REGULATIONS FROM 1914 TO 1930

1914
I  The Coorg Noxious Weeds Regulation, 1914.
II  The Ajmer Repealing and Amending Regulation, 1914.
III  The Ajmer Alienation of Land Regulation, 1914.

1915
I  The Excise Regulation, 1915.
II  The Andaman and Nicobar Islands (Amendment) Regulation, 1915.

1916

1917
I  The Arakan Hills Civil Justice (Amendment) Regulation, 1917.
II  The Chin Hills (Amendment) Regulation, 1917.

1918
I  The British Baluchistan Courts Regulation, 1918.

1919
I  The North-West Frontier Province Law and Justice (Amendment) Regulation, 1919.
II  The British Baluchistan Criminal and Civil Justice (Amendment) Regulation, 1919.
III  The Hazara (Upper Tanawal) Amendment Regulation, 1919.
IV  The Hazara Forest (Amendment) Regulation, 1919.
V  The Alien Settlement (Amendment) Regulation, 1919.
<table>
<thead>
<tr>
<th>Year</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1920</td>
<td>The North West Frontier Province Validation and Indemnity Regulation, 1920.</td>
</tr>
<tr>
<td></td>
<td>The British Baluchistan Civil Justice (Amendment) Regulation, 1920.</td>
</tr>
<tr>
<td></td>
<td>The Chittagong Hill Tracts (Amendment) Regulation, 1920.</td>
</tr>
<tr>
<td>1921</td>
<td>The Ajmer Courts (Amendment) Regulation, 1921.</td>
</tr>
<tr>
<td></td>
<td>The British Baluchistan Laws (Amendment) Regulation, 1921.</td>
</tr>
<tr>
<td></td>
<td>The British Baluchistan Bazaars (Amendment) Regulation, 1921.</td>
</tr>
<tr>
<td></td>
<td>The Ajmer Land and Revenue (Amendment) Regulation, 1921.</td>
</tr>
<tr>
<td></td>
<td>The Kachin Hill-tribes (Amendment) Regulation, 1921.</td>
</tr>
<tr>
<td></td>
<td>The Assam Forest (Amendment) Regulation, 1922.</td>
</tr>
<tr>
<td></td>
<td>The Kachin Hill-tribes (Amendment) Regulation, 1922.</td>
</tr>
<tr>
<td></td>
<td>The Chin Hills (Amendment) Regulation, 1922.</td>
</tr>
</tbody>
</table>
1922
IV The N. W. F. Province Security Regulation, 1922.
V The British Baluchistan Security Regulation, 1922.
VI The Angul Laws (Amendment) Regulation, 1922.

1923
I The Arakan Hill District Laws (Amendment) Regulation, 1923.
II The Goerg Courtás (Amendment) Regulation, 1923.
III The North West Frontier Province Law and Justice (Amendment) Regulation, 1923.

1924
I The North West Frontier Pre-emption (Repealing) Regulation, 1924.

1925
II Burma (Frontier Districts) Criminal Justice Regulation, 1925.
III The North West Frontier Province Security (Amendment) Regulation, 1925.
IV The British Baluchistan Security (Amendment) Regulation, 1925.
V The Chittagong Hill Tracts (Amendment) Regulation, 1925.
VI The Rajput-Eastern Frontier (Amendment) Regulation, 1925.
VII The Ajmer-Merwara Municipalities Regulation, 1925.
VII The Sonthal Parganas Settlement (Amendment) Regulation, 1925.
I The Laccadive Islands and Minicoy (Amendment) Regulation, 1926.
II The Manpur Laws Regulation, 1926.
III The Andaman and Nicobar Islands (land-tenure) Regulation, 1926.
IV The North-West Frontier Province Law and Justice (Amendment) Regulation, 1926.
V The Ajmer Rural Boards (Amendment) Regulation, 1926.
VI The Manpur Excise Regulation, 1926.
VII The Frontier Crimes (Amendment) Regulation, 1926.
 VIII British Baluchistan Bazars (Amendment) Regulation, 1926.
II The Ajmer Courts Regulation, 1926.
I The Aden Laws (Amendment) Regulation, 1927.
II The Andaman & Nicobar Islands (Amendment) Regulation, 1927.
III The Punjab Frontier Crossing (Amendment) Regulation, 1927.
IV The Manpur Land and Revenue Regulation, 1927.
V The Aden Settlement (Amendment) Regulation, 1927.


5. The Frontier Crimes (Amendment) Regulation, 1928.


8. The Validation (Matrimonial Jurisdiction) Regulation, 1929.


11. The Andaman and Nicobar Islands (Second Amendment) Regulation, 1930.

- : 6 :-

V The Manpur Laws (Amendment) Regulation, 1930.

VI The Panth Pipoda Laws (Amendment) Regulation, 1930.

VII The Coorg Courts (Amendment) Regulation, 1930.

***************
REGULATION NO. I OF 1914.

A Regulation to make provision for the eradication and destruction of noxious weeds in Coorg.

[Received the assent of the Governor General on the 26th January, 1914; published in the Gazette of India on the 1st January, 1914, and in the Coorg District Gazette on the 2nd March 1914.]

WHEREAS it is expedient to make provision for the eradication and destruction of noxious weeds in Coorg; it is hereby enacted as follows:—

1. (1) This Regulation may be called the Coorg Noxious Weeds Regulation, 1914;

(2) It extends to the territories for the time being administered by the Chief Commissioner of Coorg; and

(3) It shall come into force on such day as the Chief Commissioner may, by notification, appoint in this behalf.

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

(1) "Noxious weed" includes *lantana* and any other plant which the Chief Commissioner may, from time to time, by notification, declare to be a noxious weed.

(2) The terms "land," "holding," "holder," or "landholder," "notification" and "revenue" shall have the same meanings as are assigned to them in the Coorg Land and Revenue Regulation, 1899.

(3) "Prescribed" means prescribed by rules under this Regulation.

3. Every landholder shall eradicate and effectively destroy all noxious weeds growing or being grown upon the land comprised in his holding.

[Price one Anna and six pies.]
4. The Commissioner, or any other officer specially empowered in this behalf by the Chief Commissioner, may, on finding any noxious weed on any holding, issue notice to the holder thereof directing him to remove and effectually destroy such weed, and to keep his holding entirely clear of it:

Provided that no landholder shall be required to clear more than five acres in one year.

5. (1) The notice shall be in writing signed by the officer issuing it, and shall set forth—

(a) the name of the holder;
(b) the holding and the area thereof which is estimated to be affected; and
(c) the period within which the weed shall be eradicated and destroyed, and any other particulars which may be prescribed.

(2) In fixing the period within which the weed shall be eradicated and destroyed, the officer issuing the notice shall have regard to the extent of the holding, the nature of the growth of the weed, and the pecuniary means of the holder.

(3) The notice shall be served in the manner provided for the service of summons in section 21 of the Coorg Land and Revenue Regulation, 1899.

6. (1) If any holder on whom notice under section 5 has been duly served knowingly and wilfully fails to comply therewith, the officer issuing the notice may impose upon such holder a fine which may extend to Rs 50, and shall prescribe such further period as he thinks fit within which such order shall be complied with.

(2) If the holder fails to comply with the order within the further period so fixed, such person or persons as may be authorised by the officer issuing the notice may enter on his holding, without being liable for trespass, and may eradicate and destroy the weed.
(3) Any fine imposed and any cost incurred by Government in eradicating and destroying noxious weed in accordance with the provisions of this section may, subject to any rules which may be prescribed, be recovered as arrears of revenue.

7. The Chief Commissioner may, by notification, suspend the operation of the Regulation or any portion thereof in such parts of the province and for such period as he may deem fit.

8. (1) The Chief Commissioner may make rules to carry out the purposes of this Regulation.

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

(a) prescribe the particulars to be included in notices issued thereunder, and

(b) prescribe the manner in which fines imposed under this Regulation may be recovered.
REGULATION NO. II OF 1914.

A Regulation to amend certain enactments in force in Ajmer-Merwara.

(Received the assent of the Governor General on the 8th February, 1914; and published in the Gazette of India on the 7th idem.)

WHEREAS, in order to give effect to administrative changes, it is expedient that certain amendments should be made in the enactments specified in the Schedule to this Regulation; it is hereby enacted as follows:

1. This Regulation may be called the Ajmer Repealing and Amending Regulation, 1914.

2. (1) The enactments specified in Part I of the Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

(2) The enactments specified in Part II of the Schedule are hereby repealed to the extent specified in the fourth column thereof.

THE SCHEDULE.

PART I.—Amendments.

[See section 2 (1).]

<table>
<thead>
<tr>
<th>Part</th>
<th>Section</th>
<th>Title</th>
<th>Amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3</td>
<td>Court of Additional District Judge</td>
<td>1. In section 4, after the word “the Court of the Commissioner” the words “and the Court of the Additional District Judge” shall be added.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td>2. After</td>
</tr>
</tbody>
</table>

2. After
## Ajmer Repealing & Amending Regulation. [REG. II.]
### THE SCHEDULE—contd.
#### PART I—AMENDMENTS—contd.

[See section 2 (f).]

<table>
<thead>
<tr>
<th>Year</th>
<th>No</th>
<th>Subject or short title</th>
<th>Amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1877</td>
<td>1</td>
<td>The Ajmer Courts Regulation, 1877-</td>
<td>2. After section 6-A, the following section shall be added, namely—</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4-B. The Chief Commissioner may appoint any person to be an Additional District Judge, who shall exercise and discharge such of the powers and duties of the Court of the Commissioner, as the Chief Commissioner may direct and shall, as regards the exercise and discharge of those powers and duties, be deemed, for the purposes of this Regulation, to be the Court of the Commissioner.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3. After section 23, the following section shall be added, namely—</td>
</tr>
</tbody>
</table>
|      |    |                        | "23-A. Where the Additional District Judge has been specially or generally empowered to exercise and discharge any of the powers and duties of the Court of the Commissioner, references to the Commissioner in sections 14 to 23 shall, in respect of such powers and duties, be deemed to refer to the Additional District Judge."
|      |    |                        | 4. In section 28, after the words "the Commissioner," where those words occur for the second time, the words "and of the Additional District Judge, when exercising or discharging those powers or duties of that Court" shall be inserted. |
|      |    |                        | 5. In section 29, clause (f), after the words "or an advocate enrolled under section 42 of the Legal Practitioners’ Act, 1922," shall be inserted and for the word "Provided that" the words "Provided that" shall be substituted and for the word "attorney-at-law" the words "advocate."
<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Subject or short title</th>
<th>Amendments</th>
</tr>
</thead>
</table>
| 1877 | I   | The Ajmer Court Regulation, 1877—contd.                         | occur for the second time, the words “attorney or pleader” shall be substi-
<p>|      |     |                                                                  | tuted.                                                                    |
|      |     |                                                                  | 6. For section 30, the following section shall be substituted, namely:    |
|      |     |                                                                  | “30. (1) The Commissioner shall be District Magistrate and Sessions Judge.” |
|      |     |                                                                  | “(2) All orders passed by the Commissioner and District Magistrate shall, |
|      |     |                                                                  | In cases where an appeal lies, be appealable to the Chief Commissioner,   |
|      |     |                                                                  | notwithstanding anything in the Code of Criminal Procedure to the        |
|      |     |                                                                  | contrary.”                                                               |
|      | I   | The Ajmer Land and Estates Regulation, 1877                     | 7. After section 39, the following section shall be inserted, namely:  |
|      |     |                                                                  | “40. The Chief Commissioner may appoint an Additional District Judge.”   |
|      |     |                                                                  | In section 2, clause (1), after the word “in” the words “the whole” or “shall be inserted.” |
|      |     |                                                                  | In section 114, clause (1), for the words “the Collector” the words “a Collector other than the Commissioner” shall be substituted.” |
|      |     |                                                                  | In sections 20, 22, 23, 24, 27, 28, and 29, for the words “Magistrate of the District” wherever they occur, the words “District Magistrate” shall be substituted.” |
|      |     |                                                                  | In section 31, for the word “Commissioner” the words “Chief Commissioner” shall be substituted.” |</p>
<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Subject or short title</th>
<th>Amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1877</td>
<td>III</td>
<td>The Ajmer Laws Regulation, 1877—contd.</td>
<td>In section 34, for the word &quot;Commissioner&quot; the words &quot;Chief Commissioner&quot; shall be substituted. In section 40, after clause (a), the following shall be inserted, namely:— &quot;(c) the registration of cattle.&quot;</td>
</tr>
<tr>
<td>1880</td>
<td>V</td>
<td>The Ajmer Municipalities Regulation, 1880.</td>
<td>In section 7, sub-section (1), for the words &quot;The Magistrate of the District within which any Municipality is situate&quot; the words &quot;The District Magistrate&quot; shall be substituted. In section 61, sub-section (1), for the words &quot;unless he is a member of the Committee, in which case the appeal shall lie to the Commissioner or other officer empowered by the Chief Commissioner in this behalf&quot; the words &quot;or other officer empowered by the Chief Commissioner in this behalf, unless the District Magistrate is a member of the Committee, in which case the appeal shall lie to the Chief Commissioner&quot; shall be substituted. In section 120, sub-section (1), and in section 143, sub-section (1), for the word &quot;Commissioner&quot; the words &quot;Chief Commissioner&quot; shall be substituted.</td>
</tr>
<tr>
<td>1887</td>
<td>VIII</td>
<td>The Ajmer Irrigation Regulation, 1887.</td>
<td>In section 4, sub-section (1), for the words &quot;with the previous sanction,&quot; the words &quot;subject to the control shall be substituted.</td>
</tr>
<tr>
<td>1911</td>
<td>II</td>
<td>The Ajmer Tenants’ Loan Regulation, 1911.</td>
<td>In section 6, sub-section (1), for the word &quot;also&quot; the words &quot;shall also&quot; shall also come to be published, in such manner as the Chief Commissioner may direct, the same notice shall be substituted.</td>
</tr>
</tbody>
</table>
### The Schedule—contd.

#### Part II.—Repeals.

[See section 2 (2).]

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Extent of repeal.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>The second paragraph of section 25, Section 41.</td>
</tr>
<tr>
<td>1877</td>
<td>I</td>
<td>The Ajmer Courts Regulation, 1877.</td>
<td>In section 2, clause (c), sub-clause (9), the words: &quot;subject to the control of the Governor General in Council.&quot;</td>
</tr>
<tr>
<td></td>
<td>II</td>
<td>The Ajmer Land and Revenue Regulation, 1877.</td>
<td>In sections 77 and 93 the words: &quot;with the previous sanction of the Commissioner.&quot;</td>
</tr>
<tr>
<td></td>
<td>III</td>
<td>The Ajmer Laws Regulation, 1877.</td>
<td>In section 27 the words: &quot;with the previous sanction of the Commissioner, where the amount of the award does not exceed one thousand rupees, and with the previous sanction of the Chief Commissioner, where it exceeds that sum.&quot;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>In section 35 the words: &quot;with the sanction of the Commissioner.&quot;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>In section 38 the words: &quot;with the previous sanction of the Governor General in Council.&quot;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>In section 49 the words: &quot;sanctioned by the Governor General in Council and&quot;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>and the words: &quot;sanctioned and &quot;</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>In section 60, sub-section (1), clause (b), the words &quot;and such sum as may be required for the maintenance of a police establishment under Chapter</td>
</tr>
</tbody>
</table>

Sections 73, 74, 76, 76 and 77.
### THE SCHEDULE—contd.

**PART II.—REPEAL—contd.**

**(See section 2 (2).)**

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Subject or short title</th>
<th>Extent of repeal</th>
</tr>
</thead>
</table>
| 1886 | V   | The Ajmer Municipalities Regulation, 1886—contd. | In section 140, and in section 141, sub-sections (1) and (2), the words:—

"Commissioner or the.

In section 141, sub-section (9), the words:

"if the Magistrate to the Commissioner, if the Commissioner."

In section 17, sub-section (9), clause (b), the words:

"and of the Governor General in Council."

In section 28, sub-section (5), the words and letter " clause (c) of " and the words:

"with the previous sanction of the Governor General in Council?"

Sub-section (4) of section 28. |
| 1898 | I   | The Ajmer Government Wards Regulation, 1898. | |
| 1905 | IV  | The Ajmer Village Sanitation Regulation, 1905. | In section 5, sub-section (4), the words:

"with the previous sanction of the Governor General in Council."

 |
| 1911 | II  | The Ajmer Talukdars Loan Regulation, 1911. | In section 14, the words:

"or when an application is withdrawn under section 19 before orders are passed under section 19." |
REGULATION NO. III OF 1914.

A Regulation to provide for the control of the alienation of agricultural land in Ajmer-Merwara.

[Received the assent of the Governor General on the 19th February, 1914, and published in the Gazette of India on the 21st idem.]

WHEREAS it is expedient to provide for the control of the alienation of agricultural land in Ajmer-Merwara; It is hereby enacted as follows:—

CHAPTER I.

Preliminary.

1. (1) This Regulation may be called the Ajmer-Merwara Alienation of Land Regulation, 1914.

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

(3) It shall come into force on such day as the Chief Commissioner, with the previous sanction of the Governor General in Council, may, by notification in the Gazette of India, direct.

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

(1) The expression “land” means land which is not occupied as the site of any building in a town or village and is occupied or let for agricultural purposes or for purposes subservient to agriculture or for pasture and includes—

(a) the site of buildings and other structures on such land;

(b) a share in the profits of an estate or holding;

(c) any dues or any fixed percentage of the land revenue payable by an inferior landowner to a superior landowner;

(d) a right
(Chapter I.—Preliminary.)

(d) a right to receive rent;
(e) any right to water enjoyed by the owner or occupier of land as such; and
(f) any right of occupancy.

(2) The expression “permanent alienation” includes sales, exchanges, gifts, wills, and grants of occupancy rights.

(3) The expression “usufructuary mortgage” means a mortgage by which the mortgagor delivers possession of the mortgaged land to the mortgagee and authorizes him to retain such possession until payment of the mortgage money, and to receive the rents and profits of the land and to appropriate them in lieu of interest or in payment of the mortgage money or partly in lieu of interest and partly in payment of the mortgage money: and the expression “conditional sale” includes any agreement whereby in default of payment of the mortgage money or interest at a certain time the land will be absolutely transferred to the mortgagee.

(4) “Collector” means any officer appointed by the Chief Commissioner to discharge the functions of a Collector under this Regulation in any part of Ajmer-Merwara.

(5) “Rent” means whatever is, in cash or in kind, to be paid or delivered by a tenant for land held by him, or on account of groves, tanks, rights of pasturage, or of gathering produce, forest rights, fisheries, the use of water for irrigation, or the like.

(6) “Tenant” means a person who holds land under another person and is or but for a special contract would be liable to pay rent for that land to that other person, but it does not include—

(a) an inferior landowner, or
(b) a mortgagee of the rights of a landowner, or
(c) a person to whom a holding has been transferred or an estate or holding has been let in farm for the recovery of an arrear of land revenue or of a sum recoverable as such an arrear or

(d) a person
Ajmer-Merwara Alienation of Land.

Chapter I.—Preliminary. Chapter II.—Permanent alienation of land.)

(d) a person who takes from the Government a lease of unoccupied land for the purpose of sub-letting it.

(7) “Land revenue” means land revenue assessed under any law for the time being in force or assessable under the Ajmer Land and Revenue Regulation, 1877; and includes—

(a) any rate imposed in respect of the increased value of land due to irrigation, and

(b) any sum payable in respect of land, by way of quit-rent or of commutation for service to the Government or to a person to whom the Government has assigned the right to receive the payment.

(8) “Revenue officer” has the same meaning as in the Ajmer Land and Revenue Regulation, 1877.

(9) “Legal practitioner” means an advocate, vakiil or attorney of any High Court, a pleader, mukhtar or revenue-agent.

(10) “Agricultural year” means the year commencing on the 1st June or on such other date as the Chief Commissioner may by notification appoint.

CHAPTER II.

Permanent alienation of land.

3. (1) No alienation of land shall take effect as sanction of a permanent alienation unless and until sanction is given thereto by the Collector:

Provided that such sanction may be given after the act of alienation is otherwise completed.

(2) The Collector shall inquire into the circumstances of the alienation and shall have discretion to grant or refuse such sanction on such alienation.

4. When a
Ajmer-Merwara Alienation of Land. [REG. III

(Chapter II.—Permanent alienation of land. Chapter III.—Temporary alienations of land.)

4. When a Collector sanctions a permanent alienation of land, his order shall not be taken to decide or affect any question of title, or any question relating to any reversionary right or right of pre-emption.

CHAPTER III.

Temporary alienations of land.

5. (1) No land shall be mortgaged except in some one or other of the following forms:

(a) in the form of a usufructuary mortgage by which the mortgagor delivers possession of the land to the mortgagor and authorizes him to retain such possession and to receive the rents and profits of the land in lieu of interest and towards payment of the principal, on condition that after the expiry of the term agreed on, or (if no term is agreed on, or if the term agreed on exceeds twenty years) after the expiry of twenty years, the land shall be re-delivered to the mortgagor; or

(b) in the form of a mortgage without possession subject to the condition that, if the mortgagor fails to pay principal and interest according to his contract the mortgagee may apply to the Collector to place him in possession for such term not exceeding twenty years as the Collector may consider to be equitable, the mortgage to be treated as a usufructuary mortgage for the term of the mortgagee’s possession and for such sum as may be due to the mortgagee on account of the balance of principal due and of interest due not exceeding the amount claimable as simple interest at such rate and for such period as the Collector thinks reasonable; or

(c) in the
(c) in the form of a written usufructuary mortgage by which the mortgagor recognises the mortgagee as a landlord and himself remains in cultivating occupancy of the land as a tenant for such term as may be agreed upon, subject to the condition that if the mortgagor is ejected, or surrenders, or abandons cultivating occupancy of the land the mortgage shall take effect as a usufructuary mortgage in form (a) for such term not exceeding twenty years from the date of the ejectment, surrender or abandonment, and for such sum of money as the Collector thinks reasonable; or

(d) in any form which the Chief Commissioner may, by general or special order, permit to be used.

(2) The Collector, if he accepts the application of a mortgagee under sub-section (1) (b), shall have power to eject the mortgagor, and as against the mortgagor to place the mortgagee in possession:

6. In the case of mortgages made under section 5—

(1) No interest shall accrue during the period for which the mortgagee is in possession of the land or in receipt of rent;

(2) if the mortgage is in form (a) or form (b) then at the end of such period of possession the mortgage debt shall be extinguished;

(3) the mortgagor may redeem his land at any time during the currency of the mortgage on payment of the mortgage debt, or, in the case of a mortgage in form (a) or form (b), of such proportion of the mortgage debt as the Collector determines to be equitable;

(4) in the case of a usufructuary mortgage the mortgagor shall not be deemed to bind himself
(Chapter III.—Temporary alienations of land.)

7. (f) In a mortgage made under section 5 the following conditions may be added by agreement between the parties:

(a) a condition fixing the time of the agricultural year at which a mortgagor redeeming his land may resume possession thereof;

(b) conditions limiting the right of a mortgagor or mortgagee in possession to cut, sell or mortgage trees or to do any act affecting the permanent value of the land; and

(c) any condition which the Chief Commissioner, by general or special order, may declare to be admissible.

8. (f) If any land is mortgaged in any manner or form not permitted by or under this Regulation, the Collector shall have authority to revise and alter the terms of the mortgage so as to bring it into accordance with such form of mortgage permitted by or under this Regulation.
Section 3

If proceedings for the enforcement of the
condition intended to operate by way of condi-
tional sale are instituted, or are pending at the
commencement of this Regulation in any Civil
Court, or if a suit is instituted in any Civil Court,
on a mortgage to which sub-section (1) or sub-section
(2) applies, the Court shall, if it finds that the mort-
gage is enforceable or that the mortgagor is
entitled to a decree absolute for foreclosure, refer the
case to the Collector with a view to the exercise of the power
conferred by the sub-section applying thereto.

(3) When a mortgagor put to his election under
sub-section (2) agrees to accept in lieu of his mortgage
a mortgage in form (a) or in form (b) as permitted
by section 5 for the period and for the sum of money
considered by the Collector to be reasonable and the
mortgagor cannot be found, or fails to appear when
duly served with notice to do so, or refuses or neglects
to execute such mortgage, the Collector shall have
authority to execute such mortgage on such terms as
to costs as he may fix, and the mortgage so executed
shall have effect as if it had been executed by the
mortgagor. The Collector may, for any reason which
he

7
he deems sufficient, set aside any ex-parte proceedings taken under this sub-section.

9. In any mortgage of land, made after the commencement of this Regulation any condition which is intended to operate by way of conditional sale shall be null and void.

10. Except with the sanction of the Chief Commissioner, given by general or special order, no land may be leased or farmed for a term exceeding twenty years, and any lease or farm made without the Chief Commissioner's sanction for a longer term than twenty years shall be deemed to be a lease or farm for the term permitted by this section.

11. (1) During the currency of a mortgage made under section 5 in form (a) or form (b) of a lease or farm under this Regulation, the owner shall be at liberty to make a further temporary alienation of the same land for such term as together with the term of the current mortgage, lease or farm will make up a term not exceeding the full term of twenty years.

(2) Any such further temporary alienation, if made for a longer term than is permitted by this section, shall, except as provided in section 10, be deemed to be a temporary alienation for the term permitted by this section.

12. If a mortgagee, lessee, or farmer holding possession under a mortgage made under section 5 or under a lease or farm made under section 10 or under a mortgage, lease or farm made under section 11, remains in possession after the expiry of the term for which he is entitled to hold under his mortgage, lease or farm, the Collector may, of his own motion or on the application of the person entitled to possession, eject such mortgagee, lessee or farmer and place the person so entitled in possession.

13. Any
CHAPTER IV.

General Provisions.

13. Any alienation of land which, in accordance with the provisions of section 5, requires the sanction of the Collector in order that it may take effect as a permanent alienation, shall, until such sanction is given or if such sanction is refused, take effect as a usufructuary mortgage in form (a) permitted by section 5 for such term not exceeding twenty years and on such conditions as the Collector considers to be reasonable.

