Estates Act, 1901</td>
<td></td>
</tr>
<tr>
<td>1904</td>
<td>I</td>
<td>The Poisons Act, 1904</td>
<td></td>
</tr>
<tr>
<td>1905</td>
<td>IV</td>
<td>The Indian Railway Board Act, 1905.</td>
<td></td>
</tr>
<tr>
<td>1907</td>
<td>III</td>
<td>The Provincial Insolvency Act, 1907.</td>
<td></td>
</tr>
<tr>
<td>1908</td>
<td>V</td>
<td>The Code of Civil Procedure, 1908.</td>
<td>All except the following portions shall be omitted, namely:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><em>(Sections)</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>*(1) 15 to 23 both inclusive and 25 (Place of suing);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>*(2) 28 to 46 both inclusive (Courts by which decrees may be executed);</td>
</tr>
<tr>
<td>Year</td>
<td>Number</td>
<td>Short title</td>
<td>Modifications and restrictions</td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
<td>-------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>1908</td>
<td>V</td>
<td>Acts of the Governor General in Council—contd.</td>
<td>(3) 47 (Questions to be determined by Court executing decree);</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The Code of Civil Procedure, 1908—contd.</td>
<td>(4) 48 (Limit of time for execution);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(5) 54 (Procedure in execution regarding partition of estate or separation of share);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(6) 65 to 69 both inclusive (Arrest and detention);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(7) 70 to 74 both inclusive (Attachment);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(8) 75 to 78 both inclusive (Sale);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(9) 79 (Resistance to execution);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(10) 80 to 82 both inclusive (Suits by or against the Government or public officers in their official capacity);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(12) 83 (Special case—Power to state case for opinion of Court);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(13) 84 and 85 (Supplemental proceedings);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(14) 86 (Exemption from arrest under civil process);</td>
</tr>
<tr>
<td>Year</td>
<td>Number</td>
<td>Short title</td>
<td>Modifications and restrictions</td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
<td>-------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>1908</td>
<td>V</td>
<td>Acts of the Governor General in Council—contd.</td>
<td>(15) 136 (Procedure where person to be arrested or property to be attached is outside district); The First Schedule.</td>
</tr>
</tbody>
</table>

(16) Order V—Rules 24 and 27 to 29 both inclusive (Service of summons); (17) Order XXI—Rules 4 to 9 both inclusive (Courts executing decrees); Rules 11 to 14 both inclusive, and Rules 17, 22, 23 (Application for execution); Rule 24 (Process for execution); Rules 37, 38, 40 (Arrest and detention in the civil prison) and Rule 48 (Attachment of salaries and allowances of Public officer or servant of Railway Company, or local authority); (18) Order XXV—the whole (Security for costs); (19) Order XXVI—the whole (Commission); (20) Order XXVII—the whole (Suits by or against the Government or Public officers in their official capacity);
<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Year</td>
<td>Number</td>
<td>Short title</td>
<td>Modifications and restrictions</td>
</tr>
<tr>
<td>1908</td>
<td>V</td>
<td>Acts of the Governor General in Council—contd.</td>
<td>(21) Order XXVIII—the whole (Suits by or against Military men);</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The Code of Civil Procedure, 1908—contd.</td>
<td>(22) Order XXXII—the whole (Suits by or against minors and persons of unsound mind);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(23) Order XXXIII—the whole (Suits by paupers);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(24) Order XXXVI—the whole (Special case);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(25) Order XXXXI—Rules 1 to 6 both inclusive and 9 to 12 both inclusive (Arrest and attachment before judgment);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(26) Order XXXIX—Rules 6 to 10 both inclusive (Interlocutory order);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(27) Order XLI—the whole (Pauper appeals);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>The Second Schedule.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(28) Paragraphs 17 and 18 (Order of reference on agreements to refer to arbitration);</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(29) Paragraphs 20 and 21 (Arbitration without the intervention of a court);</td>
</tr>
</tbody>
</table>

13
# British Baluchistan Laws Regulation

## SCHEDULE I—contd.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>IX</td>
<td>The Indian Limitation Act, 1900</td>
<td>The Act shall be read as if the words “or the British Baluchistan Civil Justice Regulation, 1865, as the case may be” were added at the end of sub-section (8) of section 42.</td>
</tr>
<tr>
<td></td>
<td>XVI</td>
<td>The Indian Registration Act, 1861</td>
<td></td>
</tr>
<tr>
<td></td>
<td>VIII</td>
<td>The Indian Army Act, 1912</td>
<td></td>
</tr>
<tr>
<td></td>
<td>II</td>
<td>The Co-operative Societies Act, 1912</td>
<td></td>
</tr>
<tr>
<td>1913</td>
<td>V</td>
<td>The White Phosphorus Matches Prohibition Act, 1913.</td>
<td></td>
</tr>
<tr>
<td>1974</td>
<td>VII</td>
<td>The Punjab Frontier Jagir Revenue Collection Regulation, 1874.</td>
<td>The expression “Lieutenant-Governor,” wherever it occurs in the said Regulation, shall be construed to mean the “Chief Commissioner of British Baluchistan.”</td>
</tr>
<tr>
<td>1901</td>
<td>III</td>
<td>The Frontier Crimes Regulation, 1901.</td>
<td>(1) All references to the Commissioner, or to the Court of the Commissioner, shall be read as referring to the Chief Commissioner of British Baluchistan.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(2) From section 8, sub-section (1), the words “and if a suit is pending in respect of the dispute” and the words “the Members of the Council of Elders shall, in each case,” be omitted and appointed by the...</td>
</tr>
<tr>
<td>Year</td>
<td>Number</td>
<td>Short title,</td>
<td>Modifications and restrictions</td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
<td>--------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>1907</td>
<td>1</td>
<td>The Upper Burma and Arakan Hills Frontier Crossing and Disturbed Districts Regulation, 1907.</td>
<td>(1) The expressions &quot;or the Hill District of Arakan,&quot; &quot;and the Hill District of Arakan,&quot; &quot;or Shan or Karenni States,&quot; &quot;or of the Hill District of Arakan,&quot; &quot;and Arakan Hills&quot; and &quot;and to the Hill Districts of Arakan&quot; shall be omitted, and the references to &quot;Upper Burma&quot; and &quot;Commissioner of the Division,&quot; shall be read as references to &quot;British Baluchistan&quot; and &quot;Chief Commissioner of British Baluchistan,&quot; respectively.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(2) For section 2, clause (a), the following shall be substituted:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>&quot;(a) pass across the frontier of British Baluchistan into any foreign territory.&quot;</td>
</tr>
<tr>
<td>Year</td>
<td>Number</td>
<td>Short title</td>
<td>Modifications and restrictions</td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
<td>-------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>1901</td>
<td>111</td>
<td>Regulations under 33 Vict., C. 3 — contd.</td>
<td>Deputy Commissioner&quot; shall be omitted.</td>
</tr>
</tbody>
</table>

(3) In section 11, subsection (1), the words "the Members of the Council of Elders shall, in each case, be nominated and appointed by the Deputy Commissioner" shall be omitted.

(4) For section 11, subsection (2), the following shall be substituted, namely:—

"(2) Where a reference to the Council of Elders is made under subsection (1), the names of the members shall, as soon as may be, be communicated to the accused person and any objection which he may then make to any such member shall be recorded. The Deputy Commissioner shall consider every objection made by an accused person under this sub-section and may, in his discretion, either accept or reject the objection: provided that, in the latter case, he shall record his reasons for so doing."