14. Every agreement which purports to alienate the produce of land or any part of or share in such produce for more than one year shall not take effect for more than one year from the date of the agreement unless the sanction of the Collector is given therefor, and shall, until such sanction is given, or if such sanction is refused, take effect as if it had been made for one year.

15. (1) Except with the previous sanction of the Chief Commissioner, no land shall be sold in execution of any decree or order of any Civil or Revenue Court, whether made before or after the commencement of this Regulation.

(2) Nothing in this section shall affect the right of Government to recover arrears of land revenue, or any dues which are recoverable as arrears of land revenue, in any manner permitted by law.

16. When a Civil Court passes a decree on a mortgage made before the commencement of this Regulation, not being a mortgage with a condition intended to operate by way of conditional sale, and such decree would, but for the provisions of section 15, be executed by sale of land, the Court shall transfer the execution of the decree to the Collector, who shall offer the decree-holder in full satisfaction of his decree a mortgage
mortgage in form (a) or in form (b) of section 5 for such period not exceeding twenty years as the Collector considers reasonable.

17. Notwithstanding anything in the Indian Registration Act, 1908, or in any rules made under section 69 of that Act—

(1) an instrument which contravenes any provision of this Regulation shall not be admitted to registration;

(2) an instrument which records or gives effect to any transaction which requires the sanction of the Collector, shall not be admitted to registration until a certified copy of the order giving such sanction is produced to the officer empowered to register such instrument.

18. (1) Where, by reason of any transaction which under this Regulation requires the sanction of the Collector, a person claims to have acquired a right the acquisition whereof he is bound to report under section 34 of the Punjab Land Revenue Act, 1887, as extended to Ajmer-Merwara, such person shall, in making his report, state whether the sanction required has been obtained or not, and his right so acquired shall not be entered in the record of rights or in any annual register until he produces such evidence of the order by which such sanction is given as may be required by any rules made under this Regulation.

(2) No right claimed by reason of any transaction or condition which is declared by this Regulation to be null and void shall be entered in the record of rights or in any annual register.

19. Subject to the provisions of this Regulation, the provisions of the Ajmer Land and Revenue Regulation, 1877, Parts I to IV inclusive, shall, in so far as they are applicable, apply to the proceedings of Revenue-officers under this Regulation.

20. No
meruwa Alienation of Land.

Chapter IV.—General Provisions.

(1) No legal practitioner shall appear on behalf of any party interested in any proceeding before a Revenue-officer under this Regulation.

(2) A Civil Court shall not have jurisdiction in any matter in which the Local Government or a Revenue-officer is empowered by the Regulation to dispose of.

(3) No Civil Court shall take cognizance of the matter in which the Local Government or any Revenue-officer exercises any power vested in it or in any other manner or under this Regulation.

(4) Notwithstanding anything contained in the Code of Civil Procedure, 1908, or in any other Act or Regulation for the time being in force, every Civil Court which passes a decree or order involving the permanent alienation of any land shall send to the Collector a copy of such decree or order.

(5) When it appears to the Collector that any Civil Court has, at any time after this Regulation has come into force, passed a decree or order contrary to any of the provisions of this Regulation, the Collector may apply for the revision of such decree or order to the Court, if any, to which an appeal would lie from such decree or order or in which an appeal could have been instituted at the time when the decree or order was passed, or in any other case to the Court of the Chief Commissioner. And when the Court finds that such decree or order is contrary to any of the provisions of this Regulation, it shall alter it so as to make it consistent with this Regulation. Such application shall be made within two months of the date upon which the Collector is informed of such decree or order.

(6) When any such Appellate Court passes an order rejecting such application, the Collector may, within two months after the date upon which he is informed of such order, apply to the Court of the Chief Commissioner for revision thereof.

(7) Every
(d) Every Civil Court which passes an order on any application made under this section shall forthwith send a copy thereof to the Collector.

(5) No stamp shall be required upon such applications, and the provisions of the Code of Civil Procedure, 1908, as regards appeals shall apply, so far as may be, to the procedure of the Court, on receipt of such application:

Provided that no appearance by or on behalf of the Collector shall be deemed necessary for the disposal of the application.

23. The powers conferred by this Regulation upon the Collector may be exercised by a Revenue-officer of higher rank or by any officer authorized by the Chief Commissioner in this behalf.

24. The Chief Commissioner, with the previous sanction of the Governor General in Council, may, by notification in the Gazette of India, exempt any person or class of persons from the operation of this Regulation or of any of the provisions thereof.

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

(2) In particular and without prejudice to the generality of the foregoing power, the Chief Commissioner may make rules prescribing the Revenue-Officers to whom applications may be made, and the manner and form in which such applications shall be made and disposed of.
REGULATION NO. I OF 1915.

A Regulation to consolidate and amend the Excise Law in force in Ajmer-Merwara, Coorg and British Baluchistan.

(Received the assent of the Governor-General on the 6th January, 1915; published in the Gazette of India on the 16th January, 1915, and in the Coorg District Gazette on the 1st February, 1915.)

WHEREAS it is expedient to consolidate and amend the law in the provinces of Ajmer-Merwara, Coorg and British Baluchistan, relating to the import, export, transport, manufacture, sale and possession of intoxicating liquor and of intoxicating drugs; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Regulation may be called the Excise Regulation, 1915.

(2) It extends to the provinces of Ajmer-Merwara, Coorg and British Baluchistan:

Provided that the provisions of this Regulation relating to tari shall not apply to the province of British Baluchistan; and

(3) It shall come into force on such date as the Chief Commissioner may, by notification, direct.

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

(1) "beer" includes ale, stout, porter and all other fermented liquors usually made from malt:

(2) to "bottle" means to transfer liquor from a cask or other vessel to a bottle, jar, flask or other similar vessel.

[Price eight annas.]
similar receptacle for the purpose of sale, and "bottling" includes re-bottling:

(3) "Excise Commissioner" means the officer appointed by the Chief Commissioner under section 7, clause (a):

(4) "denatured" means rendered unfit for human consumption in such manner as the Chief Commissioner may, by notification, prescribe:

(5) "excisable article" means any liquor or intoxicating drug as defined by or under this Regulation:

(6) "Excise-officer" means a Collector or any officer or other person appointed or invested with powers under section 7:

(7) "excise-revenue" means revenue derived or derivable from any duty, fee, tax, penalty, payment (other than a fine imposed by a Court of law) or confiscation imposed or ordered under the provisions of this Regulation, or of any other law for the time being in force relating to liquor or intoxicating drugs:

(8) "export" means to take out of the province:

(9) "hemp plant" means the plant known as Cannabis sativa:

(10) "import" means to bring into the province:

Provided that import into and export from British Baluchistan from and to the territories administered by the Agent to the Governor General in Baluchistan as such Agent shall be deemed to be transport:

(11) "intoxicating drug" means:

(a) the leaves and flowering tops of the hemp plant and ganja, bhang, charas and every similar preparation made therefrom;

(b) the leaves of the coca plant (Erythroxylum coca), and cocaine and every other preparation and derivative of the said plant;

(c) any other intoxicating drink or substance which the Chief Commissioner may, by notification, specify in this behalf; and

(d) every
(d) every preparation or admixture of any article referred to in sub-clauses (a), (b) and (c);

but does not include opium or anything which is included in "opium" as defined in the Opium Act, 1878:

(12) "liquor" means intoxicating liquor, and includes spirits of wine, spirit, wine, tori, beer, all liquid consisting of or containing alcohol, and any substance which the Chief Commissioner may, by notification, declare to be liquor for the purposes of this Regulation:

(13) "manufacture" includes every process, whether natural or artificial, by which any excisable article is produced or prepared, and also redistillation and every process for the rectification, flavouring, blending or colouring of liquor:

(14) "notification" means notification in the local official Gazette:

(15) "place" includes house, building, shop, booth, tent, vessel, raft and vehicle:

(16) expressions referring to "sale" include any transfer otherwise than by way of gift:

(17) "spirit" means any liquor containing alcohol obtained by distillation whether it is denatured or not:

(18) "tori" means fermented or unfermented juice drawn from any kind of palm tree: and

(19) "transport" means to move from one place to another within the province.

3. The Chief Commissioner may, by notification, declare what shall be deemed to be ganja, bhang or charas.

4. The Chief Commissioner, with the previous sanction of the Governor General in Council, may, by notification, declare what, for the purposes of this Regulation "country liquor" and "foreign liquor".
Excise. [REG. I,

(Chapter I.—Preliminary. Chapter II.—Establishment and Control.)

Regulation or any portion thereof, shall be deemed to be "country liquor" and "foreign liquor," respectively.

5. (1) The Chief Commissioner may, by notification, declare, with respect either to the whole province or to any specified local area, and as regards purchasers generally or any specified class of purchasers, and either generally or for any specified occasion, what quantity of any excisable article shall, for the purposes of this Regulation, be the limit of a retail sale.

(2) The sale of any excisable article in any quantity in excess of the quantity declared in respect thereof under sub-section (1) shall be deemed to be a sale by wholesale.

6. Nothing contained in this Regulation shall affect the provisions of the Sea Customs Act, 1878, VIII of or the Indian Tariff Act, 1894 (except section 6 VIII of thereof), or the Cantonments Act, 1910, or any rule XV of or order made thereunder.

CHAPTER II.

ESTABLISHMENT AND CONTROL.

7. The Chief Commissioner may, by notification, for the whole or for any specified part of the province,—

(a) appoint an officer who, subject to such control (if any) as the Chief Commissioner may direct, shall superintend the administration of the Excise Department and the collection of the excise-revenue;

(b) appoint any person other than the Collector to exercise all or any of the powers and to perform all or any of the duties conferred and imposed on a Collector by or under
under this Regulation, either concurrently with, or in subordination to, or in exclusion of, the Collector, subject to such control as the Chief Commissioner may direct;

c) appoint officers of the Excise Department of such classes and with such designations, powers and duties as the Chief Commissioner may think fit;

d) order that all or any of the powers and duties assigned by or under this Regulation to any officer appointed under clause (c) shall be exercised and performed by any Government officer or any other person;

e) delegate to the Excise Commissioner all or any of his powers under this Regulation;

f) withdraw from any officer or person all or any of his powers under this Regulation; and

g) authorize the delegation by the Excise Commissioner or the Collector to any person or class of persons specified in such notification of any powers conferred or duties imposed upon him by or under this Regulation, or exercised or discharged by him in respect of the excise-revenue under any other law for the time being in force.

CHAPTER III.

IMPORT, EXPORT AND TRANSPORT.

8. The Chief Commissioner may, by notification,—

(a) with the previous sanction of the Governor General in Council, prohibit, throughout
(Chapter III.—Import, Export and Transport.)

the province or in any specified area thereof, the import or export of any excisable article;

(b) prohibit the transport of any excisable article.

9. No excisable article shall be imported, exported or transported, except,—

(a) after payment of any duty of customs or excise to which it may be liable, or execution of a bond for such payment; or

(b) on compliance with such conditions as the Chief Commissioner may impose.

10. No excisable article exceeding such quantity as the Chief Commissioner may prescribe by notification, either generally or for any specified area, shall be imported, exported or transported, except under a pass issued, or deemed to be issued, under the provisions of this Regulation:

Provided that in the case of duty-paid foreign liquor such passes shall be dispensed with, unless the Chief Commissioner shall, by notification, otherwise direct with respect to any local area.

11. (1) Except when otherwise directed by the Excise Commissioner, passes for the import, export or transport of excisable articles may be granted by the Collector.

(2) Such passes may be either general for definite periods and kinds of excisable articles, or special for specified occasions and particular consignments only.

12. The Excise Commissioner may, by general or special order, direct, subject to such conditions (if any) as he may impose, that a pass granted by any authority in India shall be deemed to be a pass for any purpose under this Regulation.

CHAPTER
CHAPTER IV.

MANUFACTURE, POSSESSION AND SALE.

13. (a) No excisable article shall be manufactured or collected;
(b) no hemp or coca plant shall be cultivated;
(c) no tari-producing tree shall be tapped and no tari shall be drawn from any tree;
(d) no liquor shall be bottled for sale;
(e) no distillery or brewery shall be constructed or worked; and
(f) no person shall use, keep or have in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any excisable article other than tari,

except under the authority and subject to the terms and conditions of a license granted in that behalf:

Provided that the Chief Commissioner may, by notification, declare that the provisions of this section shall not apply, in any area specified in this behalf, to the tapping of tari-producing trees, or the drawing of tari under such conditions as he may prescribe.

14. The Excise Commissioner may—
(a) establish a distillery in which spirit may be manufactured under a license granted under section 13 on such conditions as the Chief Commissioner may impose;
(b) discontinue any such distillery;
(c) license, on such conditions as the Chief Commissioner may impose, the construction and working of a distillery or brewery;
(d) establish or license a warehouse wherein any excisable article may be deposited and kept without payment of duty; and
(e) discontinue any such warehouse.

15. Without
15. Without the sanction of the Chief Commissioner no excisable article shall be removed from any distillery, brewery, warehouse or other place of storage established or licensed under this Regulation unless the duty (if any) imposed under section 24 has been paid or a bond has been executed for the payment thereof.

16. (1) The Chief Commissioner may, by notification, prescribe a limit of quantity for the possession of any excisable article:

Provided that different limits may be prescribed for different qualities of the same article.

(2) No person shall have in his possession any quantity of any excisable article in excess of the limit prescribed under sub-section (1), except under the authority and in accordance with the terms and conditions of—

(a) a license for the manufacture, cultivation, collection, sale or supply of such article, or

(b) a permit granted by the Collector in that behalf.

(3) Sub-section (2) shall not apply to any foreign liquor—

(a) which is in the possession of any common carrier or warehouseman as such, or

(b) which is lawfully procured by and in the possession of any person for his bonâ fide private consumption and not for sale.

(4) Notwithstanding anything contained in the foregoing sub-sections, the Chief Commissioner may, by notification, prohibit the possession by any person or class of persons, either throughout the province or in any specified area, of any excisable article either absolutely, or subject to such conditions as he may prescribe.

17. (1) No
(Chapter IV.—Manufacture, Possession and Sale)

17. (1) No excisable article shall be sold except under the authority and subject to the terms and conditions of a license granted in that behalf:

Provided that—

(a) a person having the right to the tari drawn from any tree may sell such tari without a license to a person licensed to manufacture or sell tari under this Regulation;

(b) nothing in this section shall apply to the sale of any foreign liquor lawfully procured by any person for his private use and sold by him or on his behalf or on behalf of his representatives in interest upon his quitting a station or after his decease.

(2) On such conditions as the Excise Commissioner may determine, a license for sale under the Excise law for the time being in force in other parts of British India may be deemed to be a license granted in that behalf under this Regulation.

18. (1) The Chief Commissioner may lease to any person, on such conditions and for such period as he may think fit, the right—

(a) of manufacturing or of supplying by wholesale, or of both, or

(b) of selling by wholesale or by retail, or

(c) of manufacturing or of supplying by wholesale, or of both, and of selling by retail,

any country liquor or intoxicating drug within any specified area.

(2) The licensing authority may grant to a lessee under sub-section (1) a license in the terms of his lease; and, when there is no condition in the lease which prohibits sub-letting, may, on the application of the lessee, grant a license to any sub-lessee approved by such authority.

19. Where
Excise. [REG. 1,

(Chapter IV.—Manufacture, Possession and Sale.)

19. Where a right of manufacturing tari has been leased under section 18, the Chief Commissioner may declare that the written permission of the lessee to draw tari shall have the same force and effect as a license from the Collector for that purpose.

20. Within the limits of any military cantonment, and within such distance from those limits as the Chief Commissioner in any case may prescribe, no license for the retail sale of liquor shall be granted, except with the knowledge and consent of the Commanding Officer.

21. Every person who manufactures or sells any excisable article under a license granted under this Regulation shall be bound—

(a) to supply himself with such measures, weights and instruments as the Excise Commissioner may prescribe, and to keep the same in good condition and on the licensed premises; and

(b) on the requisition of any Excise-officer duly empowered in that behalf, at any time to measure, weigh or test any excisable article in his possession in such manner as the said Excise-officer may require.

22. (1) No person who is licensed to sell any excisable article for consumption on his premises shall, during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any child under such age as the Chief Commissioner may by rule prescribe in this behalf, in any part of such premises in which such excisable article is consumed by the public.

(2) No person who is licensed to sell any excisable article for consumption on his premises shall, without the previous permission in writing of the Collector, during the hours in which such premises are kept open for business, employ or permit to be employed, either with or without remuneration, any woman in
in any part of such premises in which such excisable article is consumed by the public.

(3) Every permission granted under sub-section (2) shall be endorsed on the license and may be modified or withdrawn.

23. (1) The District Magistrate, by notice in writing to the licensee, may require that any shop in which any excisable article is sold shall be closed at such times or for such period as he may think necessary for the preservation of the public peace.

(2) If a riot or unlawful assembly is apprehended or occurs in the vicinity of any such shop, a Magistrate of any class, or any police-officer above the rank of constable who is present, may require such shop to be kept closed for such period as he may think necessary:

Provided that where any riot or unlawful assembly so occurs, the licensee shall, in the absense of such Magistrate or officer, close his shop without any order and keep it closed during the continuance of such riot or unlawful assembly.

CHAPTER V.

DUTIES AND FEES.

24. (1) The Chief Commissioner may, by notification, impose a duty, at such rate or rates as he thinks fit, either generally or for any specified area, on any excisable article—

(a) imported; or
(b) exported; or
(c) transported; or
(d) manufactured, cultivated or collected under any license granted under section 13; or

(e) manufactured
(Chapter IV.—Manufacture, Possession and Sale.
Chapter V.—Duties and Fees.)

in any part of such premises in which such excisable
article is consumed by the public.

(3) Every permission granted under sub-section
(2) shall be endorsed on the license and may be
modified or withdrawn.

23. (1) The District Magistrate, by notice in
writing to the licensee, may require that any shops
in which any excisable article is sold shall be closed
at such times or for such period as he may think
necessary for the preservation of the public peace.

(2) If a riot or unlawful assembly is apprehended
or occurs in the vicinity of any such shop, a Magistrate
of any class, or any police-officer above the rank of
constable who is present, may require such shop to
be kept closed for such period as he may think
necessary:

Provided that where any riot or unlawful assembly
so occurs, the licensee shall, in the absence of such
Magistrate or officer, close his shop without any order
and keep it closed during the continuance of such
riot or unlawful assembly.

CHAPTER V.

DUTIES AND FEES.

24. (1) The Chief Commissioner may, by noti-
fication, impose a duty, at such rate or rates as he
thinks fit, either generally or for any specified area,
on any excisable article—

(a) imported; or
(b) exported; or
(c) transported; or
(d) manufactured, cultivated or collected under
any license granted under section 13; or

(e) manufactured
distillery established or any distillery or
browery licensed under this Regulation—
(i) in accordance with such scale of equi-
valents calculated on the quantity
of materials used, or by the degree
of attenuation of the wash or wort,
as the case may be, as the Chief
Commissioner may prescribe, or
(ii) by a rate charged directly on the mate-
rials used;
(b) on tari, by a tax on each tree from which
the tari is drawn;
(2) where payment is made upon the issue of
an excisable article for sale from a war-
house, it shall be at the rate of duty in
force on the date of issue of such article
from the warehouse.

26. Instead of or in addition to any duty leviable under this Chapter, the Chief Commissioner may accept payment of a sum in consideration of the grant of any lease under section 18.

CHAPTER VI.

LICENSES, PERMITS AND PASSES.

27. Every license, permit or pass granted under this Regulation—
(a) shall be granted—

(i) on payment of such fees (if any),
(ii) for such period,
(iii) subject to such restrictions and on such conditions, and
(b) shall be in such form and contain such particulars, as
as the Chief Commissioner may direct either generally or in any particular instance.

28. Any authority granting a license under this Regulation may require the licensee to give such security for the observance of the terms of his license, or to make such deposit in lieu of security, as such authority may think fit.

29. (1) No license granted under this Regulation shall be deemed to be invalid by reason merely of any technical defect, irregularity or omission in the license or in any proceedings taken prior to the grant thereof.

(2) The decision of the Excise Commissioner as to what is a technical defect, irregularity or omission shall be final.

30. (1) Subject to such restrictions as the Chief Commissioner may prescribe, the authority granting any license, permit or pass under this Regulation may cancel or suspend it—

(a) if any duty or fee payable by the holder thereof be not duly paid; or

(b) in the event of any breach by the holder thereof, or by any of his servants, or by any one acting on his behalf with his express or implied permission, of any of the terms or conditions thereof; or

(c) if the holder thereof, or any of his servants, or any one acting on his behalf with his express or implied permission, is convicted of any offence under this Regulation or any other law for the time being in force relating to excise-revenue; or

(d) if the holder thereof is convicted of any cognizable and non-bailable offence, or of any offence under the Indian Merchandise Marks Act, 1889, or under any other section which has been introduced into the Indian Penal Code by section 3 of that
that Act, or of any offence punishable under clause (8) of section 167 of the Sea Customs Act, 1878; or

(e) where a license, permit or pass has been granted on the application of the holder of any lease granted under section 18, on the requisition in writing of such lessee; or

(f) if the conditions of the license, permit or pass provide for such cancellation or suspension at will.

(2) Where a license, permit or pass held by any person is cancelled under clause (a), clause (b), clause (c) or clause (d) of sub-section (1), the authority aforesaid may cancel any other license, permit or pass granted to such person under this Regulation or under any other law for the time being in force relating to excise-revenue, or under the Opium Act, 1878.

(3) The holder shall not be entitled to any compensation for its cancellation or suspension, nor to the refund of any fee paid or deposit made in respect thereof.

(4) Where a license, permit or pass is cancelled or suspended under clause (a), clause (b), clause (c) or clause (d) of sub-section (1),—

(a) the fee payable for the balance of the period for which such license would have been current but for such cancellation or suspension, may be recovered from the ex-licensee as excise-revenue;

(b) the Collector may take the grant under management or resell it, but any profit realized by such management or resale which is not in excess of the amount recovered for such period shall be paid to the ex-licensee.

31. (f) Whenever
31. (1) Whenever the authority which granted any license under this Regulation considers that such license should be withdrawn for any cause other than those specified in section 30, it shall remit a sum equal to the amount of the fees payable in respect thereof for fifteen days, and may withdraw the license either—

(a) on the expiration of fifteen days' notice in writing of its intention to do so, or

(b) forthwith without notice.

(2) If any license be withdrawn under clause (b) of sub-section (1), the aforesaid authority shall, in addition to remitting such sum as aforesaid, pay to the licensee such further sum (if any) by way of compensation as the Excise Commissioner may direct.

(3) When a license is withdrawn under sub-section (1), any fee paid in advance or deposit made by the licensee in respect thereof shall be refunded to him after deducting the amount (if any) due to Government.

32. (1) Any holder of a license granted under this Regulation to sell an excisable article may surrender his license on the expiration of one month's notice in writing given by him to the Collector of his intention to surrender the same, and on payment of the fee payable for the license for the remainder of the period for which it would have been current but for such surrender:

Provided that if the Excise Commissioner is satisfied that there is sufficient reason for surrendering a license, he may remit to the holder thereof the sum so payable on surrender or any portion thereof.

(2) Sub-section (1) shall not apply in the case of any license granted under section 18.

Explanation.—The words "holder of a license" as used in this section include a person whose tender or bid for a license has been accepted although he may not actually have received the license.
CHAPTER VII.

OFFENCES AND PENALTIES.

33. Whoever, in contravention of this Regulation, or of any rule, notification or order made, issued or given thereunder, or of any license, permit or pass granted under this Regulation,—

(a) imports, exports, transports, manufactures, collects or possesses any excisable article; or

(b) save in the cases provided for in section 37, sells any excisable article; or

(c) cultivates any hemp or coca plant; or

(d) taps or draws tari from any tari-producing tree; or

(e) constructs or works any distillery or brewery; or

(f) uses, keeps or has in his possession any materials, still, utensil, implement or apparatus whatsoever for the purpose of manufacturing any excisable article other than tari; or

(g) removes any excisable article from any distillery, brewery or warehouse licensed, established or continued under this Regulation; or

(h) bottles any liquor;

shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both:

Provided that, when any person is convicted under this section of any offence committed in respect of cocaine or any of the synthetics thereof, he shall be punishable for every such offence with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

34. Whoever
(Chapter VII.—Offences and Penalties.)

34. Whoever—
   (a) renders fit for human consumption any spirit which has been denatured; or
   (b) has in his possession any spirit in respect of which he knows or has reason to believe that any such offence has been committed, or that an attempt to commit such offence has been made;

shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to one thousand rupees, or with both.

35. Whoever, without lawful authority, has in his possession any quantity of any excisable article knowing the same to have been unlawfully imported, transported, manufactured, cultivated or collected, or knowing the prescribed duty not to have been paid thereon, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

36. Whoever does any act in contravention of any of the provisions of this Regulation, or of any rule, notification or order made, issued or given thereunder and not otherwise provided for in this Regulation, shall be punishable with fine which may extend to two hundred rupees.

37. (1) A licensed vendor or any person in his employ and acting on his behalf who—
   (a) sells any excisable article to a person who is drunk; or
   (b) sells or gives any excisable article to any child apparently under such age as the Chief Commissioner may by rule prescribe in this behalf; or
   (c) in contravention of section 22 employs or permits to be employed on any part of his licensed
Excise.

(Chapter VII.—Offences and Penalties.)

licensed premises referred to in that section any child or woman; or

(d) permits drunkenness, disorderly conduct or gaming on the premises of such vendor; or

(e) permits persons whom he knows or has reason to believe to have been convicted of any non-bailable offence, or who are reputed prostitutes, to resort to or assemble on the premises of such vendor, whether for the purposes of crime or prostitution or not; shall be punishable with fine which may extend to one hundred rupees.

(2) Where any licensed vendor, or any person at his employ and acting on his behalf, is charged with permitting drunkenness on the premises of such vendor, and it is proved that any person was drunk on such premises, it shall lie on the person charged to prove that the licensed vendor and the persons employed by him took all reasonable steps for preventing drunkenness on such premises.