**British Baluchistan Laws Regulation.** [Reg. II, 1913.]

**Schedule II.**

*(See section 6.)*

**Enactments repealed.**

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Extent of repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1890</td>
<td>I</td>
<td>The British Baluchistan Laws Regulation, 1890.</td>
<td>So much as is unrepealed.</td>
</tr>
<tr>
<td></td>
<td>V</td>
<td>The British Baluchistan Forest Regulation, 1890.</td>
<td>Sections 45 and 46.</td>
</tr>
</tbody>
</table>
THE ANGUL LAWS REGULATION, 1913.
(III of 1913).

CONTENTS.

CHAPTER I.
PRELIMINARY.

Sections.
1. Short title and commencement.
2. Definitions.

CHAPTER II.

LAW APPLICABLE IN THE DISTRICT.
3. Enactments in force in the district.
4. Power to exempt the district from operation of enactment.
5. Power to declare other enactments to be in force.
6. Power to construe enactments with necessary alterations.
7. Proceedings when not vitiated for irregularities.
8. Execution, outside the district, of sentences passed there-
in.

CHAPTER III.

CONSTITUTION AND JURISDICTION OF COURTS.
9. Sub-divisions of the district.
11. Establishment of other Courts.
12. Control over Courts.
13. Local jurisdiction and powers of Courts and officers.

CHAPTER IV.

ADMINISTRATION OF CRIMINAL JUSTICE.
15. Court of Session.
16. Power of Court of Session to take cognizance of offences as a Court of original jurisdiction.

[Price Anuas eight.]
17. Sessions trials without jury or assessors.
18. Officer in charge of a police-station.
19. Detention by police.
20. Statement made to police-officer.
21. Prosecution for State offences or for false evidence by person to whom pardon has been tendered.
22. Tender of pardon.
23. Limitation of appeal.
25. Contempt and offences against public justice or relating to documents.
27. Adjournment, on application, for transfer of case.
28. Commissioner's and Deputy Commissioner's power of revision.
29. Saving of provisions relating to European British subjects.

CHAPTER V.

ADMINISTRATION OF CIVIL JUSTICE.

30. Law to be administered.
31. Interest.
32. Reference by Court to village panchayat.
33. Reference by Court to arbitration.
34. Bar to arbitration in certain cases and limitation of awards.
35. Number and appointment of arbitrators.
37. Use and control of rivers, etc.
38. Appeal.
39. Revision.

CHAPTER VI.

RECOVERY OF PUBLIC DEMANDS.

40. Certificate that public demand is in arrear.
41. Issue of notice.
42. Mode of realization.
43. Sale of immovable property of raiyat.
44. Deputy Commissioner's and Commissioner's power of revision.
45. Register of proceedings.

CHAPTER VII.

POLICE.

46. Power to appoint and dismiss village-chaudhurs.
47. Constitution of villages and realization of chaudhur dues.
48. Penalty for village-chaudhur withdrawing from his duties, etc.
49. Power to fine village-chaudhurs departmentally.
50. Duties of village-chaudhur.
51. Procedure of arrest by village-chaudhur.
52. Appeal from order of Superintendent of Police.
53. Application of the Police Act, 1861.
54. Power to make rules.

CHAPTER VIII.

REGISTRATION OF DOCUMENTS.

55. Sub-Registrars.
56. Registrar.
57. Power to direct compulsory registration in certain cases.
58. Power to make rules.

CHAPTER IX.

LANDLORD AND TENANT.

59. Meaning of "raiyat."
60. Raising of rent of raiyati land.
61. Restrictions on transfer of their rights by tenure-holders or raiyats.
62. Registrations on sale of raiyat's rights under orders of Court.
63. Procedure on surrender or abandonment of holding.
64. Ejection.
65. Delegation of powers of Deputy Commissioner.
66. Control by Commissioner.
67. Power to make rules.

CHAPTER X.
SANITATION.
68. Power to make rules as to sanitation.

CHAPTER XI.
MISCELLANEOUS.
69. Power of Deputy Commissioner to summon landholders, etc.
70. Auction-sales and liability of auction-purchasers.
71. Control of agents and petition-writers.
72. Legal practitioners.
73. Power of Court to grant exemption from payment of court-fees.
74. Oath or solemn affirmation.
75. Repeal.

THE SCHEDULE—ENACTMENTS DECLARED IN FORCE IN THE DISTRICT OF ANGUL OR PART THEREOF.
REGULATION No. III of 1913.

A Regulation to provide for the peace and good government of the Angul District.

[Received the assent of the Governor General on the 10th October, 1913; and published in the Gazette of India on the 18th idem and in the Bihar and Orissa Gazette on the 29th idem.]

WHEREAS it is expedient to consolidate and amend the law providing for the peace and good government of the Angul District in the Orissa Division; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Regulation may be called the Angul Laws Regulation, 1913; and
   Short title and commencement.

   (2) It shall come into force on such day as the Local Government may, by notification in the Bihar and Orissa Gazette, direct.

2. In this Regulation and in every enactment in force in the district, unless there is anything repugnant in the subject or context,—
   Definitions.

   (a) "accountant" means any person charged with the duty of keeping the account of any demand due to the Government and accruing within the district;

   (b) "Deputy Collector and Deputy Magistrate" includes any Sub-Deputy Collector and Sub-Deputy Magistrate who is specially empowered by the Commissioner to discharge the functions of a Deputy Collector and Deputy Magistrate;
(Chapter I.—Preliminary—Section 2. Chapter II.—Law applicable in the District—Section 3.)

(c) "Deputy Commissioner" means the officer in chief executive charge of the district, by whatever other title he may be designated;

d) "District" means the district comprising Angul and the area known as the Khondmals;

e) "District Court" and "District Judge" means the Court of the Deputy Commissioner and the Deputy Commissioner, respectively;

f) "High Court" means, with reference to criminal proceedings against European British subjects or persons jointly charged with such subjects, the High Court of Judicature at Fort William in Bengal; and, in any other case, the Court of the Commissioner;

g) "Sub-divisional Officer" means the Officer in charge of a Sub-division of the district; and

(h) "Superintendent of Police" means the chief officer in charge of the Angul District Police, by whatever other title he may be designated.

CHAPTER II.

LAW APPLICABLE IN THE DISTRICT.

3. (1) So much of each of the enactments specified in the Schedule as is at the commencement of this Regulation in force in the territories to which the enactment generally applies shall, in the form in which it is for the time being so in force, be deemed to be in force in the district, or in such part thereof as is mentioned in the 3rd column of the said Schedule, subject to any modifications made by this Regulation.
Anong Law

(Chapter II.—Law applicable in the District—Sections 3—6.)

(2) An enactment not comprised in the Schedule shall not be deemed to be in force in any part of the district, unless it is expressed by special mention of the district of Angul or any part of that district to extend thereto or is, after the commencement of this Regulation, declared in force therein or extended thereto in exercise of the powers conferred by section 5 of this Regulation or by any other enactment for the time being in force in the district.

Explanation.—Enactments not comprised in the Schedule, and not declared in force or extended as aforesaid, shall not be deemed to be in force in the district or any part thereof merely on the ground that they are referred to in some enactment which is so in force.