38. A holder of a license, permit or pass granted under this Regulation, or any person in the employ of such holder and acting on his behalf, who intentionally—

(a) fails to produce such license, permit or pass on the demand of any Excise-officer or of any other officer duly empowered to make such demand; or

(b) save in a case provided for by section 33, contravenes any rule made under section 62; or

(c) does any act in breach of any of the conditions of the license, permit or pass not otherwise provided for in this Regulation; shall
shall be punishable in case (a) with fine which may extend to two hundred rupees, and in case (b) or case (c) with fine which may extend to five hundred rupees.

39. (1) A chemist, druggist, apothecary or keeper of a dispensary who allows any excisable article which has not been bona fide medicated for medicinal purposes to be consumed on his business premises by any person not employed in his business, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to one thousand rupees, or with both.

(2) Any person not employed as aforesaid who consumes any such excisable article on such premises shall be punishable with fine which may extend to two hundred rupees.

40. (1) Where any excisable article has been manufactured or sold or is possessed by any person on account of any other person, and such other person knows or has reason to believe that such manufacture or sale was, or that such possession is, on his account, the article shall, for the purposes of this Regulation, be deemed to have been manufactured or sold by, or to be in the possession of, such other person.

(2) Nothing in sub-section (1) shall absolve any person who manufactures, sells or has possession of an excisable article on account of another person from liability to any punishment under this Regulation for the unlawful manufacture, sale or possession of such article.

41. Whoever attempts to commit any offence punishable under this Regulation shall be liable to the punishment provided for such offence.

42. In prosecutions under section 33, section 34 and section 35 it shall be presumed, until the contrary is proved, that the accused person has committed an offence punishable under that section in respect of—

(a) any excisable article, or

(b) any
Excise.

(Chapter VII.—Offences and Penalties.)

(b) any still, utensil, implement or apparatus whatsoever for the manufacture of any excisable article other than tari, or
(c) any materials which have undergone any process towards the manufacture of an excisable article, or from which an excisable article has been manufactured, the possession of which he is unable to account satisfactorily.

43. Where any offence under section 33, section 35, section 37 or section 38 is committed by any person in the employ and acting on behalf of the holder of a license, permit or pass granted under this Regulation, such holder shall also be punishable if he had himself committed the same, unless he establishes that all due and reasonable precautions were exercised by him to prevent the commission of such offence:

Provided that no person other than the actual offender shall be punishable under this section with imprisonment except in default of payment of fine.

44. If any person, after having been previously convicted of an offence punishable under section 33, section 35, 37, or 39, or under the corresponding provisions in any enactment repealed by this Regulation, subsequently commits and is convicted of an offence punishable under any of those sections, he shall be liable to twice the punishment which might be imposed on a first conviction under this Regulation:

Provided that nothing in this section shall prevent any offence which might otherwise have been tried summarily under Chapter XXII of the Code of Criminal Procedure, 1898, from being so tried.

45. Whenever an offence has been committed which is punishable under this Regulation, the following things shall be liable to confiscation, namely:

(1) any excisable article, materials, still, utensil, implement or apparatus in respect of or by means of which such offence has been committed;

(2) any
Excise. [Reg.

(Chapter VII.—Offences and Penalties.)

(2) any excisable article lawfully imported, transported, manufactured, had in possession or sold along with, or in addition to, any excisable article liable to confiscation under clause (1); and

(3) any receptacle, package or covering in which anything liable to confiscation under clause (1) or (2) is found, and the other contents, if any, of such receptacle, package or covering, and any animal, car, vessel, raft or other conveyance used in carrying the same:

Provided that if anything specified in clause (1) is not the property of the offender, it shall not be confiscated if the owner thereof had no reason to believe that such offence was being or was likely to be committed.

46. (1) Where in any case tried by him the Magistrate decides that anything is liable to confiscation under section 45, he may either order confiscation or may give the owner of the thing liable to be confiscated an option to pay, in lieu of confiscation, such fine as the Magistrate thinks fit.

(2) When an offence under this Regulation has been committed, but the offender is not known or cannot be found, the case shall be inquired into and determined by the Collector, who may order confiscation:

Provided that no such order shall be made until the expiration of one month from the date of seizing the thing intended to be confiscated, or without hearing any person who may claim any right thereto, and the evidence (if any) which he may produce in support of his claim:

Provided further that if the thing in question is liable to speedy and natural decay, or if the Collector is of opinion that the sale would be for the best benefit of its owner, the Collector may at any time direct it to be sold; and the provisions of this sub-section shall, as nearly as may be practicable, apply to the net proceeds of such sale.

47. (1) Th
47. (1) The Collector may—

(a) accept from any person whose license, permit or pass is liable to be cancelled or suspended under clauses (a) and (b) of subsection (1) of section 36, or who is reasonably suspected of having committed an offence under section 36, section 37, or section 38, a sum of money not exceeding two hundred rupees in lieu of such cancellation or suspension, or by way of composition for such offence, as the case may be; and

(b) in any case in which any property has been seized as liable to confiscation under this Regulation may, at any time before an order of confiscation has been passed by a Magistrate, release the same on payment of the value thereof as estimated by the Collector.

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

48. Any Excise-officer who vexatiously and unnecessarily—

(a) enters or searches or causes to be entered or searched any place under colour of exercising any power conferred by this Regulation, or

(b) seizes the moveable property of any person on the pretence of seizing or searching for any article liable to confiscation under this Regulation, or

(c) searches or arrests any person, shall be punishable with imprisonment for a term which may extend to three months, or with fine which
which may extend to five hundred rupees, or with
both.

49. Any Excise-officer, who without lawful excuse,
shall cease or refuse to perform, or shall withdraw
himself from, the duties of his office, unless expressly
allowed to do so in writing by the Collector, or unless
he shall have given to his superior officer two mon
notice in writing of his intention to do so, or. he
shall be guilty of cowardice, shall, on conviction
before a Magistrate, be punished with imprison
which may extend to three months, or with
which may extend to five hundred rupees, or
both.

CHAPTER VIII.

DETECTION, INVESTIGATION AND TRIAL OF
OFFENCES.

50. Whenever any excisable article is manufac
tured or collected, or any hemp or coca plant is culti
vated, on any land in contravention of this Regula
tion—

(a) all owners and occupiers of such land an
their agents; and

(b) all village-headmen, village-accountants, vil
lage-watchmen, village police-officers, and
all officers employed in the collection of
revenue or rent of land on the part of
Government or the Court of Wards in the
villages in which such land is situate;

shall, in the absence of reasonable excuse, be bound to
give notice of the fact to a Magistrate or to an officer
of the Excise, Police or Land Revenue Department
as soon as the fact comes to their knowledge.

51. The Excise Commissioner, or a Collector or
any Excise-officer not below such rank as the Chief
Commissioner
Chapter VIII.—Detection, Investigation and Trial of Offences.)

Commissioner may by notification prescribe, or any police-officer duly empowered in that behalf, may—

(a) enter and inspect, at any time by day or by night, any place in which any licensed manufacturer manufactures or stores any excisable article; and

(b) enter and inspect, at any time within the hours during which sale is permitted and at any other time during which the same may be open, any place in which any excisable article is kept for sale by any person holding a license under this Regulation; and

(c) examine accounts and registers, and examine, test, measure or weigh any materials, stills, utensils, implements, apparatus or excisable article found in such place.

52. (1) Any officer of the Excise, Police, or Land Revenue Department, subject to such restrictions as the Chief Commissioner may prescribe, and any other person duly empowered, may—

(a) arrest without warrant any person found committing an offence punishable under section 33, section 34 or section 35; and

(b) seize and detain any excisable or other article which he has reason to believe to be liable to confiscation under this Regulation or any other law for the time being in force relating to excise-revenue; and

(c) detain and search any person upon whom, and any vessel, raft, vehicle, animal, package, receptacle or covering in or upon which, he may have reasonable cause to suspect any such article to be.

(2) When any person is accused or reasonably suspected of committing an offence under this Regulation
Excise.

(Chapter VIII.—Detection, Investigation and Trial of Offences.)

Regulation, other than an offence under section 1 or section 34 or section 35, and on demand of any such officer as aforesaid refuses to give his name and residence or gives a name and residence which such officer has reason to believe is false, he may be arrested such officer in order that his name and residence may be ascertained.

53. If a Magistrate, upon information and after such inquiry (if any) as he thinks necessary, has reason to believe that an offence under section 1 or section 34 or section 35 has been, is being, or is likely to be committed, he may issue a warrant—

(a) for the search of any place in which he has reason to believe that any excisable article, still, utensil, implement, apparatus, or materials which are used for the commission of such offence, or in respect of which such offence has been, is being, or is likely to be committed, are kept or concealed and

(b) for the arrest of any person whom he has reason to believe to have been, to be, or to be likely to be engaged in the commission of any such offence.

54. Whenever any Excise-officer not below such rank as the Chief Commissioner may, by notification prescribe, has reason to believe that an offence under section 33, section 34 or section 35, has been, is being, or is likely to be committed, and that a search-warrant cannot be obtained without affording the offender an opportunity of escape or of concealing evidence of the offence, he may, after recording the grounds of his belief,—

(a) at any time by day or night enter and search any place and seize anything found there which he has reason to believe to be liable to confiscation under this Regulation; and

(b) dete
(Chapter VIII.—Detection, Investigation and Trial of Offences.)

(b) detain and search and, if he thinks proper, arrest any person found in such place whom he has reason to believe to be guilty of such offence as aforesaid.

55. (1) Any Excise-officer not below such rank and within such specified area as the Chief Commissioner may, by notification, prescribe, may, as regards offences under section 33, section 34 and section 35, exercise the powers conferred on an officer in charge of a police-station by the provisions of the Code of Criminal Procedure, 1898:

Provided that any such powers shall be subject to such restrictions and modifications (if any) as the Chief Commissioner may by rule prescribe.

(2) For the purposes of section 156 of the said Code the area in regard to which an Excise-officer is empowered under sub-section (1) shall be deemed to be a police-station, and such officer shall be deemed to be the officer in charge of the station.

(3) Any such officer specially empowered in that behalf by the Chief Commissioner may, without reference to a Magistrate and for reasons to be recorded by him in writing, stop further proceedings against any person concerned or supposed to be concerned in any offence against this Regulation, which he has investigated or which may have been reported to him.

56. If on an investigation by an Excise-officer empowered under section 55, sub-section (1), it appears that there is sufficient evidence to justify the prosecution of the accused, the investigating officer, unless he proceeds under section 55, sub-section (3), shall submit a report (which shall for the purposes of section 190 of the Code of Criminal Procedure, 1898, be deemed to be a police-report) to a Magistrate having jurisdiction to inquire into or try the case and empowered to take cognizance of offences on police-reports.

57. Where
(Chapter VIII.—Detection, Investigation and Trial of Offences.)

57. Where any Excise-officer below the rank of Collector makes any arrest, seizure or search under this Regulation, he shall, within twenty-four hours thereafter, make a full report of all the particulars of the arrest, seizure or search to his immediate official superior, and shall, unless bail be accepted under section 59, take or send the person arrested, or the thing seized, with all convenient despatch, to a Magistrate for trial or adjudication.

58. Save as in this Regulation otherwise expressly provided, the provisions of the Code of Criminal Procedure, 1898, relating to arrests, detentions in custody, searches, summons, warrants of arrest, search-warrants, the production of persons arrested and the disposal of things seized, shall apply, as far as may be, to all action taken in these respects under this Regulation.

59. (1) The Chief Commissioner may empower any Excise-officer to release persons on bail.

(2) When a person is arrested under this Regulation otherwise than on warrant by a person or officer who has not authority to release arrested persons on bail, he shall be produced before or forwarded to—

(a) the nearest Excise-officer who has authority to release arrested persons on bail, or

(b) the nearest officer in charge of a police-station, whoever is nearer.

(3) Whenever any person arrested under this Regulation otherwise than on a warrant is prepared to give bail, and is arrested by or produced in accordance with sub-section (2) before an officer who has authority to release arrested persons on bail, he shall be released upon bail or, at the discretion of the officer releasing him, on his own bond.

(d) The provisions of sections 499 to 502, 513, 514 and 515 of the Code of Criminal Procedure, 1898, shall...
Chapter VIII.—Detection, Investigation and Trial of Offences. Chapter IX.—Miscellaneous.

shall apply, so far as may be, in every case in which a bond is accepted or a bond taken under this section.

60. No Magistrate of the third class, unless he is specially empowered by the District Magistrate in this behalf, shall take cognizance of, or try, any offence under this Regulation.

61. (1) No Magistrate shall take cognizance of an offence punishable—

(a) under section 36, section 37 or section 38, except on the complaint or report of the Collector or of an Excise-officer authorized by him in this behalf; or

(b) under any other section of this Regulation other than section 48, except on his own knowledge or suspicion or on the complaint or report of an Excise or Police-officer.

(2) Except with the special sanction of the Chief Commissioner, no Magistrate shall take cognizance of any offence punishable under this Regulation, or any rule or order thereunder, unless the prosecution is instituted within six months from the date on which the offence is alleged to have been committed.

CHAPTER IX.

MISCELLANEOUS.

62. (1) The Chief Commissioner may make rules for the purpose of carrying out the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing provision, the Chief Commissioner may make rules—

(a) prescribing the powers and duties of Excise-officers;

(b) regulating...
Excise. [Reg. I, (Chapter IX.—Miscellaneous.)

(b) regulating the delegation of any powers by the Excise Commissioner or Collectors under section 7, clause (g);

(c) declaring in what cases or classes of cases and to what authorities appeals shall lie from orders, whether original or appellate, passed under this Regulation, or under any rule made thereunder, or by what authorities such orders may be revised and prescribing the time and manner of presenting, and the procedure for dealing with, appeals;

(d) regulating the import, export, transport, manufacture, cultivation, collection, possession, supply or storage of any excisable article, and may, by such rules, among other matters—

(i) regulate the tapping of tari-producing trees, the drawing of tari from such trees, the marking of the same and the maintenance of such marks,

(ii) declare the process by which spirit shall be denatured and the denaturation of spirit ascertained, and

(iii) cause spirit to be denatured through the agency or under the supervision of his own officers;

(e) regulating the periods and localities for which, and the persons or classes of persons to whom, licenses for the wholesale or retail vend of any excisable article may be granted, and regulating the number of such licenses which may be granted in any local area;

(f) prescribing the procedure to be followed and the matters to be ascertained before any license for such vend is granted for any locality;

(g) regulating
Excise.

(Chapter IX.—Miscellaneous.)

(g) regulating the time, place and manner of payment of any duty or fee;

(h) prescribing the authority by which, the form in which, and the terms and conditions on and subject to which, any license, permit or pass shall be granted, and may, by such rules, among other matters,

(i) fix the period for which any license, permit or pass shall continue in force,

(ii) prescribe the scale of fees or the manner of fixing the fees payable in respect of any privilege, license, permit or pass, or the storing of any excisable article.

(iii) prescribe the amount of security to be deposited by the holders of any license, permit or pass for the performance of the conditions of the same,

(iv) prescribe the accounts to be maintained and the returns to be submitted by license-holders,

(v) prohibit or regulate the transfer of licenses, and

(vi) prescribe the ages under which it shall be unlawful to employ children and to sell or give to children excisable articles;

(i) providing for the destruction or other disposal of any excisable article deemed to be unfit for use;

(j) regulating the disposal of confiscated articles;

(k) regulating the grant of expenses to witnesses and to persons charged with offences under
Excise. [REG.]

(Chapter IX.—Miscellaneous.)

under this regulation and subsequently released or acquitted; and

(l) regulating the power of Excise-officers to summon witnesses from a distance.

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

64. (1) The following moneys, namely—

(a) all excise-revenue,

(b) any loss that may accrue when, in consequence of default, a grant has been taken under management by the Collector or has been re-sold by him, and

(c) all amounts due to the Government by any person on account of any contract relating to the Excise-revenue,

may be recovered from the person primarily liable to pay the same, or from his surety (if any), by distress and sale of his moveable property, or by any other process for the recovery of land revenue due from landholders or from farmers of land or their sureties.

(2) When a grant has been taken under management by the Collector, or has been re-sold by him, the Collector may recover, in any manner authorised by sub-section (1), any money due to the defaulter by any lessee or assignee.

65. In the event of default by any person licensed or holding a lease under this Regulation, all his distillery, brewery or warehouse or shop buildings, fittings or apparatus, and all stocks of excisable articles or materials for the manufacture of the same held in or upon any distillery, brewery, warehouse or shop premises, shall be liable to be attached in satisfaction of any claim for excise-revenue, or in respect of any losses incurred by Government through such default, and
Excise.

(Chapter IX.—Miscellaneous.)

and to be sold to satisfy such claim which shall be a first charge upon the sale-proceeds.

66. Any person to whom a lease has been granted in accordance with the provisions of section 29, may, in a case where sub-letting is not forbidden by the terms of his lease, proceed against any person holding under him for the recovery of any money due in respect of such sub-lease or holding as if it were an arrear of rent recoverable under the law for the time being in force with regard to landlord and tenant:

Provided that nothing contained in this section shall affect the right of any such grantee to recover any such money by civil suit.

67. The Chief Commissioner may, by notification, either wholly or partially and subject to such conditions as he may think fit to prescribe, exempt any excisable articles from all or any of the provisions of this Regulation, either throughout the province or in any specified area, or for any specified period or occasion, or as regards any specified class of persons.

68. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this regulation.

69. No suit shall lie against the Secretary of State for India in Council or against any Excise officer in respect of anything done, or alleged to have been done, in pursuance of this Regulation, unless the suit is instituted within six months from the date of the act complained of.

70. The enactments mentioned in the Schedule, in so far as they are in force in, or have been extended to, the provinces of Ajmer-Merwara, Coorg and British Baluchistan, are hereby repealed to the extent specified in the fourth column thereof.

THE SCHEDULE.
(The Schedule.)

THE SCHEDULE.

(See section 70.)

**Enactments repealed.**

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title</th>
<th>Extent of repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1896</td>
<td>XII</td>
<td>The Excise Act, 1896</td>
<td>So much as has not been repealed.</td>
</tr>
<tr>
<td>1906</td>
<td>VII</td>
<td>The Excise (Amendment) Act, 1906</td>
<td>The whole.</td>
</tr>
</tbody>
</table>
REGULATION NO. II OF 1915.

A Regulation further to amend the Andaman and Nicobar Islands Regulation, 1876.

[Received the assent of the Governor General on the 28th June, 1915; published in the Gazette of India on the 3rd July, 1915, and in the Andaman and Nicobar Islands Gazette on the 7th August, 1915.]

WHEREAS it is expedient further to amend the Andaman and Nicobar Islands Regulation, 1876; Reg. III of 1876.

It is hereby enacted as follows:—

1. This Regulation may be called the Andaman and Nicobar Islands Amendment Regulation, 1915.

   Short title.

2. In section 1 of the Andaman and Nicobar Islands Regulation, 1876, hereafter referred to as the "sight Regulation", after the word "extends" the following shall be inserted, namely:—

   "save in so far as expressly provided by this Regulation,"

and after the word "Tillanchong" the following shall be inserted, namely:—"(hereinafter called the Nicobars)."

3. In section 14 of the said Regulation after the words "in force" the following shall be added, namely:—"in the Andamans".

4. After section 14 of the said Regulation the following section shall be inserted, namely:—

   "14A. The following provisions shall regulate the administration of civil justice in the Nicobars, namely:—

   (1) Any officer of Government or other person empowered in this behalf by the Chief Commissioner

   [Price one anna and three pies.]
Commissioner may try and decide any suit or other proceeding of a civil nature arising in the Nicobars, and in doing so shall follow such practice and procedure as the Chief Commissioner may, with the previous sanction of the Governor General in Council, prescribe by notification in the Gazette of India.

(2) In deciding any such suit or other proceeding, such officer or other person shall have regard to local custom and to justice, equity and good conscience.

(3) The Chief Commissioner may revise any decree or other order made in the exercise of the powers conferred by this section.
REGULATION NO. I OF 1916.

A Regulation to declare and amend the law applicable in the Hill District of Arakan.

[Received the assent of the Governor General on the 16th March, 1916; published in the Gazette of India on the 25th March, 1916, and in the Burma Gazette on the 22nd April, 1916.]

WHEREAS it is expedient to declare and amend the law applicable in the Hill District of Arakan;

It is hereby enacted as follows:—

1. (1) This Regulation may be called the Arakan Hill District Laws Regulation, 1916; and

(2) It extends to the Hill District of Arakan.

ACTS AND REGULATIONS IN FORCE.

2. (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 the Hill District of Arakan subject to the restrictions and modifications, if any, therein stated, and to any amendments to which the enactments are for the time being subject in the territories to which they generally apply:

Provided that, notwithstanding anything in the Indian Arms Act, 1878, or in any rule under that Act, no license to manufacture or deal in arms or ammunition shall be granted without the express sanction of the Local Government.

(2) An enactment not comprised in Schedule I shall not be deemed to be or to have been in force in the Hill District of Arakan or in any part thereof, unless it is expressed by special mention to extend thereto or, after the commencement of this Regulation,

[Price three annas and three pies.]
is extended thereto under the powers conferred by sub-section (3).

(3) The Local Government, subject to the control of the Governor General in Council, may, by notification in the Burma Gazette, extend, with such restrictions and modifications as it thinks fit, to the Hill District of Arakan or any part thereof, any enactment which is in force in any part of Lower Burma at the date of the extension.

(4) The Local Government, subject to the control of the Governor General in Council, may, by notification in the Burma Gazette, declare that any enactment, which is comprised in Schedule I, or which may, after the commencement of this Regulation, be extended to the Hill District of Arakan, shall no longer be in force in the Hill District of Arakan or any part thereof specified in the notification.

(5) The Local Government, subject to the control of the Governor General in Council, may, by notification in the Burma Gazette, declare what area constitutes the Hill District of Arakan for the purpose of this Regulation.

3. For the purposes of facilitating the application of any enactment for the time being in force in the Hill District of Arakan, 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.

4. The functions of the High Court in all civil and miscellaneous matters shall be discharged by the Commissioner of the Arakan Division.

ASSessment AND COLLECTION OF THATHAMEDA-TAX.

5. Subject to the provisions of this Regulation, thathameda-tax shall be leviable at such average rate per household or family as the Local Government may, by notification in the Burma Gazette, direct.

6. The average rate at which thathameda-tax is to be levied may vary from place to place or by races or classes of the community as the Local Government, having
under the powers conferred by

ment, subject to the control in Council, may, by notifica-
tion, declare that any enact-

ment, subject to the control in Council, may, by notifica-
tion, declare what area consti-
tuents, any part of Lower Burma at the

ment, subject to the control in Council, may, by notifica-
tion, declare that any enact-

ment, subject to the control in Council, may, by notifica-
tion, declare what area consti-
tuents, any part of Lower Burma at the

of Arakan, shall no longer trict of Arakan or any part-
tification.

fectuating the application for being in force in the a Court may construe the rations not affecting the

High Court in all civil and be discharged by the Com-

of Thathameda-tax. 

of this Regulation, and at such average rate the Local Government urma Gazette, direct.

such thathameda-tax is to e to place or by races or the Local Government, having

(2) All such rules shall be published in the Burma Gazette, and shall thereupon have the same effect as if enacted by this Regulation.

11. Nothing contained in section 5 shall authorise the imposition of thathameda-tax in any village or upon the members of any tribe which has hitherto been treated as exempt from all taxation.

MISCELLANEOUS.

12. Boatmen proceeding up the river Kuladan shall declare the contents of their boats at Kuladan to such official there as the Deputy Commissioner may

of 1916.] Arakan Hill District Laws.

having regard to local circumstances, may deem ex-
pedient.

7. The residents of any town or village, or, if Liability to
the Commissioner so directs, the residents of any part of a town or village, or the persons belonging to any race or class in a town or village, shall be jointly and severally liable for the whole of the thathameda-tax leviable upon such residents or members of such com-
munity, respectively.

8. For the purpose of the Revenue Recovery Act, To be deemed

1890, thathameda-tax shall be deemed land-revenue.

9. The Local Government may, by notification in Exemption.
the Burma Gazette, exempt any household or family, or any class of households or families or the residents of any particular locality, from the payment of thathameda-tax.

10. (1) The Local Government may make rules— Power to make rules.

(i) for the assessment, demand and collection of thathameda-tax;

(ii) for the recovery of arrears of thathameda-tax;

(iii) for the recovery within the Hill District of Arakan of arrears of land-revenue or of any sum recoverable as such, whether the same falls due within or without the district; and

(iv) generally, for carrying into effect the purposes of sections 5, 6 and 7.

(2) All such rules shall be published in the Burma Gazette, and shall thereupon have the same effect as if enacted by this Regulation.

11. Nothing contained in section 5 shall authorise the imposition of thathameda-tax in any village or upon the members of any tribe which has hitherto been treated as exempt from all taxation.
Arakan Hill District Laws. [REGN. 1

may, from time to time, by a written order affixed to the jetty and on the walls of the Court-house at that station, appoint in this behalf.

13. (1) The official thus appointed may search any boat proceeding up the said river whenever he sees reasonable grounds for doing so, and may seize all spirit manufactured out of the district, opium, ganja, ammunition and arms not protected by a pass from the Deputy Commissioner, which he may find therein.

(2) Any articles so seized may be confiscated by order of the Deputy Commissioner, or of an Assistant or Extra Assistant Commissioner.

(3) The order passed in every such case, and the grounds thereof, shall be recorded by the officer passing it.

14. The head boatman of every boat in which any of the articles mentioned in the last preceding section is carried without a pass, shall be liable to a fine not exceeding one hundred rupees, or, in default of payment, to fifteen days' simple imprisonment.

15. The enactments mentioned in Schedule II are repealed to the extent mentioned in the fourth column thereof.

SCHEDULE I.

Enactments to be deemed in force in the Hill District of Arakan.

(See section 2.)