4. Subject to the control of the Governor General in Council, the Local Government may, by notification in the Bihar and Orissa Gazette, declare that any enactment which is comprised in the Schedule shall no longer be in force in the district; and, on the publication of such notification, such enactment shall be repealed in the said district.

5. Subject to the control of the Governor General in Council, the Local Government may, by notification in the Bihar and Orissa Gazette, declare that any enactment not comprised in the Schedule shall be in force in the district or any part thereof, and, on the publication of such notification, such enactment shall be deemed to be comprised in the Schedule.

6. For the purpose of facilitating the application of any enactment for the time being in force in the district, any Court may construe such enactment with such alterations, not affecting the substance thereof, as may be necessary or proper to adapt it to the matter before the Court.
Reg. III, 1913. ]

Angul Laws.

(Chap. II.—Law applicable in the District—Sections 7—8. Chap. III.—Constitution and Jurisdiction of Courts—Sections 9—10.)

7. Notwithstanding anything in this Regulation or in the enactments comprised in the Schedule, no finding, sentence, judgment, decree or order of any Court shall be reversed, set aside or modified on appeal, revision or otherwise, by reason of any irregularity in procedure, unless such irregularity has, in the opinion of the Court, caused a failure of justice.

8. Any person liable to be imprisoned in any prison in the district or to be transported, under any order or sentence passed by any officer or Court duly empowered under this Regulation, may be confined in any prison in British India, or may be transported to any place which the Local Government may select.

CHAPTER III.

CONSTITUTION AND JURISDICTION OF COURTS.

9. The district shall be divided, for Civil, Criminal and Revenue purposes, into the Sadar or Angul sub-division and the Khondmals sub-division.

10. There shall be the following Courts in or for the district, and they shall be subject to the general superintendence and control of the Local Government:

(1) the Court of the Honorary Magistrate or Bench of Magistrates;
(2) the Court of the Sub-Deputy Collector and Sub-Deputy Magistrate;
(3) the Court of the Deputy Collector and Deputy Magistrate;
(4) the Courts of the Sub-divisional Officers of Angul and of the Khondmals;
(5) the Court of the Deputy Commissioner; and
Angul Laws. [Reg. III, 1913

(Chapter III.—Constitution and Jurisdiction of Courts—Sections 11–14.)

(6) the Court of the Commissioner.

11. The Local Government may establish any Establishment of other Courts and may invest it with such powers as it may prescribe to be exercised in the district.

12. (1) The immediate control and supervision of Control over Courts, the Court of the Deputy Commissioner and of any other Court of equal or similar powers that may hereafter be established in accordance with the provisions of section 11 shall be vested in, and every such Court shall be subordinate to, the Court of the Commissioner.

(2) The immediate control and supervision of the Courts mentioned in clauses (1) to (4) of section 10, and of any other similar Court that may hereafter be established under section 11, shall be vested in, and all such Courts shall be subordinate to, the Court of the Deputy Commissioner.

13. The Local Government may, by notification in the Bihar and Orissa Gazette, Local jurisdiction and powers of Courts and officers. define the local limits of the jurisdiction and the powers of any Court constituted under this Regulation, or of any officer of the Government employed in the district.

14. (1) The Courts mentioned in section 10 shall ordinarily have the powers specified in the following table:—

<table>
<thead>
<tr>
<th>Name of Court</th>
<th>Revenue powers</th>
<th>Criminal powers</th>
<th>Civil powers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>I.—The Court of the Honorary Magistrate or Bench of Magistrates.</td>
<td>...</td>
<td>The ordinary powers of a Magistrate of the third class, as defined in the Code of Criminal Procedure, 1898.</td>
<td>...</td>
</tr>
<tr>
<td>Name of Court</td>
<td>Revenue powers</td>
<td>Criminal powers</td>
<td>Civil powers</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------</td>
<td>----------------</td>
<td>-------------</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>II.—The Court of the Sub-Deputy Collector and Sub-Deputy Magistrate.</td>
<td>Powers corresponding to those of a Deputy Collector under any law for the time being in force in the district.</td>
<td>The ordinary powers of a Magistrate of the second class, as defined in the Code of Criminal Procedure, 1898.</td>
<td>…</td>
</tr>
<tr>
<td>III.—The Court of the Deputy Collector and Deputy Magistrate.</td>
<td>Ditto.</td>
<td>Ditto.</td>
<td>Powers corresponding to those of a Civil Court, under the Code of Civil Procedure, 1908, to try original civil suits of which the value does not exceed one hundred rupees.</td>
</tr>
<tr>
<td>IV.—The Court of the Subdivisional Officers of Angul and of the Rhenaduinals.</td>
<td>Powers corresponding to those of a Deputy Collector under any law for the time being in force in the district.</td>
<td>The ordinary powers of a Subdivisional Magistrate of the first class, as defined in the Code of Criminal Procedure, 1898.</td>
<td>Powers corresponding to those of a Civil Court, under the Code of Civil Procedure, 1908, to try original civil suits of which the value does not exceed five hundred rupees.</td>
</tr>
<tr>
<td>V.—The Court of the Deputy Commissioner.</td>
<td>Powers corresponding to those of a Collector under any law for the time being in force in the district.</td>
<td>The ordinary powers of a District Magistrate and of a Sessions Judge, under the Code of Criminal Procedure, 1898.</td>
<td>Powers corresponding to those of a District Judge, under the Code of Civil Procedure, 1908, to try original civil suits and appeals without limit as respects the value.</td>
</tr>
</tbody>
</table>
Angul Laws.  [REG. III, 1913.]

(Chapter III.—Constitution and Jurisdiction of Courts—Section 14.) (Chapter IV.—Administration of Criminal Justice—Sections 15—16.)

<table>
<thead>
<tr>
<th>Name of Court</th>
<th>Revenue powers.</th>
<th>Criminal powers.</th>
<th>Civil powers.</th>
</tr>
</thead>
<tbody>
<tr>
<td>V of 1888.</td>
<td>Powers correspond-</td>
<td>The ordinary</td>
<td>Powers correspond-</td>
</tr>
<tr>
<td></td>
<td>ing to those of a</td>
<td>powers of a High</td>
<td>ing to those of a</td>
</tr>
<tr>
<td></td>
<td>Commissioner and</td>
<td>Court, under the</td>
<td>High Court under</td>
</tr>
<tr>
<td></td>
<td>of the Board of</td>
<td>Code of Criminal</td>
<td>the Code of Civil</td>
</tr>
<tr>
<td></td>
<td>Revenue under the</td>
<td>Procedure, 1886,</td>
<td>Procedure, 1908.</td>
</tr>
<tr>
<td></td>
<td>any law for the</td>
<td>except in regard</td>
<td>V of 1908.</td>
</tr>
<tr>
<td></td>
<td>time being in</td>
<td>to criminal pro-</td>
<td></td>
</tr>
<tr>
<td></td>
<td>force in the dis-</td>
<td>ceedings against</td>
<td></td>
</tr>
<tr>
<td></td>
<td>trict.</td>
<td>European British</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>subjects or persons</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>jointly charged</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>with European</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>British subjects.</td>
<td></td>
</tr>
</tbody>
</table>

(2) The Local Government may, by notification in the Bihar and Orissa Gazette,—

(a) confer upon any Court mentioned in column 1 of the foregoing table any further powers in addition to those specified in respect of such Court in that table, or

(b) authorize the Board of Revenue to exercise supervision and control over any such Court in all or any matters relating to revenue.