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Restrictions and modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1843</td>
<td>V</td>
<td>The Indian Slavery Act, 1843.</td>
<td></td>
</tr>
<tr>
<td>1860</td>
<td>XVIII</td>
<td>The Judicial Officers Protection Act, 1860.</td>
<td>4</td>
</tr>
</tbody>
</table>

[1852]
**Arakan Hill District Laws.**

**SCHEDULE I—contd.**

Enactments to be deemed in force in the Hill District of Arakan.

*(See section 2.)*

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title.</th>
<th>Restrictions and modifications.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1857</td>
<td>XI</td>
<td>The State Offences Act, 1857.</td>
<td></td>
</tr>
<tr>
<td>1860</td>
<td>XLV</td>
<td>The Indian Penal Code, 1860.</td>
<td></td>
</tr>
<tr>
<td>1861</td>
<td>V</td>
<td>The Police Act, 1861.</td>
<td></td>
</tr>
<tr>
<td>1864</td>
<td>III</td>
<td>The Foreigners Act, 1864.</td>
<td></td>
</tr>
<tr>
<td>1871</td>
<td>I</td>
<td>The Cattle-trespass Act, 1871.</td>
<td></td>
</tr>
<tr>
<td>1872</td>
<td>I</td>
<td>The Indian Evidence 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>V</td>
<td>The Government Savings Banks Act, 1873.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>X</td>
<td>The Indian Oaths Act, 1873.</td>
<td></td>
</tr>
<tr>
<td>1874</td>
<td>IV</td>
<td>The Foreign Recruiting Act, 1874.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>IX</td>
<td>The European Vagrancy Act, 1874.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XIV</td>
<td>The Scheduled Districts Act, 1874.</td>
<td></td>
</tr>
<tr>
<td>1878</td>
<td>I</td>
<td>The Opium Act, 1878.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>VI</td>
<td>The Indian Treasure Trove Act, 1878.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XI</td>
<td>The Indian Arms Act, 1878.</td>
<td></td>
</tr>
<tr>
<td>1879</td>
<td>VI</td>
<td>The Elephants' Preservation Act, 1879.</td>
<td></td>
</tr>
</tbody>
</table>

---

**Note:**

A written order affixed to the door of the Court-house at that place of the Court-house at that time is appointed may search the said river whenever he for doing so, and may seize out of the district, opium, persons not protected by a pass issioner, which he may find upon such every case, and the recorded by the officer of every boat in which a person in the last preceding pass, shall be liable to a fine of rupees, or, in default simple imprisonment. mentioned in Schedule II mentioned in the fourth
<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Restrictions and modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1882</td>
<td>XII</td>
<td>The Indian Salt Act, 1882</td>
<td>Sections 1, 2, 6, 7 and 8, and Ch. 4 only.</td>
</tr>
<tr>
<td>1883</td>
<td>XIX</td>
<td>The Land Improvement Loans Act, 1883.</td>
<td></td>
</tr>
<tr>
<td>1883</td>
<td>VI</td>
<td>The Inland Steam-vessels Act, 1884.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>XII</td>
<td>The Agriculturists' Loans Act, 1884.</td>
<td></td>
</tr>
<tr>
<td>1885</td>
<td>XIII</td>
<td>The Indian Telegraph Act, 1885.</td>
<td></td>
</tr>
<tr>
<td>1886</td>
<td>II</td>
<td>The Indian Income-tax Act, 1886.</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>XV</td>
<td>The Burma Military Police Act, 1887.</td>
<td></td>
</tr>
<tr>
<td>1889</td>
<td>I</td>
<td>The Metal Tokens 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>I</td>
<td>The Revenue Recovery Act, 1890.</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>VIIII</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>III</td>
<td>The Lepers Act, 1898.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>V</td>
<td>The Code of Criminal Procedure, 1898.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>VI</td>
<td>The Indian Post Office Act, 1898.</td>
<td></td>
</tr>
</tbody>
</table>
### Arakan Hill District Laws.

#### SCHEDULE I—contd.

Enactments to be deemed in force in the Hill District of Arakan.

*(See section 2.)*

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Restrictions and modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1703</td>
<td>XV</td>
<td>The Indian Extradition Act, 1903.</td>
<td>Sections 38, 39, 41, 43, 45 and 46, Order IX, Rules 1 and 2, and Order XXI, Rules 1-9, only.</td>
</tr>
<tr>
<td>1906</td>
<td>III</td>
<td>The Indian Coinage Act, 1906.</td>
<td></td>
</tr>
</tbody>
</table>
| 1908 | V      | The Code of Civil Procedure, 1908. |}

### Restrictions and modifications.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1903</td>
<td>XV</td>
<td>The Indian Extradition Act, 1903.</td>
</tr>
<tr>
<td>1906</td>
<td>III</td>
<td>The Indian Coinage Act, 1906.</td>
</tr>
<tr>
<td>1909</td>
<td>IV</td>
<td>The Whipping Act, 1909.</td>
</tr>
<tr>
<td>1910</td>
<td>II</td>
<td>The Indian Paper Currency Act, 1910.</td>
</tr>
<tr>
<td>1911</td>
<td>XVII</td>
<td>The Indian Arieas Act, 1911.</td>
</tr>
<tr>
<td>1912</td>
<td>II</td>
<td>The Co-operative Societies Act, 1912.</td>
</tr>
<tr>
<td>1913</td>
<td>V</td>
<td>The Provident Insurance Societies Act, 1912.</td>
</tr>
<tr>
<td>1913</td>
<td>VI</td>
<td>The Indian Life Assurance Companies Act, 1912.</td>
</tr>
<tr>
<td>1874</td>
<td>VIII</td>
<td>The Arakan Hills Civil Justice Regulation, 1874.</td>
</tr>
<tr>
<td>1896</td>
<td>II</td>
<td>The Burma Frontier Tribes Regulation, 1896.</td>
</tr>
</tbody>
</table>
**Arakan Hill District Laws.**

**SCHEDULE I—concll.**

**Enactments to be deemed in force in the Hill District of Arakan.**

*(See section 2.)*

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title</th>
<th>Restrictions and modifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>1798 I</td>
<td>The Burma General Clauses Act, 1898.</td>
<td>1898</td>
<td></td>
</tr>
<tr>
<td>1899 I</td>
<td>The Burma Gambling Act, 1899.</td>
<td>1899</td>
<td></td>
</tr>
<tr>
<td>1902 I</td>
<td>The Burma Forest Act, 1902.</td>
<td>1902</td>
<td></td>
</tr>
<tr>
<td>1905 I</td>
<td>The Burma Fisheries Act, 1905.</td>
<td>1905</td>
<td></td>
</tr>
<tr>
<td>1907 I</td>
<td>The Burma Village Act, 1907.</td>
<td>1907</td>
<td></td>
</tr>
<tr>
<td>1909 I</td>
<td>The Burma Opium Law Amendment Act, 1909.</td>
<td>1909</td>
<td></td>
</tr>
<tr>
<td>1818 III</td>
<td>The Bengal State Prisoners Regulation, 1818.</td>
<td>1818</td>
<td></td>
</tr>
</tbody>
</table>

**SCHEDULE II.**
### SCHEDULE II.

**Enactments repealed.**

*(See section 15.)*

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title</th>
<th>Extent of repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1898</td>
<td>X11</td>
<td>Acts of the Governor General of India in Council.</td>
<td>So much of the Third Schedule as relates to Regulation No. 1X of 1874.</td>
</tr>
<tr>
<td>1902</td>
<td>1</td>
<td>The Amending Act, 1903.</td>
<td>Part V of the Second Schedule.</td>
</tr>
<tr>
<td>1874</td>
<td>1X</td>
<td>The Arakan Hill District Laws Regulation, 1874.</td>
<td>The whole.</td>
</tr>
<tr>
<td>1893</td>
<td>VIII</td>
<td>The Arakan Hill District Laws Amendment Regulation, 1893.</td>
<td>The whole.</td>
</tr>
</tbody>
</table>

---

### ORCH IN THE HILL DISTRICT (ARAKAN. 

**Restrictions and modifications.**

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title</th>
<th>Extent of repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1898</td>
<td>1</td>
<td>Acts of the Governor General of India in Council.</td>
<td>So much of the Third Schedule as relates to Regulation No. 1X of 1874.</td>
</tr>
<tr>
<td>1902</td>
<td>1</td>
<td>The Amending Act, 1903.</td>
<td>Part V of the Second Schedule.</td>
</tr>
<tr>
<td>1874</td>
<td>1X</td>
<td>The Arakan Hill District Laws Regulation, 1874.</td>
<td>The whole.</td>
</tr>
<tr>
<td>1893</td>
<td>VIII</td>
<td>The Arakan Hill District Laws Amendment Regulation, 1893.</td>
<td>The whole.</td>
</tr>
</tbody>
</table>
REGULATION No. I OF 1917.

A Regulation to amend the Arakan Hills Civil Justice Regulation, 1874.

[Received the assent of the Governor General on the 28th November 1917; published in the Gazette of India on the 1st December 1917; and in the Burma Gazette on the 16th December 1917.]

WHEREAS it is expedient to amend the Arakan Hills Civil Justice Regulation, 1874; It is hereby enacted as follows:—

1. This Regulation may be called the Arakan Hills Civil Justice (Amendment) Regulation, 1917.

2. After section 29 of the Arakan Hills Civil Justice Regulation, 1874 (hereinafter referred to as the said Regulation), the following sections shall be inserted, namely:—

   29A. If on the day fixed for the defendant to appear and answer, all the parties interested agree that the matters in difference between them shall be referred to arbitration, the Court may refer the case to one or more paid Chiefs for disposal.

   29B. The paid Chiefs after disposal shall report to the Court which may refer the case back for further consideration, or may embody the result of the arbitration in the form of a decree; such decree shall be enforceable as if it were a decree of the Court.

3. In section 31 of the said Regulation, after the words "for this purpose" the words "and if they do not agree that the matters in difference between them of 1874 shall be referred to arbitration" shall be inserted.

4. For

[Price one anna and three pice.]
4. For section 42 of the said Regulation, the following section shall be substituted, namely:—

"42. The decree shall specify the costs payable and the parties by whom they are to be paid, and in determining the amount of costs no allowance shall be made for the remuneration of agents employed in the suit."

5. After section 56 of the said Regulation, the following section shall be inserted, namely:—

"56A. (1) Court-fees shall be levied in cash at the rate of 5 per cent. on the value of the suit on all plaints and appeals subject to a minimum of two rupees; provided that, where the value of the suit cannot be estimated in money, the fee payable shall be five rupees. A fixed fee of two rupees shall be levied on all applications for execution.

(2) The Court-fees shall be credited to Government except in cases referred to arbitration when they shall be paid to the arbitrators as remuneration for having tried the cases."

6. For section 57 of the said Regulation, the following section shall be substituted, namely:—

"57. (1) Process-fees in respect of each process shall be levied in cash in advance from the person at whose instance or in whose interest the process is issued.

(2) The Local Government shall, by notification in the Burma Gazette, prescribe the scale according to which process-fees may be levied, and may by such notification exempt any specified kind or kinds of process from the said fees."
REGULATION NO. II OF 1917.

A Regulation to amend the Chin Hills Regulation, 1896.

[Received the assent of the Governor General on the 28th November 1917; published in the Gazette of India on the 1st December 1917; and in the Burma Gazette on the 6th January 1918.]

WHEREAS it is expedient to amend the Chin Hills Regulation, 1896; It is hereby enacted as follows:—

1. This Regulation may be called the Chin Hills Short title (Amendment) Regulation, 1917.

2. In clause (d) of section 2 of the Chin Hills Regulation, 1896, for the words and letters "(c) of Reg. V of Burmans domiciled in the Chin Hills and, (d)" the words and letters "(e) Nagas, (d) Burmans domiciled in the Chin Hills, and, (e)" shall be substituted.
REGULATION NO. I OF 1918.

A Regulation to provide for the appointment of an Additional Judicial Commissioner in British Baluchistan and for other purposes.

[Received the assent of the Governor General on the 24th July 1918, and published in the Gazette of India, on the 27th July 1918.]

WHEREAS it is expedient to provide for the appointment of an Additional Judicial Commissioner in British Baluchistan and for other purposes; it is hereby enacted as follows:—

1. This Regulation may be called the British Baluchistan Courts Regulation, 1918. Short title.

2. The Chief Commissioner, with the previous sanction of the Governor General in Council, may, by notification in the official Gazette, appoint such person as he thinks fit to be an Additional Judicial Commissioner, and to exercise jurisdiction, as such Additional Judicial Commissioner, in the court of the Judicial Commissioner of British Baluchistan.

3. (1) Subject to the other provisions of this Regulation, an Additional Judicial Commissioner shall exercise the same jurisdiction as the Judicial Commissioner may exercise under any enactment for the time being in force, but only in such cases as the Judicial Commissioner may direct.

(2) The Judicial Commissioner may transfer any case, whether the hearing has or has not commenced, from the file of an Additional Judicial Commissioner to his own file.

4. Subject to the other provisions of this Regulation, every enactment for the time being applicable to the Judicial Commissioner shall apply to an Additional Judicial Commissioner when exercising any Law applicable to the Additional Judicial Commissioner.
jurisdiction under this Regulation as if he were the Judicial Commissioner.

5. Notwithstanding anything in any other enactment for the time being in force, where an appeal is preferred from a decree, judgment or order passed by the Judicial Commissioner or an Additional Judicial Commissioner in any other capacity or in a case in which such authority is a party or personally interested, the appeal shall be heard by an Additional Judicial Commissioner or the Judicial Commissioner, as the case may be.
REGULATION NO. I OF 1919.

[Received the assent of the Governor General on the 22nd March, 1919; published in the Gazette of India on the 29th March, 1919; and in the North-West Frontier Gazette on the 29th March, 1919.]

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. (1) This Regulation may be called the North-West Frontier Province Law and Justice (Amendment) Regulation, 1919.

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

2. In the North-West Frontier Province Law and Justice Regulation, 1901 (hereinafter called the said Regulation), for the words “Chief Court of the Punjab” wherever they occur except in section 94 of the said Regulation, the words “High Court of Judicature at Lahore” shall be substituted.

3. In every enactment now in force all references to the Chief Court of the Punjab shall be construed, where necessary, as referring to the High Court of Judicature at Lahore.

4. Every suit, trial or other proceeding which at the commencement of this Regulation is under the said Regulation pending before the Chief Court of the Punjab, shall be continued before the High Court of Judicature at Lahore, as if it had been instituted in that Court.

5. For the words “Gazette of India” wherever they occur in the said Regulation, the words “local official Gazette” shall be substituted.

[Price one anna and three pies]
REGULATION NO. 1 OF 1920.

Passed the assent of the Governor General on the 23rd March, 1920; and published in the Gazette of India on the 3rd April, 1920, and in the North-West Frontier Gazette on the 16th April, 1920.

A Regulation to validate certain sentences passed and acts done under martial law in parts of the North-West Frontier Province, and to indemnify officers of Government and other persons in respect of such sentences and acts.

WHEREAS it has been necessary, for the purposes of maintaining or restoring order in the city and cantonment of Peshawar and of safeguarding the military lines of communications during the recent war with Afghanistan, to enforce martial law in certain parts of the North-West Frontier Province from the 7th day of May, 1919, to the 7th day of September, 1919;

And whereas it is expedient to validate certain sentences passed and acts, matters and things ordered or done or purporting to have been ordered or done under martial law during such period, and to indemnify officers of Government and other persons in respect of such sentences and in respect of such acts, matters and things, if ordered or done in good faith and in a reasonable belief that they were necessary for the aforesaid purposes for which martial law was enforced;

It is hereby enacted as follows:

1. This Regulation may be called the North-West Frontier Province Validation and Indemnity Regulation, 1920.

2. Every

[Price one anna and nine-pice.]
2. Every sentence passed and every punishment inflicted by or under the orders of any officer of Government, whether civil or military, or by any other person, empowered in that behalf by proper authority under martial law, for or in respect of any act or omission made punishable by any law for the time being in force or by any order or regulation made under martial law, and every other act, matter or thing ordered or done or purporting to have been ordered or done, for the purpose of maintaining or restoring order in any part of the North-West Frontier Province where martial law has been enforced, on or after the 8th day of May, 1919 and before the 8th day of September, 1919, by any such officer or by any person acting under the orders of any such officer, is hereby declared to be valid, and shall be deemed so to have been as from the time when such action was taken, and every such sentence shall be carried into execution; subject only to any variation which may have been or may hereafter be made therein by lawful authority:

Provided that such other acts, matters or things aforesaid were so ordered or done in good faith and in a reasonable belief that they were necessary for the maintenance or restoration of order during the said period.

3. No suit or other legal proceeding whatsoever, whether civil or criminal, shall lie in any Court of law against any officer of Government, whether civil or military, or against any person acting under the orders of any such officer, for or on account of or in respect of any sentence passed or punishment inflicted or for or on account or in respect of any other act, matter or thing ordered or done or purporting to have been ordered or done, for the purpose of maintaining or restoring order in any part of the North-West Frontier Province where martial law has been enforced, on or after the 8th day of May, 1919 and before the 8th day of September, 1919, by any such officer or person; provided that such officer or person has acted in good faith and in a reasonable belief that
North-West Frontier Province Validation and Indemnity.

that his action was necessary for the said purpose;
and if any such proceeding has been instituted
before the passing of this Regulation it is hereby
discharged.

4. For the purposes of sections 2 and 3 a certifi-
cate of the Secretary to the Chief Commissioner,
North-West Frontier Province, that any act was
done under the orders of an officer of Government
shall be conclusive proof thereof, and all action taken
for the aforesaid purposes shall be deemed to have
been taken in good faith and in a reasonable belief
that it was necessary therefor unless the contrary is
proved.
REGULATION NO. II OF 1920.

[Received the assent of the Governor General on the 6th July, 1920; published in the Gazette of India on the 10th July, 1920.]

A Regulation further to amend the British Baluchistan Civil Justice Regulation, 1896.

WHEREAS it is expedient further to amend the British Baluchistan Civil Justice Regulation, 1896; it is hereby enacted as follows:

1. This Regulation may be called the British Baluchistan Civil Justice (Amendment) Regulation, 1920.

2. In section 4 of the British Baluchistan Civil Justice Regulation, 1896 (hereinafter referred to as the said Regulation)——

(1) in sub-section (2), for the words "the first, second and third grades," the words "the first and second grades and of the first-mentioned class of the third grade" shall be substituted; and

(2) in sub-section (6) after the word "Courts" the words "of the second-mentioned class of the third grade and" shall be inserted.

3. In section 5 of the said Regulation the words "with the previous sanction of the Governor General in Council" where they occur in both places shall be omitted.

4. To section 6 of the said Regulation the following proviso shall be added, namely:—

"Provided that the Chief Commissioner may by notification in the Gazette of India direct——

(1) that the Court of any specified Assistant Commissioner or Extra Assistant Commissioner——

[Price One Anna and Three Pies.]
British Baluchistan Civil Justice [Reg. II of 1920.]
(Amendment).

missioner shall under this section have jurisdiction limited to that exercised by the Court of a Tahsildar or Munsif; or

(2) that the Court of any specified Tahsildar or Munsif shall have jurisdiction limited to that exercised by the Court of a Naib-tahsildar.

5. After section 6 of the said Regulation the following section shall be inserted, namely:

"6A. Every Assistant Commissioner or Extra Assistant Commissioner in respect of whose Court an order under the proviso to section 6 is in force shall, for all the purposes of this Regulation, be deemed to be a Tahsildar; and every Tahsildar or Munsif in respect of whom such an order is in force shall, for the like purposes, be deemed to be a Naib-tahsildar."
or this section have to that exercised by Idar or Munsif; or specified Tahoildar jurisdiction limited the Court of a Naib-

said Regulation the in, namely:

missioner or Extra of whose Court tion 6 is in force is Regulation, be Tahoildar or order is in force to be a Naib-

REGULATION NO. III OF 1920.

[Received the assent of the Governor General on the 26th October, 1920, and published in the Gazette of India of the 6th November, 1920, also in the Coorg District Gazette Extraordinary on the 6th November, 1920.]

A Regulation to repeal the Coorg Noxious Weeds Regulation, 1914.

W

H

I

T

O

C

h

A

D

A

1. This Regulation may be called the Coorg Noxious Weeds (Repealing) Regulation, 1920.

2. The Coorg Noxious Weeds Regulation, 1914, I of 1914, is hereby repealed.

[Price one anna and three paisa.]
REGULATION NO. IV OF 1920.

[Received the assent of the Governor General on the 9th November, 1920, and published in the Gazette of India of the 20th November 1920, also in the Calcutta Gazette of 24th November, 1920.]

A Regulation further to amend the Chittagong Hill Tracts Regulation, 1900.

WHEREAS it is expedient further to amend the Chittagong Hill Tracts Regulation, 1900; It is hereby enacted as follows:—

1. (1) This Regulation may be called the Chittagong Hill Tracts (Amendment) Regulation, 1920.

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

2. In sections 5, 6, 7, 10, 11, 12, 13, 14, 15 and 17 of the Chittagong Hill Tracts Regulation, 1900 (hereinafter referred to as the said Regulation), for the word "Superintendent", wherever it occurs, the words "Deputy Commissioner" shall be substituted.

3. In section 5 of the said Regulation, for the words "Assistant Superintendents" the words "Deputy Magistrates and Deputy Collectors" shall be substituted.

4. In section 6 of the said Regulation, for the words "Assistant Superintendent" the words "Deputy Magistrate and Deputy Collector or Sub-deputy Magistrate and Sub-deputy Collector" shall be substituted.

5. In [Price one anna and three pies.]
Chittagong Hill Tracts (Amendment).

5. In sub-section (f) of section 17 of the said Regulation, for the words “an Assistant Superintendent” the words “a Deputy Magistrate and Deputy Collector or a Sub-deputy Magistrate and Sub-deputy Collector” shall be substituted.

6. The last entry in the fifth column of the Schedule to the said Regulation shall be omitted.
REGULATION NO. I OF 1921.

[Received the assent of the Governor General on the 16th February, 1921; and published in the Gazette of India on the 19th February, 1921.]

A Regulation further to amend the Ajmer Courts Regulation, 1877.

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

1. This Regulation may be called the Ajmer Courts (Amendment) Regulation, 1921.

2. Sections 4A and 4B of the Ajmer Courts Regulation, 1877 (hereinafter referred to as the said Regulation), shall be re-numbered 4B and 4C, respectively, and after section 4 the following section shall be inserted, namely:—

"4A. The Governor General in Council may appoint any person to exercise and discharge such of the powers and duties of the Chief Commissioner under this Chapter as he may direct, and the Court of such person shall, as regards the exercise and discharge by him of those powers and duties, be deemed to be the Court of the Chief Commissioner."

3. After section 40 of the said Regulation, the following section shall be inserted, namely:—

"41. The Governor General in Council may appoint any person to exercise and discharge such of the powers and duties of the Chief Commissioner under this Chapter as he may direct."
REGULATION NO. II OF 1921.

[Received the assent of the Governor General on the 27th February, 1921; and published in the Gazette of India on the 5th March, 1921.]

A Regulation to amend the British Baluchistan Laws Regulation, 1913.

WHEREAS it is expedient to amend the British Baluchistan Laws Regulation, 1913; It is hereby enacted as follows:—

1. (1) This Regulation may be called the British Baluchistan Laws (Amendment) Regulation, 1921.
   (2) It shall come into force at once.

2. In Schedule I to the British Baluchistan Laws Regulation, 1913, to item (1) in column 4 of the entry relating to the Frontier Crimes Regulation, 1901, after the words “Chief Commissioner of British Baluchistan” the following words shall be added, namely:
   “and, in addition in Chapter VI, as referring to the Deputy Commissioner in respect of decisions, sentences or orders given, passed or made by Additional District Magistrates appointed under section 4.”

[Price one anna three pies.]
REGULATION NO. III OF 1921.

[Received the assent of the Governor General on the 20th March, 1921; and published in the Gazette of India on the 26th March, 1921.]

A Regulation to amend the British Baluchistan Bazars Regulation, 1910.

WHEREAS it is expedient to amend the British Baluchistan Bazars Regulation, 1910; it is hereby enacted as follows:

1. This Regulation may be called the British Short title. Baluchistan Bazars (Amendment) Regulation, 1921.

2. After section 9 of the British Baluchistan Bazars Regulation, 1910 (hereinafter called the said Regulation), the following section shall be inserted, namely:

"9-A. When a Cantonment authority, with the sanction of the Governor General in Council, has agreed with the Deputy Commissioner that the same octroi limits shall be established for a cantonment and for a bazar within his jurisdiction, and that octroi collection and charges shall be divided between the Cantonment Fund and the Bazar Fund, the Deputy Commissioner may fix limits under clause (cc) of sub-section (f) of section 88 so as to include so much both of the Cantonment and of the bazar as he may deem necessary, and there shall be the same power of collecting octroi on animals or goods brought within such limits, and the provisions of this Regulation relating to octroi shall apply in the same way, as if the said limits were wholly comprised in the bazar."

[Price one anna three pies.]
A Regulation further to amend the Ajmer Land and Revenue Regulation, 1877.

Whereas it is expedient further to amend the Ajmer Land and Revenue Regulation, 1877; it is hereby enacted as follows:

1. This Regulation may be called the Ajmer Land and Revenue (Amendment) Regulation, 1921.

2. In section 22 of the Ajmer Land and Revenue Regulation, 1877, after the words "for the improvement of land," and in section 36 of the said Regulation after the words "under the same sanad," the following shall be inserted, namely:

Provided that the Chief Commissioner may exempt from the operation of the prohibition contained in this section any alienation made to any person who satisfies him that the land is required and will be used for industrial purposes.

[Price one anna]
REGULATION NO. V OF 1921.

[Received the assent of the Governor General on the 30th April, 1921; and published in the Gazette of India on the 7th May, 1921.]

A Regulation further to amend the Kachin Hill-tribes Regulation, 1895.

WHEREAS it is expedient further to amend the Kachin Hill-tribes Regulation, 1895; It is hereby enacted as follows:—

1. This Regulation may be called the Kachin Hill-tribes (Amendment) Regulation, 1921.

2. In section 31 of the Kachin Hill-tribes Regulation, 1895—

(1) in sub-section (1), after the words “non-conterminous hill tract” in clause (b), the following shall be added, namely:—

"or"

“(c) cultivate the poppy in the hill-tracts;”

(2) in sub-section (3), after the word, figure and brackets “sub-section (1)” the words, letters and brackets “clauses (a) and (b)” shall be inserted;

(3) in sub-section (4), after the word “opium” the words “or poppy” shall be inserted;

(4) in sub-section (6), after the word “confiscated” the words, figure, letter and brackets “or the poppy cultivated in contravention of sub-section (1), clause (c), to be destroyed:” shall be inserted; and

(5) in the proviso to sub-section (6) for the words "such order" the words "order of confiscation" shall be substituted.

[Price one anna.]
REGULATION No. I OF 1922.

[Received the assent of the Governor General on the 25th January, 1922 ; and published in the Gazette of India on the 26th January, 1922.]

A Regulation further to amend the Assam Forest Regulation, 1891.

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

1. (1) This Regulation may be called the Assam Forest (Amendment) Regulation, 1922.

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

2. In sub-section (1) of section 57 of the Assam Forest Regulation, 1891, the words "with the previous sanction of the Governor General in Council" shall be omitted, and to the same sub-section the following proviso shall be added, namely :—

"Provided that a notification directing the levy of a duty, in the case of forest produce brought from any place beyond the frontier of British India, which is not under the control of the Local Government, shall not be issued without the previous sanction of the Governor General in Council,"

[Price one anna.]
REGULATION NO. II OF 1922.

[Received the assent of the Governor General on the 8th March, 1922; and published in the Gazette of India on the 11th March, 1922.]

A Regulation further to amend the Kachin Hill-tribes Regulation, 1895.

WHEREAS it is expedient further to amend the Kachin Hill-tribes Regulation, 1895; It is hereby enacted as follows:

1. (1) This Regulation may be called the Kachin Hill-tribes (Amendment) Regulation, 1922.

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

2. So much of the Schedule to the Kachin Hill-tribes Regulation, 1895, as relates to the enactments specified in the Schedule to this Regulation is hereby repealed.

THE SCHEDULE.

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>I</td>
<td>The General Clauses Act, 1895.</td>
</tr>
<tr>
<td>1884</td>
<td>VI</td>
<td>The Whipping Act, 1884.</td>
</tr>
<tr>
<td>1887</td>
<td>I</td>
<td>The General Clauses Act, 1887.</td>
</tr>
<tr>
<td>1897</td>
<td>VIII</td>
<td>The Upper Burma Forest Regulation, 1897.</td>
</tr>
<tr>
<td>1892</td>
<td>IX</td>
<td>The Upper Burma Frontier Crossing and Disturbed Districts Regulation, 1892.</td>
</tr>
</tbody>
</table>

[Price one anna]
REGULATION No. III OF 1922.

[Passed the assent of the Governor General on the 8th March, 1922; and published in the Gazette of India on the 11th March, 1922.]

A Regulation further to amend the Chin Hills Regulation, 1896.

WHEREAS it is expedient further to amend the Chin Hills Regulation, 1896; it is hereby enacted as follows:

1. (1) This Regulation may be called the Chin Hills (Amendment) Regulation, 1922.
   (2) It shall come into force on such date as the Local Government may, by notification in the Burma Gazette, appoint.

2. So much of the Schedule to the Chin Hills Regulation, 1896, as relates to the enactments specified in the Schedule to this Regulation is hereby repealed.

THE SCHEDULE.

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title</th>
</tr>
</thead>
</table>


<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1884</td>
<td>VI</td>
<td>The Whipping Act, 1884.</td>
</tr>
<tr>
<td>1896</td>
<td>XIV</td>
<td>The Indian Post Offices Act, 1896.</td>
</tr>
<tr>
<td>1888</td>
<td>I</td>
<td>The General Clauses Act, 1888.</td>
</tr>
<tr>
<td>1892</td>
<td>X</td>
<td>The Code of Criminal Procedure, 1892.</td>
</tr>
<tr>
<td>1897</td>
<td>I</td>
<td>The General Clauses Act, 1897.</td>
</tr>
</tbody>
</table>

2. Regulations.

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title</th>
</tr>
</thead>
<tbody>
<tr>
<td>1897</td>
<td>VI</td>
<td>The Upper Burma Forest Regulation, 1897.</td>
</tr>
<tr>
<td></td>
<td>IX</td>
<td>The Upper Burma Frontier Crossing and Disturbed Districts Regulation, 1897.</td>
</tr>
<tr>
<td>1892</td>
<td>V</td>
<td>The Upper Burma Criminal Justice Regulation, 1892.</td>
</tr>
</tbody>
</table>

[Price one anna]
REGULATION NO. IV OF 1922.

[Received the assent of the Governor General on the 7th March, 1922; and published in the Gazette of India Extraordinary on the 8th March, 1922.]

A Regulation to continue in force certain provisions of the existing law for the purpose of securing the peace and safety of the North-West Frontier Province.

WHEREAS it is expedient that certain provisions of the existing law should continue to be in force for the purpose of securing the peace and safety of the North-West Frontier Province; It is hereby enacted as follows:—

1. (1) This Regulation may be called the North-West Frontier Province Security Regulation, 1922.
   (2) It extends to the North-West Frontier Province.

(3) It shall come into force on such date as the Governor General may, by notification in the Gazette of India, appoint, and shall remain in force for a period of three years thereafter.

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

   (a) "area" means an area forming part of the Province;
   (b) "Chief Commissioner" means the Chief Commissioner of the North-West Frontier Province; and
   (c) "the Province" means the North-West Frontier Province.

3. Where

[Prior one anna and six pice]
North-West Frontier Province Security. [REG. No. 82/00]

3. Where in the opinion of the Chief Commissioner there are reasonable grounds for believing that any person has acted, is acting, or is about to act, in a manner prejudicial to the peace and good government of the Province, the Chief Commissioner may, by order in writing, direct that such person—

(a) shall not enter the Province; or

(b) shall not enter, reside or remain in any area specified in the order; or

(c) shall reside or remain in any area so specified; or

(d) shall conduct himself in such a manner or abstain from such acts or take such order with any property in his possession or under his control as may be specified in such order; or

(e) shall remove himself from the Province in such manner and by such route and means as may be specified in such order, and shall not return thereto.

4. (1) An order made under clause (a) of section 3 shall be served by post upon the person in respect of whom it is made.

(2) An order made under clause (b), clause (c), clause (d) or clause (e) of section 3 shall be served on the person in respect of whom it is made in the manner provided in the Code of Criminal Procedure, 1898, for service of a summons.

(3) Any person upon whom an order has been served in accordance with the provisions of this section shall be deemed to have had due notice of such order.

5. The Chief Commissioner and any officer subordinate to him to whom a copy of any order made under section 3 has been endorsed by or under the general or special authority of the Chief Commissioner may use any and every means necessary to enforce compliance with the same.

6. Whoever, being a person in respect of whom an order has been made under section 3, knowingly disobeys...
Chief Commissioner believing that there is any necessity to act, in the public interest, may, in any area so specified, to be acted upon by any person or persons appointed or authorized in this behalf by general or special order of the Chief Commissioner,—

(a) permit himself to be photographed;
(b) allow his finger impressions to be taken;
(c) furnish such officer with specimens of his handwriting and signature; and
(d) attend at such times and places as such officer may direct for all or any of the foregoing purposes.

(2) If any person fails to comply with or attempts to evade any directions given in accordance with the provisions of this section, he may be arrested without warrant and shall be punishable with simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

8. The power to issue search warrants conferred by section 98 of the Code of Criminal Procedure, 1898, shall be deemed to include the power to issue warrants authorising the search of any place in which any Magistrate mentioned in that section has reason to believe that an offence under this Regulation or any other offence prejudicial to the peace or good government of the Province has been or is being or is about to be committed, and the seizure of anything found therein or thereon which the officer executing the warrant has reason to believe is being used or is intended to be used for any such purpose as aforesaid, and the provisions of the said Code, as far as they can be made applicable, shall apply to searches made under the authority of any warrant issued under this section and to the disposal of any property seized in any such search.
REGULATION NO. V OF 1922.

[Received the assent of the Governor General on the 7th March, 1922; and published in the Gazette of India Extraordinary on the 8th March, 1922.]

A Regulation to continue in force certain provisions of the existing law for the purpose of securing the peace and safety of British Baluchistan.

WHEREAS it is expedient that certain provisions of the existing law should continue to be in force for the purpose of securing the peace and safety of British Baluchistan; It is hereby enacted as follows:—

1. (1) This Regulation may be called the British Baluchistan Security Regulation, 1922.
   (2) It extends to British Baluchistan.
   (3) It shall come into force on such date as the Governor General may, by notification in the Gazette of India, appoint, and shall remain in force for a period of three years thereafter.

2. In this Regulation, unless there is anything repugnant in the subject or context,—
   (a) "area" means an area forming part of British Baluchistan; and
   (b) "Chief Commissioner" means the Chief Commissioner of British Baluchistan.

3. Where in the opinion of the Chief Commissioner there are reasonable grounds for believing that any person has acted, is acting, or is about to act, in a manner prejudicial to the peace and good government.

[Price one anna and six pice.]
ment of British Baluchistan, the Chief Commissioner may, by order in writing, direct that such person—

(a) shall not enter British Baluchistan; or

(b) shall not enter, reside or remain in any area specified in the order; or

(c) shall reside or remain in any area so specified; or

(d) shall conduct himself in such a manner or abstain from such acts or take such order with any property in his possession or under his control as may be specified in such order; or

(e) shall remove himself from British Baluchistan in such manner and by such route and means as may be specified in such order, and shall not return thereto.

4. (1) An order made under clause (a) of section 3 shall be served by post upon the person in respect of whom it is made.

(2) An order made under clause (b), clause (c), clause (d) or clause (e) of section 3 shall be served on the person in respect of whom it is made in the manner provided in the Code of Criminal Procedure, v. d. 1898, for service of a summons.

(3) Any person upon whom an order has been served in accordance with the provisions of this section shall be deemed to have had due notice of such order.

5. The Chief Commissioner and any officer subordinate to him to whom a copy of any order made under section 3 has been endorsed by, or under the general or special authority of, the Chief Commissioner may use any and every means necessary to enforce compliance with the same.

6. Whoever, being a person in respect of whom an order has been made under section 3, knowingly disobeys any direction in such order may be arrested without warrant and shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

7. (1) Every
7. (1) Every person in respect of whom an order has been made under clause (b), clause (c), clause (d) or clause (e) of section 3 shall, if so directed by any officer authorised in this behalf by general or special order of the Chief Commissioner,—

(a) permit himself to be photographed;
(b) allow his finger impressions to be taken;
(c) furnish such officer with specimen of his handwriting and signature; and
(d) attend at such times and places as such officer may direct for all or any of the foregoing purposes.

(2) If any person fails to comply with or attempts to evade any directions given in accordance with the provisions of this section, he may be arrested without warrant and shall be punishable with simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

8. The power to issue search warrants conferred by section 98 of the Code of Criminal Procedure, 1898, shall be deemed to include the power to issue warrants authorising the search of any place in which any Magistrate mentioned in that section has reason to believe that an offence under this Regulation or any offence prejudicial to the peace or good government of British Baluchistan has been or is being or is about to be committed and the seizure of anything found therein or thereon which the officer executing the warrant has reason to believe is being used or is intended to be used for any such purpose as aforesaid, and the provisions of the said Code, as far as they can be made applicable, shall apply to searches made under the authority of any warrant issued under this section and to the disposal of any property seized in any such search.
REGULATION NO. VI OF 1922.

[Received the assent of the Governor General on the 5th July, 1922; and published in the Gazette of India on the 8th July, 1922.]

A Regulation to amend the Angul Laws Regulation, 1913.

WHEREAS it is expedient to amend the Angul Laws Regulation, 1913; It is hereby enacted as follows:

1. (1) This Regulation may be called the Angul Laws (Amendment) Regulation, 1922; and
   (2) It shall come into force at once.

2. After clause (a) of section 2 of the Angul Laws Regulation, 1913, the following clause shall be inserted, namely:

   "(aa) "the Commissioner" means the Political Agent and Commissioner, Orissa Feudatory States;"
REGULATION NO. I OF 1923.

(Received the assent of the Governor General on the 6th February, 1923; and published in the Gazette of India on the 10th February, 1923.)

A Regulation further to amend the Arakan Hill District Laws Regulation, 1916.

WHEREAS it is expedient further to amend the Arakan Hill District Laws Regulation, 1916; It is hereby enacted as follows:—

1. (1) This Regulation may be called the Arakan Hill District Laws (Amendment) Regulation, 1923.

(2) It shall come into force at once.

2. For sections 5 to 10 of the Arakan Hill District Laws Regulation, 1916 (hereinafter referred to as the said Regulation), the following sections shall be substituted, namely:—

"5. Cultivated land other than land under taungya cultivation shall be liable to be assessed to land revenue at such rates as the Local Government may fix by notification in the Burma Gazette.

6. A taungya-tax, at such rate, not exceeding two rupees, as the Local Government may fix by notification in the Burma Gazette, shall be payable annually by every male person of not less than eighteen years of age taking part separately in taungya cultivation and by every family of persons taking part jointly in such cultivation.

7. A capitation-tax shall be payable annually by every male person who is not less than eighteen and not more than sixty years of age at such rate, not exceeding in the case of...

[Price one anna and three pias.]
of men who are married five rupees or in the case of men who are unmarried or who have no wife surviving two and a half rupees, as the Local Government may fix by notification in the Burma Gazette.

8. For the purposes of the Revenue Recovery Act, 1890, the taungya-tax and the capitulation-tax shall be deemed to be land revenue.

9. The Local Government may, by general or special order, exempt any family or the residents of any particular local area from the payment of land revenue, taungya-tax or capitulation-tax.

10. (1) The Local Government may make rules consistent with this Regulation to provide for all or any of the following matters, namely:—

(a) for the assessment, demand and collection of land revenue and taungya-tax;

(b) for the demand and collection of capitulation-tax;

(c) for the recovery of arrears of land revenue, taungya-tax or capitulation-tax;

(d) for the recovery within the hill district of Arakan of arrears of land revenue or of any sum recoverable as an arrear of land revenue falling due outside the district; and

(e) generally for giving effect to the provisions of sections 5, 6 and 7.

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

3. Section 11 of the said Regulation is hereby repealed.
REGULATION NO. II OF 1923.

[Received the assent of the Governor General on the 10th February, 1923, and published in the Gazette of India on the 17th February, 1923.

A Regulation further to amend the Coorg Courts Regulation, 1901.

WHEREAS it is expedient further to amend the Coorg Courts Regulation, 1901; it is hereby enacted as follows:—

1. This Regulation may be called the Coorg Courts Regulation, 1938. (Amendment) Regulation, 1938.

2. In section 8 of the Coorg Courts Regulation, 1901 (hereinafter referred to as the said Regulation)—Amendment of section 8, Regulation I of 1901.

(a) in clause (c), for the words "five hundred" the words "two thousand five hundred" shall be substituted; and

(b) the proviso shall be omitted.

3. For section 18 of the said Regulation the following section shall be substituted, namely:—

"18. The Chief Commissioner may, by notification in the local official Gazette, invest the Subordinate Judge or any Munisif with the jurisdiction, within such local limits as the Chief Commissioner may appoint, of a Judge of a Court of Small Causes for the trial of suits up to any value not exceeding, in the case of the Subordinate Judge, five hundred rupees or, in the case of a Munisif, two hundred rupees."

[Price one anna.]
REGULATION NO. III OF 1923.

(Received the assent of the Governor General on the 13th October, 1923; and published in the Gazette of India on the 20th October, 1923.)

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, 1923.

2. Section 11 of the North-West Frontier Province Law and Justice Regulation, 1901, is hereby repealed.

[Price one anna.]
REGULATION No. I of 1924.

[Received the assent of the Governor General on the 13th September, 1924; and published in the Gazette of India on the 27th September, 1924.]

A Regulation to repeal the North-West Frontier Province Pre-emption Regulation, 1906.

Whereas it is expedient to repeal the North-West Frontier Province Pre-emption Regulation, 1906. It is hereby enacted as follows:

1. This Regulation may be called the North-West Frontier Pre-emption (Repealing) Regulation, 1924.

(2) It shall come into force on such date as the Chief Commissioner may, by notification in the local official Gazette, appoint.

2. The North-West Frontier Province Pre-emption Regulation, 1906, is hereby repealed.

CALCUTTA: GOVERNMENT OF INDIA
CENTRAL PUBLICATION BRANCH

[Price One Anna or Three-half Pence.]
REGULATION No. I OF 1925.

[Received the assent of the Governor General on the 21st February, 1925; and published in the Gazette of India on the 28th February, 1925.]

A Regulation to regulate the administration of criminal justice in the frontier districts of Burma.

WHEREAS it is expedient to repeal the Upper Burma Criminal Justice Regulation, 1892, and to re-enact with modifications the provisions thereof for the purpose of regulating the administration of criminal justice in the frontier districts of Burma; It is hereby enacted as follows:—

1. (1) This Regulation may be called the Burma (Frontier Districts) Criminal Justice Regulation, 1925.
   (2) It extends, in the first instance, to the districts of Bhamo, Myitkyina, Putao, Upper Chindwin and the Chin Hills and to the Pakokku Hill Tracts:
   Provided that nothing herein contained shall be deemed to affect any provision of the Kachin Hill-tribes Regulation, 1896, or the Chin Hills Regulation, 1896.
   (3) The Local Government may, by notification in the local official Gazette, extend this Regulation to any territory within Upper Burma (excluding the Shan States) or the Hill Districts of Arakan, and may, by a like notification, declare that this Regulation shall cease to extend to any territory specified by the notification.

2. In this Regulation—
   (a) "the Code" means the Code of Criminal Procedure, 1898, and
   (b) "section" means a section of the Code.

3. In the territories to which this Regulation extends the Code shall be in force subject to the modifications set forth in the Schedule.

4. The Upper Burma Criminal Justice Regulation, 1892, is hereby repealed.

THE SCHEDULE.

[Price One Anna or Three-half Pence.]
THE SCHEDULE.

(See section 3.)

MODIFICATIONS TO WHICH THE CODE IS SUBJECT IN ITS APPLICATION TO THE TERRITORIES TO WHICH THIS REGULATION EXTENDS.

I. Save where the Local Government otherwise directs, any trial before a Court of Session may, at the discretion of the presiding Judge, be without jury or assessors.

II. Any Magistrate of the second class, and any Magistrate of the third class empowered by the Local Government in this behalf, may pass a sentence of whipping.

III. (1) The ordinary powers of Magistrates of the second and third class shall include power under section 167 to authorize detention of a person in the custody of the police during a police investigation.

(2) The ordinary powers of Magistrates of the second class shall include power under section 164 to record statements and confessions during a police investigation.

(3) The ordinary powers of Magistrates of the first and second class shall include—
   (a) power to take cognizance of offences upon complaint, section 190; and
   (b) power to take cognizance of offences upon police report, section 190.

(4) The ordinary powers of Magistrates of the first class shall include—
   (a) power to require security for good behaviour, section 110;
   (b) power to make orders prohibiting repetitions of nuisances, section 143;
   (c) power to make orders under section 144; and
   (d) power to take cognizance of offences without complaint, section 190.

(5) The ordinary powers of Sub-divisional Magistrates shall include power to call for records under section 429.

IV. The Local Government may, by notification in the local official Gazette, direct in respect of any police-station that any police-officer may exercise the powers conferred by section 65 on the officer-in-charge of the police-station.

V. The Local Government may, by notification in the local official Gazette, direct in respect of any police-station that the officer-in-charge thereof may, notwithstanding anything contained in section 57 or section 61, detain persons arrested without warrant beyond the period of twenty-four hours therein prescribed, if the circumstances of the case so require.

Provided that the officer shall state, in the report to the Magistrate under section 62, his reasons for prolonging the detention and, where the detention extends beyond seventy-two hours, shall submit additional reports with reasons if and when so required by the Magistrate.

VI. The Local Government may by rules prescribe the record to be made in cases tried by village officers who exercise the powers of a Magistrate of the third class, and the manner of disposal of such record.

VII. There shall be no appeal from a sentence passed by a District Magistrate or Sessions Judge of imprisonment not exceeding six months, or of fine not exceeding five hundred rupees, or of whipping, or of any such sentence combining two or more of such punishments.

VIII. (1) Where the record of any proceeding before any Magistrate of the second or third class is called for by the District Magistrate, or is forwarded to him, under section 426, the District Magistrate may pass such order in the case as he thinks fit:

Provided
Provided that he shall not pass any sentence for any offence of which he finds the accused guilty exceeding that which might have been passed for such offence by the Magistrate who tried the case:

Provided, further, that no order shall be made to the prejudice of the accused, unless he has had an opportunity of showing cause against it.

(2) The Local Government may, by notification in the local official gazette, order that sub-clause (1) of this clause shall cease to be in force in any district specified in the notification from such date as may be so specified.

IX. An Appellate Court hearing an appeal under Chapter XXXI of the Code may enhance the sentence:

Provided that, where the appeal is from the sentence of a Magistrate, the Appellate Court shall not pass any sentence exceeding that which could have been passed in the case by a Magistrate of the first class.

X. A Court may allow any police-officer to conduct a prosecution:

XI. A Court of Session may:

(1) if it is absolutely debarred by section 487 from trying any case committed to it, or by section 556 from hearing any appeal pending before it, direct that such case or appeal be transferred for trial or hearing to any other Criminal Court of equal jurisdiction;

(2) exercise as regards all Criminal Courts subordinate to its authority all the powers with respect to the transfer of criminal cases and appeals conferred upon the High Court by section 525:

Provided that an application for the exercise of the power conferred by section 526, if founded upon a report of the Judge or Magistrate before whom the case or appeal is pending, need not be supported by affidavit or affirmation:

Provided, further, that the Court shall, before directing the transfer of a case or of an appeal under section 556, issue a notice to the accused requiring him to show cause, on a certain day to be fixed in the notice, why the said case or appeal should not be transferred to some Court therein named or to such other Court of competent jurisdiction as might be determined:

Provided, further, that the High Court may, on the application of the accused or of the Public Prosecution, reverse or vary any order made by a Court of Session under section 526, or substitute any other order in lieu thereof.

XII. A finding, sentence or order shall not be reversed or altered on appeal or revision on account of any irregularity of procedure, unless the irregularity has occasioned a failure of justice.

XIII. Nothing in this Schedule with respect to procedure in inquiries or trials, or with respect to sentences or appeals therefrom or the enhancement, or the execution thereof, shall be construed to affect the Code in its application to cases involving the local official gazette or to European British subjects.

XIV. For the purpose of facilitating the application of the Code, every Magistrate and Court may construe the provisions thereof with such alterations as may be necessary or proper to adapt them to the matter before the Magistrate or Court but without otherwise affecting the substance thereof.
REGULATION No. II of 1925.

[Received the assent of the Governor General on the 6th March, 1925, and published in the Gazette of India Extraordinary on the 7th March, 1925.]

A Regulation to amend the North-West Frontier Province Security Regulation, 1922.

WHEREAS it is expedient to amend the North-West Frontier Province Security Regulation, 1922; It is hereby enacted as follows:

1. This Regulation may be called the North-West Frontier Province Security (Amendment) Regulation, 1925.

2. In sub-section (3) of section 1 of the North-West Frontier Province Security Regulation, 1922, for the word "three" the word "six" shall be substituted.

CALCUTTA: GOVERNMENT OF INDIA CENTRAL PUBLICATION BRANCH
PRINTED AT THE GOVERNMENT OF INDIA PRESS, DELHI.

[Price One Anna or Threepence.]
REGULATION No. III of 1925.

[Received the assent of the Governor General on the 6th March, 1925, and published in the Gazette of India Extraordinary on the 7th March, 1925.]

A Regulation to amend the British Baluchistan Security Regulation, 1922.

WHEREAS it is expedient to amend the British Baluchistan Security Regulation, 1922; It is hereby enacted as follows:

1. This Regulation may be called the British Baluchistan Security (Amendment) Regulation, 1925.

2. In sub-section (3) of section 1 of the British Baluchistan Security Regulation, 1922, for the word "three" the word "six" shall be substituted.

[Price One Anna or Three-half Pence.]
REGULATION No. IV OF 1925.

[Received the assent of the Acting Governor General on the 29th May, 1925; and published in the Gazette of India on the 6th June 1925.]

A Regulation further to amend the Chittagong Hill Tracts Regulation, 1900.

Whereas it is expedient further to amend the Chittagong Hill Tracts Regulation, 1900; it is hereby enacted as follows:—

1. (f) This Regulation may be called the Chittagong Hill Tracts (Amendment) Regulation, 1925.

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

2. In sub-section (2) of section 18 of the Chittagong Hill Tracts Regulation, 1900, the following amendments shall be made, namely:—

(a) in clause (c) for the words "those circles into taluks and those taluks" the words "and those circles" shall be substituted;

(b) in clause (f) the word "taluks" and the word "diwans" shall be omitted;

(c) in clause (g) the word "diwans" shall be omitted;

(d) in clause (h) the words "diwans and" shall be omitted; and

(e) in clause (i) the word "diwans" shall be omitted.

CALCUTTA: GOVERNMENT OF INDIA
CENTRAL PUBLICATION BRANCH

Price 1 Anna or 3½ d.

M74LD—8-7-25—4,500—G1
REGULATION No. V OF 1925.

[Passed the assent of the Governor General on the 12th August, 1925; and published in the Gazette of India on the 15th August, 1925.]

A Regulation to amend the Bengal Eastern Frontier Regulation, 1873.

WHEREAS it is expedient to amend the Bengal Eastern Frontier Regulation, 1873; it is hereby enacted as follows:

1. This Regulation may be called the Bengal Eastern Frontier (Amendment) Regulation, 1925.

2. In section 3 of the Bengal Eastern Frontier Regulation, 1873 (hereinafter referred to as the Regulation V of 1873), for the words and figures "to a fine not exceeding rupees 100 for the first offence, and to a fine not exceeding rupees 500, or to simple or rigorous imprisonment for a term not exceeding three months, or to both, for each subsequent offence" the words "to imprisonment of either description which may extend to one year, or to a fine not exceeding one thousand rupees, or to both" shall be substituted.