CHAPTER IV.

ADMINISTRATION OF CRIMINAL JUSTICE.

15. The district shall be a sessions division, the Court of the Deputy Commissioner shall be the Court of Session, and the Deputy Commissioner shall be the Judge of that Court.

16. As Sessions Judge the Deputy Commissioner may take cognizance of any offence as a Court of original jurisdiction without the accused person being committed to him.
Reg. III, 1913.

(Angle Laws.

(Chapter IV.—Administration of Criminal Justice—Sections 17—20.)

for trial by a Magistrate, and, when so taking cognizance of an offence, shall, subject to the provisions of this Regulation, follow the procedure prescribed by the Code of Criminal Procedure, 1898, for the trial of warrant cases by Magistrates.

17. A trial before a Court of Session may be without a jury or the aid of assessors.

18. (1) The police-officer of highest rank present at a police-station shall be deemed to be the officer in charge of such police-station.

(2) Any police-officer may exercise the powers conferred, by section 55 of the Code of Criminal Procedure, 1898, on an officer in charge of a police-station.

19. (1) Notwithstanding anything contained in section 57 or section 61 of the Code of Criminal Procedure, 1898, an officer in charge of a police-station may detain a person arrested without warrant for such time as in all the circumstances of the case is reasonable.

(2) When such officer of his own authority detains any such person in custody for a longer period than twenty-four hours, exclusive of the time necessary for the journey from the place of arrest to the nearest Magistrate’s Court, he shall, in the report prescribed by section 62 of the Code of Criminal Procedure, 1898, state his reasons for prolonging the detention of such person, and, where the detention extends beyond three days, shall submit further reports of the reasons therefor at such intervals as the Magistrate to whom the report under section 62 was submitted may, by general or special order, direct.

20. Nothing in the first paragraph of sub-section (1) of section 162 of the Code of Criminal Procedure, 1898, shall be construed to apply to a statement made to a police-officer who is also a Magistrate.
Angul Laws. [Reg. III, 1913.

(Chapter IV.—Administration of Criminal Justice—Sections 21—26)

21. Notwithstanding anything in any law for the time being in force, a prosecution for State offences or for false evidence by person to whom pardon has been tendered.

Prosecution for State offences or for false evidence by person to whom pardon has been tendered, may be entertained upon complaint made by order of, or under authority from, the Deputy Commissioner.

22. Any Magistrate tendering a pardon to an accomplice under section 337 of the Code of Criminal Procedure, 1898, may, notwithstanding anything contained in that section, try the case himself.

23. Notwithstanding anything contained in the Indian Limitation Act, 1908, the period of limitation for an appeal from any sentence or order in any criminal case shall be thirty days from the date of such sentence or order.

24. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, no appeal shall lie in any case in which the Deputy Commissioner, exercising the powers of a District Magistrate or of a Court of Session, passes a sentence of imprisonment for a term not exceeding three months, or of fine not exceeding one hundred rupees, or of whipping only.

25. Where an offence referred to in section 195 of the Code of Criminal Procedure, 1898, is committed before the presiding officer of a Criminal Court, in contempt of his authority, or is brought to his notice in the course of a judicial proceeding, he may himself try for such offence the person accused thereof.

26. Notwithstanding anything contained in section 495 of the Code of Criminal Procedure, 1898, any Court may allow any police-officer to conduct a prosecution.
(Chapter IV.—Administration of Criminal Justice—
Section 27—29.)

27. Any Court may, for reasons stated in writing,
refuse to exercise, in the manner
mentioned in sub-section (8) of
section 526 of the Code of Crimi-
nal Procedure, 1898, the power of postponement or
adjournment given by section 344 of that Code.

28. In the case of any proceeding the record of
which has been called for and
examined by himself, or which
has been reported for orders
under section 435 of the Code of Criminal Procedure,
1898, or which otherwise comes to his knowledge, the
Deputy Commissioner or the Commissioner may, in his
discretion, exercise any of the powers conferred on
a Court of appeal by sections 196, 423, 426, 427 and
428 of that Code, and may, for sufficient reasons to be
recorded, enhance the sentence:

Provided that—

(1) no order under this section shall be made
to the prejudice of the accused, unless
he has had an opportunity of being heard in
his defence;

(2) nothing in this section shall apply to an
entry made under section 273 of that Code,
or shall be deemed to authorize the conver-
sion of a finding of acquittal into one of
conviction.

29. Nothing in this Chapter with respect to proce-
dure in inquiries or trials, or with
respect to sentences or appeals
therefrom, or the period of limita-
tion for such appeals or to the enhancement or execu-
tion of sentences, shall be construed to affect the Code of
Criminal Procedure, 1898, or the Indian Limitation
Act, 1908, in its application to European British
subjects or to persons jointly charged with such
subjects.
Chapter V.—Administration of Civil Justice—
Sections 30—31.)

CHAPTER V.

ADMINISTRATION OF CIVIL JUSTICE.

30. (1) When in any civil proceeding it is necessary to decide any question regarding succession, inheritance, pre-emption, caste, special property of females, betrothal, marriage, adoption, guardianship, minority, bastardy, family relationship, wills, legacies, gifts, partitions or any other religious or social usage or institution,

the Buddhist law, in cases where the parties are Buddhists, the Muhammadan law, in cases where the parties are Muhammadans, and the Hindu law, in cases where the parties are Hindus, shall form the rule of decision,

except in so far as such law has, by any enactment in force in the district, been amended or abolished, or is opposed to any custom having the force of law in the district.

(2) In cases not provided for by sub-section (1), or by any other law for the time being in force, the Court shall act according to justice, equity and good conscience.

31. In any suit instituted after the commencement of this Regulation,—

Interest.

(a) interest on any debt or liability for a period exceeding one year shall not be decreed at a higher rate than two per cent per mensem, notwithstanding any agreement to the contrary, and no compound interest arising from any adjustment of account which is not final, or from any claim by bond, decree or otherwise, which has been increased on renewal without the passing of fresh consideration, shall be decreed; and,

(b) the total interest decreed on any loan or debt shall not exceed one-fourth of the principal
sum, if the period be not more than one year and shall not in any other case exceed the principal of the original loan or debt.

32. The Court may at any time, of its own motion, for reasons to be recorded in writing, refer any matter arising in any suit to the arbitration of any village panchayat which has been vested by the Deputy Commissioner with powers in this behalf.

33. Where any suit involves—

(a) the examination or adjustment of accounts, or

(b) questions of pedigree or local caste or of local or family custom, or

(c) any other question of family law,

the Court may, of its own motion or on the application of any of the parties, and after recording its reasons in writing, refer to arbitration any matter of difference between the parties.

34. Notwithstanding anything contained in Schedule II of the Code of Civil Procedure, 1908—

(a) no matter in which any settlement proceeding or any interest of the Government is involved shall be referred to arbitration;

(b) no award which is contrary to any of the provisions of this Regulation shall have any effect.

35. (1) Whenever any matter is referred to arbitration, under section 33 or under the Second Schedule to the Code of Civil Procedure, 1908, three arbitrators shall be appointed: namely, one by the plaintiff, one by the defendant, and one by the Court.
Angul Laws.

(Reg. III, 1913.

(Chapter V.—Administration of Civil Justice—Sections 36–38.)

(2) The Court shall consider any objection that may be made by the plaintiff or the defendant to any appointment within seven days from the date of such appointment, and may, if it thinks fit, direct that a fresh appointment be made.