3. In section 4 of the said Regulation, for the words and figures "to a fine not exceeding rupees 500, or to simple or rigorous imprisonment, which may extend to three months, or to both, for each subsequent offence" the words "to imprisonment of either description which may extend to one year, or to a fine not exceeding one thousand rupees, or to both" shall be substituted.

4. (1) Section 5 of the said Regulation shall be re-numbered sub-section (7) of section 5, and in the said sub-section after the word "jungle-product" the words "or any book, diary, manuscript, map, picture, photograph, film, curio or article of religious or scientific interest" shall be inserted.
(2) To the said section the following sub-section shall be added, namely—

(2) If the Magistrate has reason to believe that any article which, if found in the possession of a person convicted under this Regulation would have been liable to confiscation under sub-section (1), has been acquired or wholly or partly written, made or taken by such person beyond 'The Inner Line', the Magistrate after giving the person in whose possession the article is found an opportunity to show cause why an order under this sub-section should not be passed in respect of the article may, unless it is proved that the article was not acquired, written, made or taken as aforesaid, order that such article be confiscated to Government."
4. Declaration of municipalities.
5. Effect of including area in a municipality.
6. Effect of excluding area from a municipality.

8. Composition of Committees.

9. Term of office of members.
10. Resignation of members.
11. Powers of the Chief Commissioner to remove members.
12. Filling of vacancies in Committee.
Ajmer-Merwara Municipalities. [REG. VI,

The Chairman and Vice-Chairman.

Sections.
13. Appointment of Chairman.
14. Election of Vice-Chairman.
15. Term of office of Chairman and Vice-Chairman.
16. Resignation or removal of Chairman or Vice-Chairman.

Sub-Committees.
17. Appointment of Sub-Committees.

Joint Committees.
18. Joint Committees.

Officers and Servants.
19. Appointment of Secretary.
20. Power of Committee to appoint executive officer.
21. Appointment of Health Officer and Engineers.
22. Punishment and dismissal of Executive Officer, Secretary, Health Officer and Engineers.
23. Employment of other officers and servants.
25. Pension, etc., in case of service partly under Government and partly under Committee.
26. Notice before discharge or resignation of municipal officers.

General Provisions respecting status of members, officers and servants.
27. Penalty on member, officer or servant being interested in contract made with the Committee.
28. Liability of members and officers.
29. Municipal officers to be public servants.

CHAPTER IV.

Elections.

Qualifications of Electors.
30. Qualifications of Electors.
31. Election rolls.
32. Qualification for election.
Election Petitions.

Sections.
33. Power to question election.
34. Form and presentation of election petition.
35. Recriminatory proceedings in election disputes.
36. Election Courts.
37. Procedure of election courts.
40. Avoidance of election.
41. Disqualification for corrupt practice.
42. Definition of corrupt practice.

Rules relating to Elections.
43. Conduct of elections and kindred matters.

CHAPTER V.

Duties and Powers of Municipal Authorities.

The Committee.

44. Duties of the Committee.
45. Discretionary functions of the Committee.
46. Delegation of powers of the Committee.

The Chairman and Vice-Chairman.

47. Duties of the Chairman.
48. Duties of the Vice-Chairman.

Emergency Powers.

49. Extraordinary powers of Executive Officer or Chairman in cases of emergency.

CHAPTER VI.

Transaction of Municipal Business.

Meetings.

50. Times for holding meetings.
51. Ordinary and special meetings.
52. Quorum.

53. Chairman
Ajmer-Merwara Municipalities.

Sections.

53. Chairman of meeting.
54. Vote of majority decisive.
55. Adjournments.
56. Cancellation of resolutions.
57. Record and publication of proceedings.

Contracts and Conveyances.

59. Authority to contract.
60. Mode of executing contracts and transfer of property.

The Budget.

61. Budget.
62. Revised budget.
63. Minimum closing balance.
64. Special provision for certain municipalities.
65. Expenditure not to exceed budget allotment.

CHAPTER VII.

Municipal Fund and Property.

The Municipal Fund.

67. Application of municipal fund.
68. Custody of municipal fund.
69. Investment of municipal fund.

Municipal Property.

70. Property vested in Committee.
71. Management of public institutions.
72. Acquisition of land.
73. Transfer of property vesting in Committee.
74. Saving of Act IX of 1914.

CHAPTER VIII.

Taxation.

Annual Value.

75. Definition of "annual value.”
Ajmer-Merwara Municipalities.

Imposition of Taxes.

Sections.
76. Taxes which may be imposed.
77. Procedure in imposing taxes.
78. Power of Chief Commissioner to suspend tax.

Property Taxes.
79. Preparation of assessment list.
80. Publication and completion of assessment list.
81. Disposal of objections.
82. Authentication of list.
83. Further amendments of assessment list.
84. Annual revision of list.
85. Notice to be given to the Committee of all transfers of title of persons primarily liable to payment of property tax.
86. Remission of tax on unoccupied immovable property.
87. Recovery of property taxes payable by owner.

Octroi and Terminal Tax.
88. Power to examine article liable to octroi or terminal tax.
89. Power to search where octroi or terminal tax is leviable.
90. Penalty for evasion of octroi or terminal tax.
91. Summary recovery of octroi or terminal tax and tolls.
92. Power to levy joint taxes.

Appeals against Taxation, etc.
93. Appeals against taxation.
94. Limitation.

General Provisions as to Levy of Taxes.
95. Tax not invalid for defect of form.
96. Remissions and exemptions.
97. Duty of furnishing true information regarding liability to municipal taxation.
98. Taxes when payable.
99. Taxation not to be questioned except under this Regulation.
100. Refunds.

CHAPTER IX.
CHAPTER IX.

PUBLIC HEALTH AND SAFETY.

Water-supply.

Sections.
101. Provision of water.
102. Supply of water for domestic purposes.
103. Supply of water for other than domestic purposes.
104. Making connections with municipal water works.
105. Obligation of owner or occupier to give notice of waste of water.
106. Cutting-off of supply to premises.

Protection from Fire.
107. Establishment and maintenance of fire brigade.
108. Power of fire brigade and other persons for suppression of fires.

Drains and Privies.
109. Provision of drains, privies, etc.
110. Repair and closing of drains, privies, latrines, urinals, and cesspools.
111. Unauthorised buildings over drains, etc.
112. Removal of latrines, etc., near any source of water-supply.
113. Improperly discharging sewage.
114. Making or altering drains without authority.

Laying and connecting Pipes, Sewers and the like.
115. Power to lay or carry wires, pipes, drains or sewers through private land.
116. Provision as to wires, pipes, drains or sewers laid or carried above surface of ground.
117. Previous notice to be given before commencing operation.

Private Connection with Mains, etc.
118. Connection with main not to be made without permission of Committee.
119. Connections may be made or required by the Committee in the case of sewerage.
120. Power
Municipalities. [Reg. V.

R IX.

AND SAFETY.

Appy.

120. Power to prescribe size of ferrule and to establish meters and the like.

121. Communications and connections to be made subject to inspection by, and to the satisfaction of, the Committee.

122. Rates and charges for gas or energy supply.

Disposal of Surface Water.

123. Troughs and pipes for rain-water.

Bathing and Washing Places.

124. Bathing and washing places.

Scavenging.

125. Removal and deposit of offensive matter.

126. Penalty for failure to remove offensive matter.

127. Penalty for depositing or throwing earth or materials or refuse, rubbish or offensive matter on roads or into drains.

128. Penalty for nuisances by children and others.

House-Scavenging.

129. Definition of house-scavenging.

130. Undertaking by Committee of house-scavenging generally.

131. Saving in favour of customary sweepers and of agriculturists.

132. Continuance of house-scavenging once undertaken by Committee.

133. Obligation of Committee to perform house-scavenging properly.

134. Powers of municipal servants for house-scavenging purposes.

135. Vesting in Committee of collections from house-scavenging.

136. Punishment of customary sweepers for negligence.

137. Punishment of agriculturists for negligence in regard to scavenging.

138. Disposal of dead animals.

Slaughter Places.

139. Places for slaughter of animals for sale.

Food
Ajmer-Merwara Municipalities.  [Reg. VI]

Food and Drugs.

Sections.

140. Control of sale of food and drugs.
141. Penalty for selling food or drink, not of the nature, substance or quality of the article demanded by the purchaser.
142. Penalty for feeding animals on deleterious substances.

Dangerous Diseases.

143. Information to be given of cholera, small-pox, etc.
144. Removal to hospitals of patients suffering from infectious or contagious diseases.
145. Disinfection of buildings and articles.
146. Penalty for letting infected house.
147. Provision of places and appliances for disinfection.
148. Penalty for acts done by persons suffering from certain disorders.
149. Prohibition by Committee of use of wholesome water.

Burial and Burning-places.

150. Powers in respect of burial and burning-places.
151. Control over removal of corpses.

Dangerous or Insanitary Buildings or Places.

152. Powers to require buildings, wells, tanks, etc., to be secured.
153. Power to order removal or repair of buildings, etc., in dangerous state.
154. Power to order cleansing of filthy building or land.
155. Power to prohibit use for human habitation of buildings unfit for such use.
156. Power to require owner to clear away noxious vegetation.
157. Power to require hedges and trees to be trimmed.
158. Power to require untenanted building becoming a nuisance to be secured or enclosed.
159. Power to require removal of nuisance arising from tanks and the like.
160. Prohibition of cultivation, use of manure or irrigation injurious to health.

Dangerous
Ajmer-Merwara Municipalities.

DANGEROUS OR OFFENSIVE TRADES.

SECTIONS.
161. Regulation of offensive and dangerous trades.
162. Prohibition of cinematographs and dramatic performances except in licensed premises.
163. Power to prohibit dangerous or offensive trades.
164. Penalty for negligence in quarrying, blasting, cutting timber or building.

Fair.
165. Provision of police protection at fairs, etc.
166. Powers to levy fees at fairs.

Brothels.
167. Powers over disorderly houses and prostitutes.
168. Power to close down brothels.

Animals.
169. Disposal of mad and stray dogs and other animals.
170. Penalty for keeping animal so as to be injurious to health.

Other Nuisances.
171. Penalty for beating drums, etc.
172. Penalty for discharging firearms, etc.
173. Control of use of steam whistles, etc.
174. Prohibition of collecting inflammable materials, etc.

CHAPTER X.

Streets.
175. Power over streets.
176. Power of permitting temporary occupation of streets, etc.
177. Power to require repairs to streets and to declare such streets public.

Encroachments
Encroachments and Obstructions.

178. Penalty for altering, obstructing or encroaching upon street.
179. Removal of projections and obstruction in streets.
180. Removal of projections and obstructions on payment of compensation.
181. Power to regulate line of buildings in street.

General Provisions as to Streets.

182. Power to attach brackets for lamps on houses.
183. Penalty for destroying direction-posts, lamp-posts, etc.
184. Penalty for bill-sticking without permission.
185. Names to streets and numbers to buildings.

Street Nuisances.

186. Penalty for picketing animals and collecting carts.
187. Penalty for driving vehicles without proper lights.
188. Penalty for suffering dogs to be at large.
189. Obligations on drivers of elephants and camels.
190. Penalty for taking elephants along streets.
191. Penalty for begging.

CHAPTER XI.

Buildings.

192. Power to prescribe materials not to be used in walls and roofs.
193. Definition.
194. Prohibition of building without sanction.
195. Power to make bye-laws as to mode of construction of buildings.
196. Special provision for cases, where bye-laws have not been made.
197. Dispensation from bye-laws.
198. Powers to refuse sanction to build.
199. Lapse of sanction to build.
200. Penalty for building without sanction.
201. Compensation for damage in respect of erections or re-erections.
Ajmer-Merwara Municipalities.

CHAPTER XII.

GENERAL PROVISIONS.

Power of Entry and Inspection.

Sections.

202. Power of entry for the purposes of valuation or taxation.
203. Power to inspect drains, privies and cesspools.
204. Power to inspect buildings for sanitary purposes.
205. General powers of entry on buildings or land.
206. Power to inspect places for sale of food or drink, etc., and to seize unwholesome articles exposed for sale.
207. Power to inspect weights and measures and seizure of false weights, etc.
208. Power to inspect places for illicit slaughter of animals.
209. Power to search for inflammable or explosive material in excess of authorized quantity.
211. General explanation.
212. Precaution to be observed in entering dwellings.
213. Refusal to suffer inspection.

Notices and Consequences of Non-Compliance therewith.

214. Reasonable time for compliance with notices, etc., to be fixed.
216. Service of notices, etc., when owner and occupier are different persons.
217. Mode of giving notice to owner or occupier of property.
218. Publication of public notices.
219. Penalty for disobedience of orders of Committee.
220. Power in event of non-compliance with notices, etc.
221. Penalty for obstruction of Committee.
222. Recovery of costs of execution.
223. Relief to agents and trustees in respect of obligations imposed by this Regulation.

Payment of Compensation by the Committee.

224. Payment of compensation by Committee.
Ajmer-Merwara Municipalities.

Appeals from Orders, etc., of Committee.

Sections.
225. Appeals from orders of Committee.
226. Prosecution to be suspended in certain cases.
227. Appeals from certain Magisterial orders.

Offences and Prosecutions.
228. Powers and duties of police in respect of offences against Regulation.
229. Authority for prosecutions.
230. Power to compound offences.
231. Member not to be disqualified from trying.
232. Power of Magistrate to order payment of costs and damages.

Suits.
233. Suits against Committee or its officers.

Recovery of Municipal Claims.
234. Recovery of taxes and other claims.
235. Disposal of surplus proceeds of sales.
236. Validity of distraints.

CHAPTER XIII.

Control.

Control by Commissioner.
237. Control by Commissioner.
238. Power to suspend action of Committee.
239. Extraordinary power of Commissioner in cases of emergency.
240. Power to provide performance of duties in default of Committee.
241. Action of Commissioner to be immediately reported.

Control by Chief Commissioner.
242. Power of Chief Commissioner and officers over Committees.
243. Power of Chief Commissioner to supersede or dissolve a Committee.
244. Disputes between Committees, etc.

CHAPTER XIV.
CHAPTER XIV.

Bye-Laws and Rules.

Sections.
245. General bye-laws.

Rules.
247. Power of Chief Commissioner to frame forms and make rules.

CHAPTER XV.

Supplementary.
249. Vacancies and irregularities not to invalidate proceedings.
250. Proof of municipal records.
251. Power to except municipality from provisions of Regulation unsuited thereto.

The Schedule.
REGULATION No. VI OF 1925.

[Received the assent of the Governor General on the 8th October, 1925; and published in the Gazette of India on the 24th October, 1925.]

A Regulation to make better provision for the administration of municipalities in Ajmer-Merwara.

WHEREAS it is expedient to make better provision for the administration of municipalities in Ajmer-Merwara;

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Regulation may be called the Ajmer-Merwara Municipalities Regulation, 1925.

(2) It extends to the province of Ajmer-Merwara.

(3) It shall come into force on such date as the Chief Commissioner may, by notification, appoint in this behalf.

2. The Regulations mentioned in the Schedule are hereby repealed to the extent specified in the fourth column thereof:

Provided that—

(i) all municipalities constituted, Municipal Committees established, limits defined, appointments, rules, bye-laws and orders made, notifications and notices issued, taxes, tolls, rates and fees imposed or assessed, contracts entered into and suits instituted under the said Regulations or under any enactment thereby repealed shall, so far as may be, be deemed to have been respectively constituted, established, defined, made, issued, imposed or assessed, entered into, and instituted under this Regulation;

(ii) all property, and all rights of whatever kind used, enjoyed or possessed by, and all interests of whatever
ever kind owned by, or vested in, or held in trust by, or for, a Municipal Committee as constituted under the said Regulations, and all liabilities legally subsisting against such Committee shall pass to the Committee constituted for the municipality concerned under this Regulation.

Definitions.

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

(1) "building" means a house, hut, shed or other roofed structure, for whatsoever purpose and of whatsoever material constructed, and every part thereof, and includes a wall and a well, but does not include a tent or other such portable and merely temporary shelter; and "part of a building" includes any wall, under-ground room or passage, verandah, fixed platform, plinth, stair-case or door-step attached to, or within the compound of, an existing building or constructed on ground which is to be the site or compound of a projected building;

(2) "by-law" means a bye-law made at a special meeting of a Committee in exercise of a power conferred by this Regulation;

(3) "Committee" means a Municipal Committee constituted under this Regulation and includes, in any case when a power is expressed as being conferred or a duty as being imposed on a Committee, a sub-committee appointed by a Committee and any member, officer or servant of a Committee authorised or required by or under this Regulation to exercise the power or perform the duty;

(4) "compound" means land, whether enclosed or not, which is the appurtenance of a building or the common appurtenance of several buildings;

(5) "drain" includes a sewer, pipe, ditch, channel or any other device for carrying off sullage, sewage, polluted water, rain water or sub-soil water together with pail depôts, traps, sinks, cisterns, flush tanks, and other fittings appertaining thereto;

(6) "election court" means the Commissioner or other person or tribunal appointed under sub-section (1) of section 36 for the disposal of election petitions;

(7) "explosive"
(7) "explosive" and "petroleum" have the meanings assigned to those words in the Indian Explosives Act, 1884, and the Indian Petroleum Act, 1899, respectively;

(8) "infectious or contagious disease" includes cholera, leprosy, enteric fever, small-pox, tuberculosis, diphtheria, plague, influenza and any other epidemic, endemic or infectious disease which the Chief Commissioner may by notification declare to be an infectious or contagious disease for the purposes of this Regulation;

(9) "inhabitant", in relation to a municipality or other local area, means any person ordinarily residing or carrying on business, or owning or occupying immovable property therein, and, in case of any dispute, means any person declared by the Commissioner to be an inhabitant;

(10) "lodging house" includes a collection of buildings, or a building, or part of a building, used for the accommodation of pilgrims or travellers;

(11) "member" means a member of a Committee;

(12) "municipality" means any local area declared by or under this Regulation to be a municipality;

(13) "notification" means a notification published in the official Gazette;

(14) "occupier" includes an owner in actual occupation of his own land or building, and any person for the time being paying or liable to pay to the owner of any land or building the rent or any portion of the rent payable in respect thereof; and, in Chapter VIII, includes a hotel keeper, a lodging house keeper, and any owner whose premises are let to more than one tenant.

(15) "officer", in relation to a Committee, means a person holding an office created or continued by or under this Regulation, but does not include a member as such;

(16) "owner" includes the person for the time being receiving the rent of any land or building, whether on his own account or as agent or trustee for any person or society or for any religious or charitable purpose
Ajmer-Merwara Municipalities.

purpose, or who would so receive the same if the
land or building were let to a tenant;

(17) "public place" means a place in a municipality, not
being private property, which is open to the use or
enjoyment of the public whether such place is vesti-
ed in the Committee or not;

(18) "public street" means any street in a municipality,
which—

(i) has with the consent, express or implied, of
the owner of the site thereof been levelled,
paved, metalled, channelled, sewered or
repaired out of municipal or other public
funds, or

(ii) under the provisions of this Regulation,
becomes, or is declared by the Committee
to be, a public street;

(19) "rule" means a rule made in exercise of a power con-
ferred by this Regulation;

(20) "servant", in relation to a Committee, means any
person in the pay and service of the Committee;

(21) "street" means any road, bridge, foot way, lane,
square, court, alley or passage in a municipality
along which the public or any portion of the pub-
has a right to pass, and includes, on either side, the
drains or gutters and the land up to the defined
boundary of any abutting property, notwithstanding
the projection over such land of any verandah or
other superstructure;

(22) "vehicle" includes a bicycle, tricycle and motor car,
and every other wheeled conveyance which is used
or is capable of being used on a public street;

(23) "water-works" includes all lakes, tanks, streams,
cisterns, springs, pumps, wells, reservoirs, aqu-
ducts, cuts, sluices, mains, pipes, culverts, engines,
hydrants, standpipes, conduits, and all machinery,
lands, buildings, bridges, and things for supplying
or used for supplying water; and

(24) where a power is expressed as being conferred on any
authority to require a person to do one thing or to
do another thing, the authority may, in its discre-

18
Municipalities. [REG. VI]

shall so receive the same if the place in a municipality, not a street in a municipality,

let a tenant;

which is open to the use of either thing or, if

whether such place is vestor not;

require the person to do either thing or, if the

place in a municipality, nature of the case

permits, both of the things, or

which is open to

the use

may give the person the option of doing whichever

r of the things he chooses.

CHAPTER II.

MUNICIPAL AREAS.

4. (l) The Chief Commissioner may, by notification,—

(a) declare any local area to be a municipality;

(b) define the limits of any municipality;

(c) include or exclude any area in or from any munici-

pality; or

(d) declare that any municipality shall cease to be a

municipality:

Provided that no such notification shall be issued in respect of a local area which comprises or contains the whole or any part of a military cantonment without the previous sanction of the Governor General in Council.

(2) The Chief Commissioner shall publish a draft of the proposed notification in the official Gazette and shall cause it, together with a translation in Hindi and Urdu, to be posted up in the court house of the Commissioner and in one or more conspicuous places within or adjacent to the local area concerned, together with a notice stating that the draft will be taken into consideration after the expiry of six weeks from the date of publication.

(3) The Commissioner shall certify to the Chief Commissi-

o on which the draft and the notice have been

made public under sub-section (2), and the date so certified shall, for the purposes of this section, be deemed to be the date of publication.

(4) The Chief Commissioner shall, before issuing the noti-

fication, consider any objection or suggestion which he receives in writing from any person in respect of the draft within the said period of six weeks.

5. When, by reason of a notification under section 4, any local area is included in a municipality, such area shall thereby become subject to this Regulation and to all notifications, rules,
rules, bye-laws, orders, directions, issued or made thereunder and in force throughout the municipality, save in so far as the Chief Commissioner may otherwise, by notification, direct.

6. (1) When, by reason of a notification under section 4, any municipality ceases to be a municipality, then, if the local area comprised therein is immediately placed under the control of some other local authority, the municipal fund and property vesting in the Committee shall vest in, and the liabilities of the Committee shall be transferred to, such other local authority, or, if the local area is not immediately placed under the control of another local authority, such fund and property shall vest in His Majesty and the liabilities of the Committee shall be transferred to the Secretary of State in Council.

(2) When, by reason of a notification under section 4, any local area forming part of a municipality is excluded from the municipality, then, if the local area is immediately placed under the control of some other local authority, such portion of the municipal fund and property vesting in the Committee and such portion of the liabilities of the Committee as the Chief Commissioner may direct shall be transferred to that other local authority, or, if the local area is not immediately placed under the control of any other local authority, such portion of the municipal fund and property vesting in the Committee shall vest in His Majesty, and such portion of the liabilities of the Committee shall be transferred to the Secretary of State in Council, as the Chief Commissioner may direct.

(3) All property vested in His Majesty under this section shall be applied under the orders of the Chief Commissioner, in the first place, to discharging the liabilities imposed on the Secretary of State in Council and, in the second place, for the promotion of the safety, health, welfare or convenience of the inhabitants of the local area which has ceased to be, or, as the case may be, to be part of, a municipality.

CHAPTER III.

MUNICIPAL AUTHORITIES, OFFICERS AND SERVANTS.

The Committee.

7. In every municipality there shall be a Municipal Committee consisting of not less than three members, and every such
such Committee shall be a body corporate by the name of the Municipal Committee of the place by reference to which the municipality is known, having perpetual succession and a common seal and the power of acquiring, holding and transferring property, moveable or immoveable, and of contracting, and shall, by the said name, sue and be sued.

8. (1) Every Committee shall consist of——

(a) such number of members nominated by the Chief Commissioner, or

(b) such number of elected members, or

(c) such number of nominated and such number of elected members,

as the Chief Commissioner may by notification direct; and,

(2) where a person who is not a member of the Committee is elected or nominated as Chairman, the person so elected or nominated:

Provided that, where a Committee is to consist partly of elected and partly of nominated members,—

(i) the members nominated under sub-clause (c) of clause (1) shall not exceed in number one-fourth of the total number of members as prescribed by the Chief Commissioner under that clause;

(ii) such number only of members shall be so nominated as is necessary, in the opinion of the Chief Commissioner, to secure the adequate representation of minorities;

(iii) any vacancies due to failure to elect the full number of elected members may be filled up by nomination by the Chief Commissioner.

(2) The Chief Commissioner may appoint persons as expert advisers to a Committee; and persons so appointed shall have a right to receive notices of meetings thereof and to address such meetings, but not to propose resolutions or vote thereat.

(3) Every election and nomination and every vacancy in the membership of a Committee shall be notified by the Chief Commissioner in the official Gazette.

9. (1) Save
9. (1) Save as hereinafter provided in this section, the term of office of an elected or nominated member shall be three years, and shall commence from the date of the notification of his election, or nomination, as the case may be, or from such later date, if any, as may be specified therein or when the election or nomination has been notified before the vacancy has occurred from the date on which the vacancy occurs.

(2) The term of office of a member elected upon an election being declared void, or elected or nominated to fill a casual vacancy occurring by reason of death, resignation, removal or otherwise, shall commence from the date of the notification of his election or nomination, as the case may be, or from such later date, if any, as may be specified therein, and shall be the period for which the person whose election has been declared void or the member whose place he fills, as the case may be, would, at such date, have been entitled, in the ordinary course of events, to retain office if the election had not been declared void, or the vacancy had not occurred.

(3) Notwithstanding anything hereinafter contained, the Chief Commissioner may, at any time, for the purpose of effecting any change in the composition of a Committee, specify by notification a date on which the members or any of them shall cease to hold office; and, in such case, the period of office of the members concerned shall be extended or curtailed, as the case may be, so as to expire on the said date.

(4) A person ceasing to be a member by reason of the expiry of his term of office shall, if otherwise qualified, be eligible for re-election or re-nomination.