36. Subject to the modifications contained in sections 32 to 35, the provisions of the Second Schedule of the Code of Civil Procedure, 1908, shall, so far as may be, apply to all references to arbitration made in accordance with the provisions of this Regulation.

37. The Crown shall be presumed, until the contrary is proved, to be entitled to the exclusive use and control of—

(a) the water of all rivers and streams flowing in natural channels,

(b) all natural collections of water, and

(c) all tanks and irrigation-embankments belonging to, or constructed wholly or in part by or at the expense of, the Government, within the district.

38. (1) An original decree or order made by the Court of a Sub-divisional Officer in any civil or revenue suit, the value of which does not exceed fifty rupees, shall, subject to the provisions of this Regulation with respect to revision, be final.

(2) From every other decree or order made by the Court of a Sub-divisional Officer, and from every decree or order made in any civil or revenue suit by any other Court subordinate to the Court of the Deputy Commissioner, an appeal shall lie to the Court of the Deputy Commissioner.

(3) An original decree or order made by the Court of the Deputy Commissioner in any civil or revenue suit, the value of which does not exceed five hundred rupees, shall, subject to the provisions of this Regulation, be final.
ruppees, shall, subject to the provisions of this Regulation with respect to revision, be final.

(4) From every other original decree or order made by the Court of a Deputy Commissioner in any civil or revenue suit, an appeal shall lie to the Court of the Commissioner.

(5) Save as provided by sub-section (6), and subject to the provisions of this Regulation with respect to revision, every appellate decree or order of the Court of the Deputy Commissioner in any civil or revenue suit shall be final.

(6) An appeal from an appellate decree or order of the Court of the Deputy Commissioner in a civil or revenue suit, the value of which exceeds one thousand rupees, and in which the Deputy Commissioner has reversed or modified the orders of the Lower Court, shall lie to the Court of the Commissioner.

39. The Commissioner or the Deputy Commissioner may, of his own motion or otherwise, call for the record of any civil or revenue case decided by any Court under his control and supervision, and may pass such order thereon as he may think fit.

CHAPTER VI.

RECOVERY OF PUBLIC DEMANDS.

40. WHENEVER —

Certificate that public demand is in arrear.

(a) any sum due to the Government, or

(b) any rent due to a surbarakar who, under the terms of the settlement made with him, has previously paid the amount thereof to the Government, or

(c) any plough-contribution due to a sardar or muthia malik who has previously paid the amount thereof to the Government,
(Chapter VI.—Recovery of Public Demands—Sections 41—44.)

remains unpaid on the date next following that on which payment is due, the accountant shall certify in writing to the Sub-divisional Officer the fact of the arrear and the amount due.

41. (1) On receipt of any such certificate the Sub-divisional Officer may, after making such inquiry as he thinks fit and if he be satisfied that the demand specified in the certificate or any part thereof is justly due, issue a notice to the defaulter ordering him within a given time,—

(a) to pay the amount specified in the notice, or

(b) to appear before him and state any objection he may have to paying such amount or any part thereof.

(2) When any objection is made under clause (b) of sub-section (1), the Sub-divisional Officer shall, after making such inquiry as may be necessary, determine the same.

42. The Sub-divisional Officer may recover any amount ascertained to be due in accordance with the provisions of section 41, together with all cost of realizing the same, by attachment and sale of any property belonging to the defaulter.

43. (1) The Sub-divisional Officer shall not proceed against any immovable property of a raiyat, unless and until he has satisfied himself that the raiyat has no movable property by the sale of which the sum due from him can be realized.

(2) Before any immovable property of a raiyat is sold under the provisions of this Chapter, the case shall be reported for the orders of the Deputy Commissioner. On receipt of such report, the Deputy Commissioner may,—

(a) order the sale of such property, or
Reg. III, 1913. ]

Angul Laws

(Chapter VI. — Recovery of Public Demands—Sections 44—45. Chapter VII. — Police—Sections 46—47.

(b) attach such property and make such arrangements as he thinks fit to liquidate the debt.

44. All the proceedings of a Sub-divisional Officer under this Chapter shall be subject to revision by the Deputy Commissioner and by the Commissioner who may set aside or modify the orders of the said Sub-divisional Officer in any way he thinks fit; but there shall be no appeal, as a matter of right, to either of the said officers.

45. Every Sub-divisional Officer shall keep, in such form as may from time to time be prescribed by the Commissioner, a register of his proceedings under this Chapter; and every payment made by any defaulter shall be duly entered in such register.

CHAPTER VII.

Police.

46. Subject to the approval of the Deputy Commissioner, the Superintendent of Police may, after consulting the house-holders of any village, appoint any person to be a village-chaukidar, and may, for any misconduct or neglect of duty, dismiss any village-chaukidar.

47. (1) The Deputy Commissioner or may, from time to time, by written order,—

(a) declare any local area or group of dwelling to be a village for the purposes of this Chapter, and

(b) direct each house-holder of the village to make a monthly or annual payment, in money or in grain, or in both, of such amount as may be fixed by the Deputy Commissioner, after consulting such house-
Angul Laws. [Reg. III, 1913

(Chapter VII.—Police—Sections 48—49.

holders, to defray the cost of the salary and uniform of the village-chaukidar.

(2) The said payments shall be made to the headman, sarbarakar or other person appointed by the Deputy Commissioner in this behalf.

(3) It shall be the duty of the person so appointed to see that the said payments are punctually made, and duty to account for the same; and the Deputy Commissioner may impose a fine not exceeding ten rupees on any person who neglects to perform such duty.

(4) All arrears of the said payments may be realized from the said house-holders, under the written order of the Deputy Commissioner in each case, by sale of the defaulter’s moveable property.

(5) The Deputy Commissioner may authorize the Sub-divisional Officer to exercise all or any of his powers under this section.

Penalty for village-chaukidar withdrawing from his duties, etc.

48. Every village-chaukidar who—

(a) withdraws from the duties of his office without the express permission of the Superintendent of Police or of some officer duly authorized by him to grant such permission, or

(b) resigns his office without the permission of the Superintendent of Police, unless he has given at least two months’ notice of his intention to resign, or

(c) is guilty of cowardice,

shall be liable, on conviction before a Magistrate, to a fine not exceeding ten rupees:

Provided that no prosecution shall be instituted against any village-chaukidar under this section without the previous sanction of the Deputy Commissioner.

49. Any village-chaukidar who is guilty of any wilful misconduct in his office or neglect of his duty,
such misconduct or neglect not being an offence defined within the meaning of the Indian Penal Code, or of section 48, and not being of so grave a character as, in the opinion of the Superintendent of Police, to require his dismissal from his office, shall be liable, under the orders of such Superintendent, to a fine not exceeding three rupees.

50. Every village-chaukidar appointed under this Regulation shall perform the following duties, namely:

(i) he shall give immediate information to the officer in charge of the police-station within the limits of which the village of which he is a chaukidar is situated, of all the matters specified in section 45 of the Code of Criminal Procedure, 1898, which may occur within such village or which may come to his notice otherwise;

(ii) he shall keep the police informed of all disputes which are likely to lead to any riot or serious affray;

(iii) he shall arrest all proclaimed offenders and escaped convicts, all persons whom he may find in the act of committing any of the offences specified in section 45 of the Code of Criminal Procedure, 1898, and any person against whom a reasonable suspicion exists of his having been concerned in any offence so specified, whether such offence has been or is being committed within or outside his village;

(iv) he shall observe, and, from time to time, report to the officer in charge of the police-station within the limits of which such village is situated, the movements of all bad characters in such village,
(Chapter VII.—Police—Sections 51–52.)

the movements of any other person who may be lurking in such village without any ostensible means of subsistence, or who cannot give a satisfactory account of himself;

(v) he shall report to the officer in charge of the said police-station the arrival of any suspicious characters or vagrants or wandering gangs in the neighbourhood;

(vi) he shall present himself at the said police-station at such intervals as the Deputy Commissioner may direct;

(vii) he shall supply any local information which the Deputy Commissioner or the Superintendent of Police may require; and

(viii) he shall obey the orders of the Deputy Commissioner and of the Superintendent of Police with respect to—

the place where he is to reside, keeping watch in the village, and other matters connected with his duties as village-chaukidar.

51. Whenever a village-chaukidar arrests any person, he shall forthwith take the person so arrested to the police-station within the limits of which the village of which he is a chaukidar is situated:

Provided that, if the arrest is made at night, such person may be so taken as soon as convenient on the following morning.

52. An appeal shall lie to the Deputy Commissioner from order of the Superintendent of Police punishing a village-chaukidar with fine or dismissal; and, subject to the general power of revision of the Commissioner, the order which the Deputy Commissioner may pass on such appeal shall be final.
REG. III, 1913. [ Angul Laws.

(Chapter VII.—Police—Sections 53–54. Chapter VII.—Registration of Documents—Section 55.)

53. The district shall be deemed to be a general police-district within the meaning of the Police Act, 1861, as modified by the Bengal Police Act, 1869; and, except in so far as the Local Government otherwise directs, the Commissioner shall exercise in it all powers and authorities conferred on an Inspector-General of Police.

Power to make rules.

54. (1) The Local Government may make rules—

(a) to regulate the appointment, and to prescribe additional duties, of village-chaukidars,

(b) to regulate the grant of rewards to village-chaukidars, village officers and panchayats,

(c) to prescribe the duties and powers of sarbarakars, sardars, mutha maliks and other village head-men, and members of panchayats, as officers of police,

(d) to prescribe the manner in which village-officers shall watch and inspect bad characters, and

(e) to prescribe penalties for the breach of rules made under clause (c) or clause (d) of this section.

(2) The penalties prescribed under clause (e) may be fine extending to fifty rupees, or imprisonment extending to three months, or both.

CHAPTER VIII.

REGISTRATION OF DOCUMENTS.

55. (1) The Sub-divisional Officer of Angul and Sub-Registrar, and the Sub-divisional Officer of the Khondmals shall be ex officio Sub-Registrars of their respective sub-divisions.

20
Angul Laws.  [Reg. III, 1913.

(Chapter VII.—Registration of Documents—Sections 56—57.)

Provided that the Deputy Commissioner may, with the approval of the Commissioner, direct any other gazetted officer to perform the duties of Sub-Registrar of either sub-division instead of the Sub-divisional Officer; and any officer to whom such a direction is given shall thereupon be a Sub-Registrar ex officio.

(2) The Local Government may appoint such other persons as it thinks proper to be Sub-Registrars for the sub-divisions of the district, or for any part of them.

(3) Every Sub-Registrar shall be deemed to be a XLI of 1889. public servant within the meaning of the Indian Penal Code.

56. (1) The Deputy Commissioner shall be ex officio Registrar of the district; and all Sub-Registrars appointed by or under section 55 shall be subject to his general control and superintendence.

(2) The Deputy Commissioner may, by order in writing, delegate his powers as Registrar during his absence from head-quarters to any Sub-Registrar.

57. All documents may be registered at the option of the parties by or in whose favour such documents are executed; but the Local Government may, by notification in the Bihar and Orissa Gazette, declare, with respect to documents of any class described in such notification,—

(a) that documents of that class executed on or after a date to be prescribed by the said notification, and purporting or operating to create, declare, assign or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent to or in immoveable property situate in any part of the district specified in the notification, shall be registered in accordance with the provisions of this Regulation, and
Reg. III, 1913.]

Angul Laws.

(Chapter VIII.—Registration of Documents—Section 58. Chapter IX.—Landlord and Tenant—Section 59.)

(b) that no such document shall affect any property comprised or referred to therein, or shall be received in evidence of any transaction affecting such property unless it has been so registered.

58. (1) The Local Government may make rules to regulate the registration of documents under this Regulation.

(2) In particular, and without prejudice to the generality of the foregoing provisions, the Local Government may make rules—

(a) to define the time, place and mode of presenting documents for registration;

(b) to regulate the duties and powers of registering officers and of the Deputy Commissioner as ex officio Registrar, and to specify the cases in which those officers may enforce the appearance of executors and witnesses; and

(c) to fix the fees payable for registration, searches and copies, and the time when fees shall be payable.

(3) All such rules shall be published in the Bihar and Orissa Gazette.

(d) The provisions of sections 81 and 82 of the Indian Registration Act, 1908, regarding offences by registering officers and other persons, shall, so far as they can be made applicable, apply to like offences when committed with respect to the registration of documents under this regulation.

CHAPTER IX.

LANDLORD AND TENANT.

59. In this Chapter, the word "raiyat," as used with reference to any land, includes a village sarbarakar as regards land possessed and cultivated by him.
Angul Laws. [Reg. III, 1913.

(Chapter IX.--Landlord and Tenant--Sections 60-61.)

60. No Court shall enforce or recognize any contract which affects the rent payable by a raiyat for his holding--

(a) where there has been a settlement, by enhancing the rent recorded at such settlement or by making such rent payable in a manner different from that recorded at the settlement, or

(b) where there has been no settlement, by enhancing the rent to an amount exceeding that which the Court considers fair and equitable,

unless the contract or agreement has been made with the written permission of the Deputy Commissioner.

61. (1) No transfer or change (whether permanent or temporary) by a tenure-holder or raiyat of his right in his tenure or holding or any portion thereof, whether by mortgage, lease, sale, gift, exchange or otherwise, shall be valid unless it is made with the written consent of the Deputy Commissioner.

(2) No transfer or change in contravention of sub-section (1) shall be registered, or shall be in any way recognized as valid by any Court, in the exercise of civil or revenue jurisdiction.

(3) If any tenure-holder or raiyat transfers his right in his tenure or holding or any portion thereof in contravention of sub-section (1), the Deputy Commissioner may, in his discretion, eject the person in possession of the land in respect of which such transfer was made, and may either--

(a) restore the land to the tenant who transferred it, or to any of his heirs, or

(b) re-settle the land with another tenant.

Explanation.--For the purpose of this sub-section a mortgage with possession shall be deemed to be a transfer.
(\textit{Chapter IX.---Landlord and Tenant---Section 62--64.})

(a) No suit shall be maintainable in any Court in respect of such ejectment; but an appeal shall lie to the Commissioner if presented within three months from the date of the order of ejectment, and his decision shall be final:

Provided that nothing in this section shall affect the validity of any transfer of a raiyat's right in his holding or any portion thereof made in the Khondmals sub-division before the first day of January, 1897.