10. (I) A member (other than the Chairman or a member nominated ex-officio) wishing to resign his office may forward his written resignation through the Chairman to the Commissioner.

(2) When the acceptance of the resignation by the Commissioner has been communicated to the Committee, the member shall be deemed to have vacated his seat.

11. (I) The Chief Commissioner may, by notification, remove any member—

(a) if he is an undischarged insolvent;

(b) if he has been convicted of any such offence or subjected by a Criminal Court to any such order as implies, in
in the opinion of the Chief Commissioner, a defect of character which unfit him to be a member;

(c) if he has been declared by notification to be disqualified for employment in, or has been dismissed from, the public service, for any reason which implies, in the opinion of the Chief Commissioner, a defect of character which unfit him to be a member;

(d) if he has absented himself for more than three consecutive months from the meetings of the Committee and is unable to explain such absence to the satisfaction of the Committee;

(e) if his continuance in office is, in the opinion of the Chief Commissioner, undesirable or dangerous to the public peace or order;

(f) if, in the opinion of the Chief Commissioner, he has flagrantly abused his position as a member; or

(g) in the case of an elected member, if he has, since his election, become subject to any disqualification which, if it had existed at the time of his election, would have rendered him ineligible for election, or if it appears that he was at the time of his election subject to any such disqualification.

(2) (a) A member removed under clause (a) of sub-section (1) shall not be eligible for further election or nomination until he has obtained his discharge.

      (b) A member removed under clause (d) of sub-section (1) shall be eligible for election or nomination if otherwise qualified.

      (c) A member removed under clause (f) of sub-section (1) shall not be so eligible for a period of three years from the date of his removal.

      (d) A member removed under any other provision of sub-section (1) shall not be so eligible until he is declared by the Chief Commissioner to be no longer ineligible.

12. (1) Vacancies on a Committee occurring by reason of the normal expiration of the term of office of elected members shall be filled at ordinary elections.

      (2) A vacancy occurring by reason of the death, resignation, removal, or voidance of the election, of an elected member, shall be filled at a casual election:

      Provided

23
Provided that, where the term of office of the vacating member would, in the ordinary course of events, have determined within six months of the occurrence of the vacancy, the Committee may direct that the vacancy shall be left unfilled until the next ordinary elections.

(3) In the case of a casual vacancy in the office of a nominated member, the Chief Commissioner may nominate another member in his place.

The Chairman and Vice-Chairmen.

18. (1) Save as hereinafter provided, the Chairman of every Committee shall be elected by the Committee at a special meeting and shall be a person who is or is qualified for election as a member of the Committee:

Provided that no salaried servant of Government other than a Government Treasurer shall be elected Chairman, save with the approval of the Chief Commissioner which shall only be granted for special reasons.

(2) A vacancy in the office of Chairman shall be filled, in the case of a new municipality, within ten days of the formation of the Committee, and, in the case of any other municipality, within ten days, or where the vacancy is a casual vacancy, within fifteen days, of the occurrence of the vacancy.

(3) The Chief Commissioner may, for special reasons, by notification direct that the provisions of sub-section (1) shall not apply in the case of any municipality specified in the notification, and shall himself nominate such person as he thinks fit to be the Chairman of the Committee in any municipality so specified.

(4) Where the Committee fails to elect a Chairman in the manner prescribed by sub-sections (1) and (2), the Chief Commissioner may nominate the Chairman.

Explanation.—For the purposes of sub-section (1), the expression "salaried servant of Government" includes a person in receipt of a salary from Government notwithstanding that he is not a full time servant of Government, but does not include a retired servant of Government in receipt of a pension.

14. Every Committee shall, at a special meeting, elect one or two of its members to be the Vice-Chairman or Vice-Chairmen, and may by resolution regulate the precedence of the Vice-Chairmen.

15. (1) (a) The

Chairman nominated at the time of his
cessation shall be the residu
nomination shall be the residu
nomination shall be the residu

15. (1) (a) The term of office of a Chairman, not being a Chairman nominated under sub-section (3) of section 13, who, at the time of his election or nomination as such, is a member, shall be the residue of the term of his office as member.

(b) The term of office of a Chairman, not being a Chairman nominated as aforesaid, who, at the time of his election or nomination as such, is not a member, shall be three years, or, where such Chairman is elected or nominated to fill a casual vacancy in the office of Chairman, the residue of the term of office of the person whose place he is elected or nominated to fill.

c) The term of office of a Chairman nominated under sub-section (3) of section 13 shall continue during the pleasure of the authority nominating him:

Provided that, where a notification under that sub-section ceases to have effect and the Committee becomes entitled to elect its Chairman, the Chairman holding office by reason of his nomination by the Chief Commissioner under that sub-section shall cease to hold office from the date of the election of a Chairman by the Committee.

(2) The term of office of a Vice-Chairman shall be one year from the date of his election as such or the residue of his term of office as a member of the Committee, whichever is less.

(3) A Chairman or Vice-Chairman whose term of office has expired shall, if otherwise qualified, be eligible for re-appointment as such.

16. (1) A Chairman, not being a Chairman appointed ex-officio under sub-section (3) or sub-section (4) of section 13, may resign his office, and, on his resignation being accepted by the Committee, his office shall be deemed vacant.

(2) A Vice-Chairman may resign his office, and, on his resignation being communicated to the Committee, his office shall be deemed vacant.

(3) Any Chairman or Vice-Chairman may be removed from office by the Chief Commissioner on the ground of habitual failure to perform his duty, and shall not be eligible for re-appointment until so declared by the Chief Commissioner:

Provided that, when the Chief Commissioner proposes to take action under this sub-section, he shall give the Chairman or Vice-Chairman concerned an opportunity of explaining the conduct on account of which it is proposed to remove him and
shall, in the event of taking such action, place on record the reasons therefor.

(4) A Chairman in respect of whom an order has been made under sub-section (1) of section 11, removing him from the Committee as member, shall thereupon cease to be Chairman.

Sub-Committees.

17. (1) A Committee may—

(a) by bye-law establish such sub-committees as it thinks fit for the purpose of exercising such powers, performing such duties or discharging such functions, as may be delegated to them respectively by the Committee under the provisions of this Regulation;

(b) by resolution appoint such members, with one of them as convener, as it thinks fit, for a period not exceeding one year, to any sub-committee so established; and

(c) by resolution remove any member or convener appointed under clause (b).

(2) Notwithstanding anything contained in this Regulation, a Committee may, by a resolution supported by not less than one-half of the total number of members for the time being holding office, appoint as members of a sub-committee persons, not being members of the Committee, who, in the opinion of the Committee, possess special qualifications for serving on such sub-committee:

Provided that the number of persons so appointed shall not exceed one-third of the number of members of the sub-committee.

Joint Committees.

18. A Committee may concur with any other Committee, or with any District Board, or, with the previous sanction of the Chief Commissioner, with any cantonment authority, or with more than one such Committee, Board or authority, in appointing out of their respective bodies a Joint Committee for any purpose in which they are jointly interested, and in delegating to any such Joint Committee any power which might be exercised by either or any of the Committees, Boards or authorities concerned, in appointing a Chairman of such a Joint Committee, and in framing regulations as to the proceedings of any such Joint Committee relating to such exercise of power.

19. (1) Every appointment by a Committee of an Executive Officer, to be the Secretary, or otherwise, shall be supported by not less than one-half of the total number of members for the time being holding office.

(2) When a member of a Committee is appointed as Secretary, or otherwise, his remuneration shall be fixed by the said Committee and shall be subject to such revisions as the Chief Commissioner may from time to time determine.

(3) The Chief Commissioner shall have power to remove any Executive Officer, or otherwise, on the ground that the power so exercised is incapable of adequate performance or is unwise.

Sub-Committees.

20. (1) A Committee may establish such sub-committees as it thinks fit for the purpose of exercising such powers, performing such duties or discharging such functions, as may be delegated to them respectively by the Committee under the provisions of this Regulation.

(2) By resolution appoint such members, with one of them as convener, as it thinks fit, for a period not exceeding one year, to any sub-committee so established; and

(c) by resolution remove any member or convener appointed under clause (b).

(2) Notwithstanding anything contained in this Regulation, a Committee may, by a resolution supported by not less than one-half of the total number of members for the time being holding office, appoint as members of a sub-committee persons, not being members of the Committee, who, in the opinion of the Committee, possess special qualifications for serving on such sub-committee:

Provided that the number of persons so appointed shall not exceed one-third of the number of members of the sub-committee.

Joint Committees.

18. A Committee may concur with any other Committee, or with any District Board, or, with the previous sanction of the Chief Commissioner, with any cantonment authority, or with more than one such Committee, Board or authority, in appointing out of their respective bodies a Joint Committee for any purpose in which they are jointly interested, and in delegating to any such Joint Committee any power which might be exercised by either or any of the Committees, Boards or authorities concerned, in appointing a Chairman of such a Joint Committee, and in framing regulations as to the proceedings of any such Joint Committee relating to such exercise of power.
municipalities. [Reg. VI.]

19. (1) Every Committee shall, at a special meeting, appoint a member, or any other person approved by the Commissioner, to be Secretary, of the Committee.

(2) When a member is appointed Secretary, he shall receive no remuneration in respect of his services. When any other person is so appointed, the Committee may, with the previous sanction of the Commissioner, assign to him such pay as it thinks fit.

(3) The Committee may appoint an officiating Secretary and an additional or Assistant Secretary.

20. (1) A Committee may, by special resolution, appoint an Executive Officer to whom all other officers and all servants of the Committee shall be subordinate.

(2) The appointment, and the salary and other conditions attaching thereto, shall be subject to the approval of the Chief Commissioner.

21. (1) A Committee may, by special resolution, and, if so required by the Chief Commissioner, appoint a Health Officer, an Engineer or a Water-works or Electrical Engineer.

(2) Each such appointment, and the salary and other conditions attaching thereto, shall be subject to the approval of the Chief Commissioner.

(3) If a Committee, when required by the Chief Commissioner to do so, fails within a reasonable time to appoint any such officer as aforesaid, the Chief Commissioner may appoint him, and any officer so appointed shall be deemed to have been appointed by the Committee.

22. (1) A Committee may, by special resolution and not otherwise, punish, dismiss or remove its Executive Officer, Secretary, Health Officer, Engineer or Water-works or Electrical Engineer.

(2) A resolution punishing, dismissing or removing any of the aforesaid officers shall be communicated to him and shall not take effect until the expiration of fifteen days from the date when the communication was served on him, or, in the event of an appeal being filed by him under sub-section (3), until the appeal is decided.

(3) Any
Ajmer-Merwara Municipalities. [REG. V.

(3) Any of the aforesaid officers may, within fifteen days from the receipt of notice of a resolution of punishment, dismissal or removal, appeal to the Chief Commissioner through the Commissioner, and the Chief Commissioner shall thereupon either allow, disallow or vary the punishment, dismissal or removal.

(4) On receiving an appeal under sub-section (3), the Chief Commissioner may, if he thinks fit, suspend the officer concerned pending the decision of the appeal.

(5) The Chief Commissioner shall have authority to require the dismissal or removal of any of the aforesaid officers in case of proved incompetency.

23. Subject to the provisions of this Regulation and the rules and bye-laws, a Committee may employ such other officers and servants as may be necessary or proper for the efficient execution of its duties, and may assign to such officers and servants such pay as it thinks fit.

24. (1) If an officer or servant of a Committee is a Government official, the Committee may—

(a) if his services are wholly lent to it, contribute to his pension, gratuity and leave allowances in accordance with any rule, or general or special order, made by the Secretary of State in Council or the Governor General in Council in force for the time being; or

(b) if he devotes only a part of his time to the performance of duties on behalf of the Committee, contribute to his pension, gratuity and leave allowances in such proportion as may be determined by the Chief Commissioner.

(2) In the case of an officer or servant of a Committee who is not a Government official, the Committee may, subject to such conditions as the Chief Commissioner may by rule prescribe, grant him leave, absentee or acting allowance, and—

(a) if his pay is less than ten rupees a month grant him a gratuity on retirement; or

(b) establish and maintain a provident or annuity fund and compel him to contribute thereto; or

(c) where such a fund has not been established, or where such a fund has been established, but he has been contributing thereto for less than the whole of his service.
within fifteen days of dismissal, dismissed through the Court, all thereupon other
section (3), the Chief
and the officer con
authority to require
regulation and the
such other officers
and
committe is a Govern-
contribute to his
ances in accord-
Council or the
for the time
the performance
, contribute to
ances in such
the Chief Com-
committee who
subject to
by rule pre-
grant him a
annuity fund or
or
where
he has been
whole of his
service

service, grant him a pension or gratuity, or purchase or arrange for an annuity for him on his
tirement.

(3) With the sanction of the Chief Commissioner, a Com-
mite may grant a compassionate gratuity or grant or arrange
the purchase of an annuity to any officer or servant injured
otherwise than by reason of his own default in the execution
of his duty, or where such injury results in his death, to the
widow, children, or other relatives dependent on him.

(4) Where an officer or servant dies in circumstances other
than those referred to in sub-section (3), the Committee may,
with the sanction of the Chief Commissioner, grant a com-
passionate gratuity to the widow, children or other relatives
dependent on him.

(5) A pension, gratuity or annuity shall not exceed the sum
in which, under any rule, or general or special order, made
by the Secretary of State in Council or the Governor General in
Council, such officer or servant or his family would be entitled
if the service had been service under Government.

(6) All orders in connection with the matters mentioned in
this section and all payments from a municipal fund on that
account made prior to the date on which this Regulation comes
into force, which could have been validly made if this Regu-
lation had then been in force, shall be deemed to have been
validly made hereunder.

25. (1) If a person serving or having served under a Com-
mite has been or is transferred from or to the service of
Government or is partly employed by the Government and part-
ly by the Committee, the Committee shall contribute to his
pension and leave allowances to such extent as may be required
by any rules made by the Secretary of State in Council or the
Governor General in Council in this behalf.

(2) The Committee shall not, save with the consent of the
Chief Commissioner, dispense with the services of any person
partly employed as aforesaid without giving the Chief Com-
mite six months' previous notice.

26. (1) In the absence of a written contract to the contrary,
every officer or servant of a Committee shall be entitled to one
month's notice before discharge or to one month's wages in lieu
thereof, unless he is discharged during a period of probation or
for
for misconduct or was engaged for a specified term and discharged at the end of it.

(2) If any officer or servant of a Committee, in the absence of a written contract authorising him so to do, and without reasonable cause, resigns his employment or absents himself from his duties without giving one month's notice to the Committee, he shall be liable to forfeit a sum not exceeding one month's wages out of any wages due to him.

(3) If any sweeper employed by a Committee, in the absence of a written contract authorising him so to do, and without reasonable cause, resigns his employment or absents himself from his duties without giving one month's notice to the Committee, or neglects or refuses to perform his duties or any of them, he shall be punishable with imprisonment which may extend to two months.

(4) The Chief Commissioner may, by notification, direct that, on and from such date, as may be specified in the notification, the provisions of sub-section (3) shall apply to any specified class of servants, employed by a Committee, whose functions intimately concern the public health or safety.

**General Provisions respecting status of members, officers and servants.**

27. (1) If any member, officer or servant of a Committee is, without the permission of the Commissioner previously granted in writing, interested directly or indirectly, otherwise than as a shareholder (other than a director) in any incorporated company, in any contract made with the Committee, or with any sub-committee or Joint Committee of which he is a member, officer or servant, he shall be deemed to have committed an offence punishable under section 168 of the Indian Penal Code.

(2) A person shall not be deemed to have an interest in a contract within the meaning of sub-section (1) by reason only of his having a share or interest in—

(a) any lease, sale or purchase of immovable property or any agreement for the same; or

(b) any agreement for the loan of money or any security for the payment of money only; or

(c) any newspaper in which any advertisement relating to the affairs of the Committee is inserted; or

(d) the

for a specified term and during
a Committee, in the absence
him so to do, and without
ployment or absents himself
month's notice to the Com-
it a sum not exceeding one
e to him.
a Committee, in the absence
him so to do, and without
loyment or absents himself
month's notice to the Com-
form his duties or any of
imprisonment which may
y, by notification, direct
be specified in the notifica-
shall apply to any speci-
Committee, whose func-
health or safety.

of members, officers and
servant of a Committee is,
ioner previously granted
directly, otherwise than
or) in any incorporated
the Committee, or with
of which he is a member,
to have committed an
the Indian Penal Code, to
have an interest in a
section (I) by reason only,

immovable property;
ne; or
money or any security;
advertisement relating
e is inserted; or
(d) the

(3) the sale to the Committee of any articles in which he regularly trades, or the purchase from the Committee of any articles to a value in either case not exceeding one thousand rupees in the aggregate in any year during the period of the contract;
but no such person as aforesaid shall take part in any pro-
ceedings of the Committee, sub-committee or Joint Committee
relating to any such contract.

28. No suit shall be maintainable against any officer or
servant of a Committee, or any member, or any person acting
under the direction of such officer, servant or member, in
respect of anything in good faith done under this Regulation
or any rule or bye-law made thereunder:

Provided that every such person shall be liable for the
loss, waste or misapplication of any money or other property
belonging to the Committee, if such loss, waste or misappli-
cation is a direct consequence of neglect or misconduct in the
discharge of his duties under this Regulation; and a suit for
compensation for the same may be instituted against him by
the Committee with the sanction of the Commissioner, or by
the Secretary of State for India in Council.

29. Every member and every municipal officer and servant
shall be deemed to be a public servant within the meaning of
section 21 of the Indian Penal Code.

CHAPTER IV.

Elections.

Qualifications of Electors.

30. (1) A person shall not be deemed to be an elector for
any purpose of this Regulation or of any rule unless he is
enrolled as an elector.

(2) The following persons shall, if not subject to any of
the disqualifications specified in sub-section (3), be entitled
to be enrolled as electors, namely:

(a) every person who in any year is, on such date as is
prescribed by rule in this behalf (hereinafter in this
section referred to as the aforesaid date), assessed
directly and on his own account to municipal tax, (other than octroi or toll or terminal tax), in force at the time in the municipality, the aggregate value whereof at their annual rate is not less than such amount as is fixed by rule in this behalf, and on the aforesaid date is not in arrears in the payment of any such tax, and

(b) every person who has for a period of not less than twelve months immediately preceding the aforesaid date resided in the municipality and is on that date—

(i) a graduate of any university, established by law in British India, or

(ii) the owner of a house or building of an annual value calculated in such manner and of not less than such amount as may be prescribed by rule in this behalf, or

(iii) the occupier of a house or building of an annual value calculated in such manner and of not less than such amount as may be prescribed by rule in this behalf, or

(iv) in receipt of an annual income of not less than such amount as may be prescribed by rule in this behalf, or

(v) the owner in his own right of land in respect of which land-revenue is payable of not less than such amount per annum as may be prescribed by rule in this behalf, or

(vi) the owner in his own right of land free of revenue, if the land-revenue nominally assessed on such land, in order to determine the amount of rates payable in respect of the same, either alone or together with land-revenue payable in respect of other land by such owner, amounts to not less than such sum as may be prescribed by rule in this behalf, or

(vii) an ex-proprietory tenant or occupancy tenant of land in respect of which an annual rent is payable of not less than such amount as may be prescribed by rule in this behalf; or

(c) every
unincorporalities. [Reg. 1892]

(c) every person who has, during the period of twelve months referred to in clause (b), resided in the municipality and been assessed to income-tax:

Provided that no qualification specified in sub-clauses (ii) to (vii) of clause (b) or in clause (c) shall apply to any municipality, unless the qualification is made applicable by rule thereto.

31. (1) The elected members of a Committee shall be persons elected by the electors of the municipality.

(2) Where a municipality is divided into wards, or its inhabitants into classes, for electoral purposes—

(a) a separate roll shall be prepared for each ward or class;
(b) no person shall be entitled to enrolment on more than one ward or class roll; and
(c) a member representing a ward or class shall be elected only by electors on the roll of the ward or class, as the case may be.

32. (1) Every person shall be qualified for election as a member who is enrolled as an elector in the municipality and possesses such further qualifications as are prescribed by rule in this behalf.

(2) A
Ajmer-Morwar Municipalities. [Reg. 25.]

(2) A person, notwithstanding that he is otherwise qualified, shall not be qualified for election if he—

(a) has been dismissed from Government service and is debarred from re-employment therein, or
(b) is debarred from practising as a legal practitioner by order of any competent authority, or
(c) holds any place of profit in the gift or disposal of the Committee, or
(d) is a stipendiary magistrate or police officer, or
(e) is interested in a subsisting contract made with, or any work being done for, the Committee except as a shareholder (other than a director) in an incorporated company, or
(f) is disqualified under any other provision of this Regulation:

Provided that—

(i) in cases (a) and (b) the disqualification may be removed by an order of the Chief Commissioner in this behalf;

(ii) a person shall not be deemed to have an interest in a contract or work within the meaning of clause (e) by reason only of his having a share or interest in—

(a) any lease, sale or purchase of immoveable property or any agreement for the same; or
(b) any agreement for the loan of money or any security for the payment of money only; or
(c) any newspaper in which any advertisement relating to the affairs of the Committee is inserted; or
(d) the sale to the Committee of any articles in which he regularly trades, or the purchase from the Committee of any articles to a value in either case not exceeding one thousand rupees in the aggregate in any year during the period of the contract or work.

Election Petitions.

33. (1) The election of any person as a member may be questioned by an election petition on the ground—

(a) that such person has committed during or in respect of the election any corrupt practice as hereinafter defined;
(b) that
Municipalities. [Reg.

that he is otherwise qualified
from Government service and employment therein, or
uring as a legal practitioner by
rt authority, or
in the gift or disposal of the
ate or police officer, or
ing contract made with, or
r, the Committee except as
han a director) in an incor-
y other provision of this
alification may be removed
ner in this behalf;
d to have an interest in a
ng of clause (c) by reason
st in—
of immovable property
me; or
of money or any security
ly; or
advertisements relating
ice is inserted; or
ny articles in which he
rchase from the Com-
value in either case not
es in the aggregate in
he contract or work.

as a member may be
em ground—
during or in respect
actice as hereinafter

(b) that

Ajmer-Merwara Municipalities.

(b) that such person was declared to be elected by reason
of the improper rejection or admission of one or
more votes or for any other reason was not duly
lected by a majority of lawful votes;

(c) that such person was disqualified for election under
sub-section (2) of section 32.

(2) The election of any person as a member shall not be
questioned—

(a) on the ground that the name of any person qualified
to vote has been omitted from, or the name of any
person not qualified to vote has been inserted in,
the electoral roll or rolls,

(b) on the ground of any non-compliance with this Regu-
lation or any rule, or of any mistake in the forms
required thereby, or of any error, irregularity or
informality on the part of the officer or officers
charged with carrying out this Regulation or any
rule, unless such non-compliance, mistake, error,
inregularity or informality has materially affected
the result of the election.

34. (1) An election petition shall be presented within
seven days from the date on which the election was notified
and shall specify the ground or grounds on which the election
is questioned, and shall contain a summary of the circum-
stances alleged to justify the election being questioned on such
grounds.

(2) The petition may be presented by any candidate in
whose favour votes have been recorded and who claims in the
petition to be declared elected in place of the person whose
election is questioned, or by ten or more electors of the munici-
pality.

(3) The person whose election is questioned and, where the
petitioner claims that any other candidate shall be declared
elected in place of such person, every unsuccessful candidate
who has polled more votes than such candidate, shall be made
a respondent to the petition.

(4) An election petition, and any application relating to
the hearing of an election petition, may be presented to the
Commissioner or to the officer in charge of the sub-division
within which the municipality concerned is situated.

35. Every
35. Every respondent may give evidence to prove that any person in respect of whom a claim is made, that such person be declared elected in his place or in priority to him, should not be declared so elected, in the same manner as if he had presented a petition against the election of such person.

36. (I) An election petition shall be heard by the Commissioner, or by such other person or tribunal as may be appointed by rule in this behalf, at some place in the subdivision within which the municipality concerned is situated.

(2) Every order passed under any provision of this Chapter by an election court other than the Commissioner shall be appealable to the Commissioner within seven days from the date of the order appealed against, and the Commissioner's order on such appeal shall be final.

(3) Save as provided in sub-section (2), the order of an election court shall be final.

37. (I) Save as otherwise provided by this Regulation or by rule, the procedure provided in the Code of Civil Procedure, 1908, in regard to suits shall, so far as may be, be followed in the hearing of election petitions by election courts:

Provided that—

(a) two or more persons whose election is called in question may be made respondents to the same petition, and their cases may be tried at the same time, and any two or more election petitions may be heard together; but so far as is consistent with such joint trial or hearing, the petition shall be deemed to be a separate petition against each respondent;

(b) the court shall not be required to record or have recorded the evidence in full, but shall make a memorandum of the evidence sufficient in its opinion for the purpose of deciding the case;

(c) the court may, at any stage of the proceedings, require the petitioner to give security or further security for the payment of all costs incurred or likely to be incurred by any respondent;

(d) the court, for the purpose of deciding any issue, shall only be bound to require the production of, or to receive, so much evidence, oral or documentary, as it considers necessary.

38. (1) Save
Save as otherwise provided by rule made in this behalf, an election court shall have the same powers and privileges as a Judge of a Civil Court, and, where such court is not the Commissioner, may, for the purpose of serving any notice or issuing any process or doing any other such thing, employ, with the consent of the Commissioner, any officer, clerk or other Government servant attached to the Court of the Commissioner.

(2) An order for the payment of costs, or an order for the realization of a security bond for costs, passed by an election court may be sent by that court for execution to the Collector of the district, and the order so sent shall be executed by the Collector in the same manner as if the amount to be recovered were an arrear of land-revenue.

39. (1) If an election court, after making such inquiry as to the same petition, at the same time, and it thinks necessary, finds, in respect of any person whose election is called in question by a petition, that his election was valid, it shall dismiss the petition as against such person and may award costs at its discretion.

(2) If the court finds that the election of any person was invalid, it shall either—

(a) declare a casual vacancy to have been created, or

(b) declare another candidate to have been duly elected, whichever course appears, in the particular circumstances of the case, the more appropriate; and in either case may award costs at its discretion.