\textbf{62.} No decree or order shall be passed by any Court for the sale of the right of a raiyat in his holding, nor shall any such right be sold in execution of any decree or order:

Provided that:

(a) any holding may, subject to the restrictions imposed by section 48, be sold, in execution of a decree of a competent Court, to recover an arrear of rent which has accrued in respect of the holding;

(b) nothing in this section shall prevent the sale of a holding under Chapter VI, and

(c) in the Khondmals sub-division, nothing in this section shall affect the right to execute a decree for sale of a holding passed, or the terms or conditions of any contract registered, before the first day of January, 1905.

\textbf{63.} If a raiyat surrenders or abandons his holding, the Deputy Commissioner may, in his discretion, settle the holding with any heir or relation of such raiyat, or with any other raiyat.

\textbf{64.} A tenant shall not be ejected from his tenure or holding without an order of the Deputy Commissioner.
Angul Laws. [Reg. III, 1913.

(Chapter IX—Landlord and Tenant—Section—65—67. Chapter X.—Sanitation Section 68.)

65. With the previous sanction of the Commissioner, the Deputy Commissioner may delegate all or any of his powers under this Chapter to the Sub-divisional Officer.

66. All proceedings of the Deputy Commissioner or Sub-divisional Officer under this Chapter shall be subject to revision by the Commissioner.

67. The Local Government may make rules—

(a) to provide for the recording of changes occurring in tenancies in the Angul Sub-division, and the conduct of inquiries respecting such changes;

(b) to regulate the conduct of inquiries respecting changes in tenancies in the Khondmals Sub-division;

(c) to prescribe the duties of sardars, mutha maliks and heads of villages as to reporting changes in tenancies;

(d) to regulate the maintenance of survey and settlement records;

(e) to prescribe the duties of village sarbarakars, kanungos and revising officers;

(f) to guide the Deputy Commissioner or Sub-divisional Officer in the exercise of any of his powers under this Chapter; and

(g) to prescribe a penalty which may extend to a fine of one hundred rupees for the breach of any rule made under clauses (a), (b), (c), (d) and (e) of this section.

CHAPTER X.

SANITATION.

68. (1) The Local Government may, by notification in the Bihar and Orissa Gazette, declare that any area specified in such notification 25
shall be subject to Sanitary and Municipal control, and may make rules to provide for such control.

(2) Such rules may provide for—

(i) preventing nuisances affecting the public health, safety or convenience;

(ii) regulating the disposal of night-soil, the contents of privies, drains and cesspools, offensive matter, carcasses of animals and rubbish and the management of privies, drains and cesspools;

(iii) regulating cremations and burials and the disposal of corpses;

(iv) regulating the use of, and preventing nuisances in regard to, public water-supply, bathing and washing places, rivers, streams, reservoirs, tanks and wells;

(v) regulating traffic on roads, and preventing obstructions, encroachments and nuisances on or near roads;

(vi) preventing damage to, or encroachment on public lands or grounds;

and may provide that the breach of any such rule shall be punishable with fine which may extend to twenty rupees.

CHAPTER XI.

MISCELLANEOUS.

69. (1) The Deputy Commissioner may require, or authorize any Sub-divisional Officer to require, any proprietor, farmer, rent-collector, sarbarakar, sardar, mutha malik or occupier of land,

(a) to furnish such information, accounts and documents as he may be capable of furnishing, and

(b) to supply provisions and labour at market rates for the use of troops and officers of
the Government marching in or through the district on the public service.

(2) Any such person failing to comply with any such requisition shall be punishable with fine which may extend to one hundred rupees.

(3) Any person aggrieved by any order of the Deputy Commissioner under this section may appeal to the Commissioner, whose orders shall be final.

70. (1) Whenever any property is sold by public auction by or under the orders of a public servant competent to cause the sale of such property, the auction-purchaser of such property shall be bound to pay the amount for which such property is sold, at such time and at such place as may be notified at the time of sale, and shall be bound to conform to all the conditions under which the sale is made.

(2) If the auction-purchaser fails to pay the amount for which the property is sold, at such time or place as is notified at the time of sale, or fails to comply with any of the conditions under which the sale is made, the officer by or under whose orders the property is sold may direct the re-sale of such property.

(3) Such re-sale shall be made at the risk of the auction-purchaser at the first sale; and the difference between any bid made by him and the proceeds of the second sale rendered necessary in consequence of his default shall be recoverable from him, together with all costs incurred, as a sum due to the Government.

Explanation.—The expression "public servant," as used in this section, has the same meaning as in XLV of 1860, the Indian Penal Code.

71. The Deputy Commissioner may, with the sanction of the Commissioner, make rules to regulate the writing of petitions and the conduct of agents and petition-writers.

(Chapter XI. Miscellaneous—Sections 72—75.

of cases in his Court and in the Courts subordinate to him.

72. The Local Government may make rules to prohibit, restrict or regulate the appearance of legal practitioners in cases arising in the district.

VII of 1870. 73. Notwithstanding anything contained in the Court-fees Act, 1870, the presiding officer of any Court may, in special cases, by an order in writing and for reasons to be recorded therein, exempt any document from the payment of such fees.

X of 1873. 74. Notwithstanding anything contained in the Indian Oaths Act, 1873, any form of oath or solemn affirmation which is common amongst, or is held binding by, the persons of the race or persuasion to which any witness in, or party to, any judicial proceeding (not being the accused in any criminal proceeding) belongs, and is not repugnant to justice or decency, and does not purport to affect any third person, may be administered to such witness or party.

1 of 1894. 75. The Angul District Regulation, 1894, and the Angul District (Amendment) Regulation, 1904, are hereby repealed.
Angul Laws. [Reg. III, 1913.

(The Schedule.)

THE SCHEDULE.

(See Section 3.)

ENACTMENTS DECLARED IN FORCE IN THE DISTRICT OF ANGUL OR PART THEREOF.

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number and year.</td>
<td>Short title.</td>
<td>Places in which in force.</td>
</tr>
</tbody>
</table>

**Part I.—Bengal Regulations.**

- II of 1799 (section 7 and clause ten of section 8). The Bengal Land-revenue Regulation, 1799. The whole district.
- X of 1812. The Bengal Foreign Immigrants Regulation, 1812. Ditto.
- VI of 1825. The Bengal Troops Transport Regulation, 1825. Ditto.

**Part II.—Acts of the Governor General of India in Council.**

- XVIII of 1850. The Judicial Officers' Protection Act, 1850. The whole district.
- XII of 1855. The Legal Representatives' Suits Act, 1855. Ditto.
**Reg. III, 1913.**

*Angul Laws.*

*(The Schedule.)*

**THE SCHEDULE—contd.**

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number and year</td>
<td>Short title</td>
</tr>
<tr>
<td>XI of 185</td>
<td>The State Offences Act, 1867</td>
<td></td>
</tr>
<tr>
<td>III of 1858</td>
<td>The State Prisoners Act, 1868</td>
<td></td>
</tr>
<tr>
<td>XLV of 1860</td>
<td>The Indian Penal Code</td>
<td></td>
</tr>
<tr>
<td>V of 1861</td>
<td>The Police Act, 1861</td>
<td></td>
</tr>
<tr>
<td>III of 1864</td>
<td>The Foreigners Act, 1864</td>
<td></td>
</tr>
<tr>
<td>IV of 1869</td>
<td>The Indian Divorce Act</td>
<td></td>
</tr>
<tr>
<td>VII of 1870</td>
<td>The Court-fee Act, 1870</td>
<td></td>
</tr>
<tr>
<td>I of 1871</td>
<td>The Cattle-trespass Act, 1871</td>
<td></td>
</tr>
<tr>
<td>V of 1871 (section 15)</td>
<td>The Prisoners Act, 1871</td>
<td></td>
</tr>
<tr>
<td>I of 1872</td>
<td>The Indian Evidence Act, 1872</td>
<td></td>
</tr>
<tr>
<td>III of 1872</td>
<td>The Special Marriage Act, 1872</td>
<td></td>
</tr>
<tr>
<td>X of 1873</td>
<td>The Indian Oaths Act, 1873</td>
<td></td>
</tr>
<tr>
<td>II of 1874</td>
<td>The Administrator General's Act, 1874</td>
<td></td>
</tr>
<tr>
<td>IX of 1874</td>
<td>The European Vagrancy Act, 1874</td>
<td></td>
</tr>
<tr>
<td>XIV of 1874</td>
<td>The Scheduled Districts Act, 1874</td>
<td></td>
</tr>
<tr>
<td>I of 1878</td>
<td>The Opium Act, 1878</td>
<td></td>
</tr>
<tr>
<td>VI of 1878</td>
<td>The Indian Treasure-trove Act, 1878</td>
<td></td>
</tr>
<tr>
<td>VII of 1878</td>
<td>The Indian Forest Act, 1878</td>
<td></td>
</tr>
<tr>
<td>VIII of 1878 (sections 144 to 154)</td>
<td>The Sea Customs Act, 1878</td>
<td></td>
</tr>
<tr>
<td>XI of 1878 (except section 19)</td>
<td>The Indian Arms Act, 1878</td>
<td></td>
</tr>
<tr>
<td>V of 1881</td>
<td>The Probate and Administration Act, 1881</td>
<td></td>
</tr>
</tbody>
</table>
### Angul Laws

**Part II. Acts of the Governor General of India in Council—contd.**

<table>
<thead>
<tr>
<th>Number and year</th>
<th>Short title</th>
<th>Places in which in force</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>XIX of 1883</strong></td>
<td>The Land Improvement Loans Act, 1883</td>
<td>The whole district.</td>
</tr>
<tr>
<td><strong>XIII of 1885</strong></td>
<td>The Indian Telegraph Act, 1885</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>XVIII of 1886</strong></td>
<td>The Land Acquisition (Mines) Act, 1886</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>IX of 1887</strong></td>
<td>The Provincial Small Cause Court Act, 1887</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>VII of 1889</strong></td>
<td>The Succession Certificate Act, 1889</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>I of 1890</strong></td>
<td>The Revenue Recovery Act, 1890</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>VIII of 1890</strong></td>
<td>The Guardians and Wards Act, 1890</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>XI of 1890, section 2, except subsection (2), section 15, so much of section 2 as relates to section 5, and sections 9 and 11.</strong></td>
<td>The Prevention of Cruelty to Animals Act, 1890</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>XIII of 1890 (section 9).</strong></td>
<td>The Excises (Malt Liquors) Act, 1890</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>I of 1894</strong></td>
<td>The Land Acquisition Act, 1894</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>IX of 1894</strong></td>
<td>The Prisons Act, 1894</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>III of 1897</strong></td>
<td>The Epidemiological Diseases Act, 1897</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>VIII of 1897</strong></td>
<td>The Reformatory Schools Act, 1897</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>X of 1897</strong></td>
<td>The General Clauses Act, 1897</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>XIV of 1897</strong></td>
<td>The Indian Short-Titles Act, 1897</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>V of 1898</strong></td>
<td>The Code of Criminal Procedure, 1898</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>VI of 1898</strong></td>
<td>The Indian Post Office Act, 1898</td>
<td>Ditto.</td>
</tr>
<tr>
<td><strong>XI of 1899</strong></td>
<td>The Indian Stamp Act, 1899</td>
<td>The Angul Sub-division.</td>
</tr>
<tr>
<td><strong>XIII of 1899</strong></td>
<td>The Glanders and Farcy Act, 1899</td>
<td>The whole district.</td>
</tr>
</tbody>
</table>

### (The Schedule.)

#### THE SCHEDULE—concl.:

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number and year.</td>
<td>Short title.</td>
<td>Places in which in force.</td>
</tr>
</tbody>
</table>


- **III of 1900**: The Prisoners Act, 1900. The whole district.
- **1 of 1903**: The Repealing and Amending Act, 1903. Ditto.
- **VII of 1903**: The Indian Works of Defence Act, 1903. Ditto.
- **XV of 1903**: The Indian Extradition Act, 1903. Ditto.
- **I of 1904**: The Poisonous Act, 1904. Ditto.
- **III of 1906**: The Indian Coinage Act, 1906. Ditto.
- **VII of 1908**: The Explosives Substances Act, 1908. Ditto.
- **IX of 1908**: The Indian Limitation Act, 1908. The Angul Subdivision. The whole district.
- **XVI of 1908** (sections 81 and 82): The Indian Registration Act, 1908. Ditto.
- **II of 1910**: The Indian Paper Currency Act, 1910. Ditto.
- **VII of 1911**: The Indian Army Act, 1911. Ditto.
- **IV of 1912** (except Chapter IV): The Indian Labour Act, 1912. Ditto.

### PART III.—Acts of the Lieutenant-Governor of Bengal in Council.

- **IV of 1855**: The Bengal Prevention of Inoculation Act, 1855. The Angul Subdivision.
- **V of 1875**: The Bengal Survey Act, 1875. The whole district.
- **III of 1876**: The Bengal Irrigation Act, 1876. Ditto.
- **I of 1899**: The Bengal General Clauses Act, 1899. Ditto.

---

**Calcutta: Printed by Supde. Govt. Printing, India, 8, Hastings Street.**
REGULATION NO. IV OF 1913.

A Regulation to repeal Regulation No. II of 1897 and to declare the law applicable to the Registration of Documents in Upper Burma.

[Received the assent of the Governor General on the 10th November, 1913; published in the Gazette of India on the 22nd November, 1913, and in the Burma Gazette on the 20th December, 1913.]

WHEREAS it is expedient to apply to Upper Burma the law relating to the Registration of Documents as contained in the Indian Registration Act, 1908, XVI of 1908, and for such purpose to repeal the Upper Burma II of 1897, Registration Regulation, 1897, subject to certain provisions; It is hereby enacted as follows:—

1. (1) This Regulation may be called the Upper Burma Registration Amendment Regulation, 1913;
   (2) It extends to the whole of Upper Burma;
   (3) It shall come into force on the 1st day of January, 1914.

2. The Upper Burma Registration Regulation, 1897, is hereby repealed; 11 of 1897.

Provided that documents executed before the 1st day of January, 1914, and registered on or after that date in accordance with the provisions of the said Regulation and the rules and notifications thereunder shall be deemed to have been registered under the said Regulation:

Provided further that no document, the registration of which was required by or under any law

[Price one anna and three pice.]
Reg. IV, 1913. ] Upper Burma Registration Regulation.

for the time being in force prior to the commencement of this Regulation, shall—

(a) affect any immovable property comprised therein, or

(b) be received as evidence of any transaction affecting such property,

unless it has been so registered.

3. Documents registered in accordance with the provisions of any law or notification issued thereunder for the time being in force prior to the commencement of this Regulation shall not be “unregistered” within the meaning of section 50 of the Indian Registration Act, 1908.