(3) In the event of the court declaring a casual vacancy to have been created, it shall direct the Committee to take proceedings for filling the vacancy.

40. (1) Notwithstanding anything contained in section 39, if an election court in the course of hearing an election petition is of the opinion that the evidence discloses that corrupt practices at the election proceedings in question have prevailed to such an extent as to render it advisable to set aside the whole proceedings, it shall pass a conditional order to this effect and give notice thereof to every candidate declared elected who has not already been made a party in the case calling upon him to show cause why such conditional order should not be made final.

(2) Thereupon every such candidate may appear and show cause, and may have recalled, for the purpose of putting questions to him, any witness who has appeared in the case.

(3) The

(3) The court shall thereafter either cancel the conditional order or make it absolute, in which case it shall direct the Committee to take measures for holding fresh election proceedings.

41. An election court may declare any candidate found to have committed any corrupt practice to be incapable, for such period not exceeding five years as the court may determine, if being elected as a member or of being appointed or retained in any office or place in the gift, or at the disposal, of the Committee.

42. A person shall be deemed to have committed a corrupt practice who, directly or indirectly, by himself or by any other person, —

(i) induces or attempts to induce by fraud, intentional misrepresentation, coercion or threat of injury, any voter to give or to refrain from giving a vote in favour of any candidate;

(ii) with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money, or valuable consideration, or any place or employment, or holds out any promise of individual advantage or profit to any person;

(iii) gives or procures the giving of a vote in the name of a voter who is not the person giving such vote;

(iv) abets (within the meaning of the Indian Penal Code) the doing of any of the acts specified in clauses (i), (ii) and (iii).

Explanation.—A **'promise of individual advantage or profit to any person'** includes a promise for the benefit of the person himself, or of any one in whom he is interested, but does not include a promise to vote for or against any particular municipal measure.

Rules relating to Elections.

43. The Chief Commissioner may, by notification, make rules consistent with this Regulation for the purpose of regulating all or any of the following matters, namely:—

(a) with reference to section 30, the minimum amounts, salaries or sums qualifying a person to be an elector
Municipalities. [Reg. VI, 1875.] AJMER-MERWA Municipalities.

or either cancel the conditional<br>.proc-<br>edure any candidate found to<br>ar-<br>ctice to be incapable, for such<br>te-<br>in favour<br>ot.<br>

} to have committed a corrupt<br>duce by fraud, intentional<br>any voter to give or to re-

y, by himself or by any other<br>ind of a vote in the name of<br>he minimum amounts,

or to have committed a corrupt<br>he qualifications of candidates for election;

by fraud, intentional<br>any voter to give or to re-

y, by himself or by any other<br>ind of a vote in the name of<br>he minimum amounts,

or to have committed a corrupt<br>he qualifications of candidates for election;

or threat of injury, or by fraud, intentional
by which the court may determine, or by fraud, intentional
by which the court may determine, or threat of injury, or by fraud, intentional
by which the court may determine, or threat of injury, or by fraud, intentional
by which the court may determine, or threat of injury, or

or threat of injury, or by fraud, intentional
by which the court may determine, or threat of injury, or by fraud, intentional
by which the court may determine, or threat of injury, or by fraud, intentional
by which the court may determine, or threat of injury, or thre
(g) acquiring, maintaining, changing and regulating places for the disposal of the dead;

(h) constructing, altering and maintaining public streets, culverts, markets, slaughter-houses, latrines, privies, urinals, drains, drainage works and sewerage works;

(i) planting and maintaining trees on road sides and other public places;

(j) providing a sufficient supply of pure and wholesome water where the health of the inhabitants is endangered by the insufficiency or unwholesomeness of the existing supply, guarding from pollution water used for human consumption, and preventing polluted water from being so used;

(k) registering births and deaths;

(l) establishing and maintaining a system of public vaccination;

(m) establishing, maintaining or supporting public hospitals and dispensaries and providing public medical relief;

(n) establishing and maintaining primary schools;

(o) rendering assistance in extinguishing fires and protecting life and property when fires occur;

(p) maintaining and developing the value of property vested in or entrusted to the management of the Committee;

(q) preparing such returns, statements and reports as the Chief Commissioner may require the Committee to submit; and

(r) fulfilling any obligation imposed upon it by law:

Provided that no provision for the purpose described in clause (n) shall be considered reasonable unless it involves an expenditure of at least five per centum of the normal income of the Committee after deduction therefrom of the income from special services.

45. (1) A Committee may make provision within the municipality for—

(a) laying out, in areas whether previously built upon or not, new public streets and acquiring land for that purpose
Municipalities. [Reg. 75.

(a) changing and regulating the disposal of the dead;

(b) maintaining public streets, slaughter-houses, latrines, privy drains, works and sewers;

trees on road sides and other

ply of pure and wholesome air of the inhabitants is efficiency or unwholesomeness, guarding from pollution consumption, and preventing being so used;

ings a system of public

or supporting public hos-

ging primary schools;

quenching fires and pre-

when fires occur;

the value of property the management of the

ents and reports as the
quire the Committee to

ded upon it by law;

purpose described in
nable unless it involves
of the normal income rem of the income

 provision within the

viously built upon or
quiring land for that

Ajmer-Merwara Municipalities.

purpose and for the construction of buildings and their compounds to abut on such streets;

(b) constructing, establishing or maintaining public parks, gardens, libraries, museums, mental hospitals, halls, offices, dharamshalas, rest-houses, encamping grounds, poor-houses, dairies, baths, bathing ghats, washing places, drinking fountains, tanks, wells, dams and other works of public utility;

(c) reclaiming unhealthy localities;

(d) furthering educational objects by measures other than the establishment and maintenance of primary schools;

(e) taking a census and granting rewards for information which may tend to secure the correct registration of vital statistics;

(f) making a survey;

(g) making arrangements for the confinement or destruction of stray dogs;

(h) securing or assisting to secure suitable places for the carrying on of any dangerous or offensive trade or manufacture;

(i) establishing and maintaining a farm or factory for the disposal of sewage;

(j) constructing, subsidizing or guaranteeing tramways, rail roads or other means of locomotion and electric lighting or electric power works;

(k) holding fairs and exhibitions; and

(l) adopting any measure, other than a measure specified in section 44 or in this sub-section, likely to promote the public safety, health or convenience.

(2) A Committee may make provision for the extension beyond the limits of the municipality of the benefits of any municipal undertaking:

Provided that no provision shall be made for the extension of the benefits of a municipal undertaking for the supply of water to any local area which comprises or contains the whole or a portion of a cantonment without the previous sanction of the Governor General in Council.

(3) A
Ajmer-Merwara Municipalities.

(3) A Committee may also make provision within the limits of the municipality for the doing of anything whereon expenditure is declared by the Chief Commissioner, or by the Committee with the sanction of the Chief Commissioner, to be an appropriate charge on the municipal fund.

46. (1) A Committee may, subject to the provisions of section 59, by bye-laws empower a sub-committee, or the Executive Officer, or the Chairman or a Vice-Chairman, or any member, to exercise and perform, subject to such conditions, restrictions and limitations as may be imposed on the Committee by or under this Regulation, all or any of the powers and duties conferred or imposed on the Committee by any of the following provisions, namely:

Sections 23, 86, 102, 103, 106, 110, 112, 144 and 145; clauses (b) and (c) of section 147; sections 152 to 157; sections 159 and 162; sub-section (I) of section 169; section 173; clause (a) of section 175; sections 176, 179, 182 and 196; and sections 202 to 211.

(2) Bye-laws made under sub-section (I) may, and in the case of powers and duties conferred or imposed upon the Executive Officer shall, provide that any orders passed in the exercise of the powers or performance of the duties so delegated shall, within such time as may be therein prescribed, be subject to appeal to, or revision by, the Committee.

The Chairman and Vice-Chairmen.

47. It shall be the duty of the Chairman of a Committee—

(a) unless prevented by reasonable cause, to convene and preside at all meetings of the Committee, and to control, in accordance with all bye-laws made in this behalf, the transaction of business thereat;

(b) to watch over the financial, and superintend the executive, administration of the Committee and to bring to the notice of the Committee any defect therein coming to his knowledge;

(c) to perform such other duties as are required of or may be imposed upon him by or under this Regulation.

48. (1) It shall be the duty of the senior Vice-Chairman present—

(a) to perform, during the temporary absence of the Chairman or during a vacancy in the office of Chairman,
make provision within its territory for the doing of all or any business at least once in every month at such time as may be imposed upon him by or under this Regulation.

(2) A Vice-Chairman performing the duties of the Chairman in the circumstances stated in clause (a) of sub-section (1) shall have all the powers conferred on the Chairman by or under this Regulation.

Emergency Powers.

49. (1) In cases of emergency, the Executive Officer, or, if there is no Executive Officer, the Chairman of a Committee may direct the execution of any work or the doing of any act which the Committee is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the preservation of valuable property or for the safety of the public, and may direct that the expense of executing such work or doing such act shall be paid from the municipal fund:

Provided that every direction given under this section shall be reported to the Committee at its next meeting.

(2) The Executive Officer or Chairman shall not act under this section in contravention of any express order of the Committee.

(3) The Executive Officer or, if there is no Executive Officer, the Chairman may prohibit, until the matter has been considered by the Committee, the doing of any act which is in his opinion undesirable in the public interests, provided that the act is one which the Committee has power to prohibit.

(4) No direction given under this section shall be questioned in any Court on the ground that the case was not one of emergency.

CHAPTER VI.

TRANSACTION OF MUNICIPAL BUSINESS.

Meetings.

50. (1) Every Committee shall meet for the transaction of business at least once in every month at such time as may be fixed by the bye-laws.

(2) The
51. (I) Every meeting of a Committee shall be either ordinary or special.

(2) Any business may be transacted at an ordinary meeting unless required by this Regulation or the rules to be transacted at a special meeting.

52. (I) The quorum necessary for the transaction of business at a special meeting of a Committee shall be one-half of the number of members actually serving at the time, but shall not be less than three.

(2) The quorum necessary for the transaction of business at an ordinary meeting of a Committee shall be one-third of the number of members of the Committee serving at the time, but shall not be less than three:

Provided that, if at any ordinary or special meeting a quorum is not present, the Chairman shall adjourn the meeting to such other day as he may think fit, and the business which would have been brought before the original meeting if there had been a quorum present shall be brought before, and transacted at, the adjourned meeting whether there be a quorum present thereat or not.

53. At every meeting of a Committee the Chairman, if present, shall preside. If the Chairman is not present, his place shall be taken by the senior Vice-Chairman, who is present. If there be no Chairman or Vice-Chairman present, such one of their members as the members present may elect shall preside as Chairman.

54. Save as otherwise provided by this Regulation or any rule, all questions which come before any meeting of a Committee shall be decided by a majority of the votes of the members present, the Chairman of the meeting, in case of an equality of votes, having a second or casting vote.

55. Any meeting of a Committee may, with the consent of a majority of the members present thereat, be adjourned from time to time, but no business shall be discussed at the adjourned meeting other than that left undisposed of at the meeting at which the adjournment took place.

56. No
56. No resolution of a Committee shall be modified or cancelled within six months after the passing thereof—

(a) unless previous notice has been given to the members setting forth fully the resolution it is proposed to modify or cancel and the motion or proposition for its modification or cancellation;

(b) otherwise than by a resolution supported by not less than one-half of the total number of members serving at the time.

57. (1) Minutes of the proceedings at each meeting of a Committee shall be drawn up and recorded in a book to be kept for the transaction of business at the time, but shall not be open to inspection without the authority of the Committee, or the Chief Commissioner, or the person presiding at the meeting. A copy of every resolution passed at any meeting of a Committee shall, within ten days from the date of the meeting, be forwarded to the Commissioner.

(2) A Committee may make bye-laws consistent with this Regulation and with the rules to provide for all or any of the following matters, namely:

(a) the time and place of its meetings;

(b) the manner in which notice of ordinary and special meetings and adjourned meetings shall be given;

(c) the conduct of proceedings at meetings and the adjournment of meetings;

(d) the custody of the common seal and the purposes for which it shall be used;

(e) the procedure of sub-committees appointed under section 17, the filling of casual vacancies therein, the number necessary to form a quorum at meetings thereof, and other matters relating to such sub-committees;

(f) the persons by whom receipts may be granted on behalf of the Committee for money received under this Regulation;

(g) the appointment, duties, executive powers, leave, suspension and removal of its officers and servants;

(h) the right of the Executive Officer to address the Committee or join in its discussions;

(i) all other similar matters.
Ajmer-Merwara Municipalities.

Contracts and Conveyances.

59. (1) A Committee may, subject to the provisions of this Regulation, delegate to one or more of its members the power of entering on its behalf into any particular contract whereof the value or amount does not exceed two hundred rupees, or into any class of such contracts.

(2) No contract by or on behalf of a Committee whereof the value or amount exceeds two hundred rupees shall be entered into until it has been sanctioned at a meeting of the Committee.

60. (1) Every contract made by or on behalf of a Committee whereof the value or amount exceeds one hundred rupees shall be in writing, and shall be signed by two members, of whom the Chairman or a Vice-Chairman shall be one, and countersigned by the Secretary or Executive Officer:

Provided that, when the power of entering into any contract on behalf of the Committee has been delegated under section 59, the signature or signatures of the member or members to whom the power has been delegated shall be sufficient.

(2) Every transfer of immovable property belonging to a Committee other than a lease for a term not exceeding one year shall be made by an instrument in writing, executed by the Chairman or a Vice-Chairman, and by at least two other members of the Committee, whose execution thereof shall be attested by the Secretary or Executive Officer.

(3) No contract or transfer executed otherwise than in conformity with the provisions of this section shall be binding on a Committee.

The Budget.

61. (1) Every Committee shall have prepared, and laid before it, at a meeting to be held in every year before such date as is fixed by rule in this behalf, a complete account of the actual and expected receipts and expenditure for the year ending on the thirty-first day of March next following such date, together with a budget estimate of the income and expenditure of the Committee for the year commencing on the first day of April next following.

(2) The Committee shall at such meeting decide upon the appropriations and the ways and means contained in the budget estimate and, by special resolution, sanction a budget, which shall be submitted to the Chief Commissioner through the Commissioner for information.

(3) The
(3) The Committee may vary or alter from time to time as circumstances may render desirable, by special resolution, the budget sanctioned under sub-section (2).

62. As soon as may be after the first day of October, a Revised budget for the year shall be framed and such revised budget shall, so far as may be, be subject to all the provisions applicable to a budget made under section 61.

63. In framing a budget the Committee shall provide for the maintenance of such minimum closing balance (if any) as the Chief Commissioner may, by order in writing, prescribe.

64. Where, in the opinion of the Chief Commissioner, the condition of indebtedness of a Committee is such as to make the control of Government over its budget desirable, or such control is, in the case of a municipality to which the system of election is not applied, desirable for any other reason, the Chief Commissioner may, notwithstanding anything hereinbefore contained, by order in writing, direct that the budget of the Committee shall be subject to the sanction of the Commissioner, and that the Committee shall be subject to such conditions as the Chief Commissioner may impose by the order.

65. (1) Where a budget has been passed, the Committee shall not incur any expenditure under any of the heads of the budget, other than a head providing for the refund of taxes, in excess of the amount passed under that head, without making provision for such excess by the variation or alteration of the budget.

(2) Where any expenditure under any head providing for the refund of taxes is incurred in excess of the amount passed under that head, provision shall be made without delay for such expenditure by the variation or alteration of the budget.

CHAPTER VII.

MUNICIPAL FUND AND PROPERTY.

The Municipal Fund.

66. (1) There shall be formed for each municipality a Municipal fund, and there shall be placed to the credit thereof—

(a) all sums received by, or on behalf of, the Committee under this Regulation or otherwise;

(b) all...
(b) all fines and other sums recovered from persons convicted of offences committed within the municipality under this Regulation or any rule or bye-law or under section 34 of the Police Act, 1861, or under the Prevention of Cruelty to Animals Act, 1890, or under the Hackney Carriage Act, 1879, or any rule made thereunder or under any other Act, or rule made thereunder, in which provision is made for the credit of such sums to the municipal fund;

(c) the balance (if any) standing at the credit of the municipal fund of the municipality at the commencement of this Regulation.

(2) Nothing in sub-section (1) shall affect any obligations of a Committee arising from a trust legally imposed upon or accepted by it.

67. (1) Every Committee shall set apart and apply out of the municipal fund,—

(a) first, such sum as may be required for the fulfilment of any liabilities or obligations arising from trusts legally imposed upon, or accepted by, the Committee;

(b) secondly, such sum as may be required for the payment of any amounts falling due on any loan legally contracted by it or by the Municipal Committee which it succeeded;

(c) thirdly, such sum as may be required to meet the charges of the municipal establishment, including such subscriptions and contributions as are referred to in sections 24 and 25;

(d) fourthly, such sum as may be required to pay the expenses of pauper lunatics sent to public asylums or mental hospitals from the municipality which ought, in the opinion of the Chief Commissioner, to be paid by the Committee, the expenses incurred in auditing the accounts of the Committee, and such portion of the cost of any public expenditure by the Governor General in Council or the Chief Commissioner as may be held by the Chief Commissioner to be equitably payable by the Committee in return for services rendered to it.

(2) Subject
Municipalities. [Reg. 71]

(1) Subject to the charges specified in sub-section (1) and to such rules as may be made with respect to the priority to be given to the several duties of the Committee, the municipal fund shall be applicable to the payment of expenses incurred for the purposes of any object which is to be or may be undertaken by the Committee under section 44 or section 45.

(2) Subject to the charges specified in sub-section (1) and to such rules as may be made with respect to the priority to be given to the several duties of the Committee, the municipal fund shall be applicable to the payment of expenses incurred for the purposes of any object which is to be or may be undertaken by the Committee under section 44 or section 45.

88. (1) In places where there is a Government treasury or sub-treasury or a bank to which the Government treasury business has been made over, the municipal fund shall be kept in such treasury, sub-treasury or bank.

(2) In places where there is no such treasury, sub-treasury or bank, the municipal fund may be deposited with any banker, or person acting as a banker, who has given such security for the safe custody and repayment on demand of the fund so deposited as the Chief Commissioner may in each case determine.

69. (1) A Committee may, with the previous sanction of the Chief Commissioner, deposit a portion of the municipal fund in a savings bank, or invest it in any security specified in section 20 of the Indian Trusts Act, 1882, or in such other manner as the Chief Commissioner may approve in this behalf.

(2) The income resulting from such deposits or securities and the proceeds of the sale of such securities shall be credited to the municipal fund.

Municipal Property.

70. (1) Subject to any special reservation made or to any special conditions imposed by the Chief Commissioner, all property of the nature hereinafter in this section specified and situated within, or, where expressly so provided, beyond any municipality, shall vest in and be under the control of the Committee, and with all other property which has already vested or may hereafter vest in the Committee, shall be held and applied by it for the purposes of this Regulation, that is to say:

(a) all public town-walls, gates, markets, slaughter-houses, manure and night-soil depôts, and public works and public buildings of every description (whether within or beyond the municipality) which have been constructed or are maintained out of the municipal fund;

(b) all
(b) all public streams, springs and works (whether within or beyond the municipality) for the supply, storage or distribution of water for public purposes within the municipality, and all bridges, buildings, engines, materials and things connected therewith or appertaining thereto, and any adjacent land (not being private property) appertaining to any public tank or well;

(c) all public sewers and drains, and all sewers, drains, culverts and water-courses in, alongside, or under any street, and all works, materials and things appertaining thereto;

(d) all dust, dirt, dung, ashes, refuse, animal-matter or filth or rubbish of any kind or dead bodies of animals, collected by the Committee from the streets, houses, privies, sewers, cesspools or elsewhere or deposited in places fixed by the Committee under this Regulation;

(e) all public lamps, lamp-posts and apparatus connected therewith or appertaining thereto;

(f) all land or other property, within or beyond the municipality, transferred to the Committee by the Government or acquired by gift, purchase, or otherwise for local public purposes;

(g) all public streets, not being open spaces or lands owned by Government, and the pavements, stones and other materials thereof, and also all trees, erections, materials, implements and things provided for such streets.

(2) Where any immovable property is transferred otherwise than by sale by the Government to a Committee for public purposes, it shall be deemed to be a condition of such transfer, unless specially provided to the contrary, that should the property be at any time resumed by the Government, the compensation payable therefor shall, notwithstanding anything to the contrary in the Land Acquisition Act, 1894, in no case exceed the amount, if any, paid to the Government for the transfer, together with the cost or the present value, whichever shall be less, of any buildings erected or other works executed on the land by the Committee.
171. (1) The management, control and administration of every public institution maintained out of a municipal fund shall vest in the Committee.

(2) When any public institution has been placed under the direction, management and control of a Committee, all property, endowments and funds belonging thereto shall be held by the Committee in trust for the purposes to which such property, endowments and funds were lawfully applicable at the time when the institution was so placed;

Provided that the extent of the independent authority of the Committee in respect of any such institution may be defined by the Chief Commissioner:

Provided also that nothing in this section shall be held to prevent the vesting of any trust property in the Treasurer of Charitable Endowments under the Charitable Endowments Act, 1890.

72. When any land, whether within or without the limits of a municipality, is required for the purposes of this Regulation, the Chief Commissioner may, at the request of the Committee, proceed to acquire it under the provisions of the Land Acquisition Act, 1894; and, on payment by the Committee of the compensation awarded under that Act, and of any other charges incurred in acquiring the land, the land shall vest in the Committee.

Explanation.—When any land is required for a new street or for the improvement of an existing street, the Committee may proceed to acquire, in addition to the land to be occupied by the street, the land necessary for the sites of the buildings to be erected on both sides of the street, and such land shall be deemed to be required for the purposes of this Regulation.

73. (1) A Committee may, subject to rules made in this behalf, transfer by sale, mortgage, lease, gift, exchange or otherwise any property vested in it, not being property held by it on any trust the terms of which are inconsistent with the right so to transfer.

(2) Notwithstanding anything contained in sub-section (1), the Committee may, with the sanction of the Chief Commissioner, transfer to His Majesty any property vesting in the Committee under section 70 or section 71, but not so as to affect any trust or public rights subject to which the property is held.

74. Nothing
Ajmer-Merwara Municipalities. [Reg.

74. Nothing in this Regulation shall affect the Local Authorities Loans Act, 1914.

CHAPTER VIII.

TAXATION.

Annual Value.

75. For the purposes of this Chapter, "annual value" means—

(a) in the case of land, the gross annual rent at which it may reasonably be expected to let from year to year:

Provided that, in the case of land assessed to land-revenue or of which the land-revenue has been wholly or in part released, compounded for, redeemed or assigned, the Chief Commissioner may direct that the annual value shall be deemed to be double the amount of the land-revenue for the time being assessed on the land, whether such assessment is leviable or not, or, when the land-revenue has been wholly or in part compounded for or redeemed, double the amount which, but for such composition or redemption, would have been leviable;

(b) in the case of any house or building, the gross annual rent at which such house or building, together with its appurtenances and any furniture that may be let for use or enjoyment therewith, may reasonably be expected to let from year to year, subject to the following deductions:—

(i) such deduction not exceeding one-fifth of the gross annual rent as the Committee of the municipality in which the assessment is made may consider reasonable allowance on account of the furniture let with the house or building;

(ii) a deduction of one-tenth for the cost of repairs and for all other expenses necessary to maintain the building in a state to command such gross annual rent, such deduction being calculated on the balance of the gross annual rent
rent after the deduction (if any) under sub-clause (i);

(iii) where land is let with a building, such deduction, not exceeding one-fifth of the gross annual rent, as the Committee may consider reasonable on account of the actual expenditure, if any, annually incurred by the owner on the upkeep of the land in a state to command such gross annual rent;

(c) in the case of any house or building the gross annual rent of which cannot be determined under clause (b), one-twentieth of the sum obtained by adding the estimated present cost of erecting the building, less such amount as the Committee may deem reasonable to be deducted on account of depreciation (if any), to the estimated market value of the site and any land appertaining to the house or building:

Provided that—

(i) in the calculation of the annual value of any premises no account shall be taken of any machinery thereon;

(ii) where, in the opinion of the Committee, the annual value of any building would, by reason of exceptional circumstances, be excessive, if calculated in accordance with the foregoing provisions of this section, the Committee may fix the annual value at such less amount as appears to it equitable.

Explanation I.—For the purposes of clause (b) it is immaterial whether the house or building, and the furniture and the land let for use or enjoyment therewith, are let by the same contract or by different contracts and, if by different contracts, whether such contracts are made simultaneously or at different times.

Explanation II.—The expression "gross annual rent" does not include any tax payable by the owner in respect of which the owner and tenant have agreed that it shall be paid by the tenant.

Imposition of Taxes.

76. Subject to any general or special orders of the Governor General in Council and to any rules made in this behalf, a Committee...
Committee may, for the purposes of, and in the manner directed by, this Regulation, impose in the whole or any part of the municipality any of the following taxes, namely:—

(a) A tax, payable by the owner, on buildings or lands, or both—

(i) not exceeding one-tenth of the annual value, or

(ii) not exceeding one anna per square yard of the ground area, or

(iii) not exceeding rupees three per running foot of frontage in streets and bazars:

Provided that, in the case of lands or buildings occupied by tenants in perpetuity, the tax shall be payable by such tenants.

(b) A tax on persons practising any profession or art or carrying on any trade or calling in the municipality.

(c) A tax, payable by the owner, on all or any vehicles, or animals used for riding, driving, draught or burden, or dogs, when the vehicles, animals and dogs, are kept within the municipality.

(d) A tax of the nature of a toll on vehicles and animals used as aforesaid entering the municipality:

Provided that—

(I) no such tax shall be levied in respect of any animal or vehicle for which a tax is paid under clause (c);

(2) any owner of such animal or vehicle may compound for the tax by paying the corresponding tax under clause (c) if such tax is in force in the municipality.

(e) A tax, payable by the employer, on menial domestic servants.

(f) An octroi on animals or goods, or both, brought within the octroi limits for use or consumption therein.

(g) A tax payable by the occupier of any building in respect of which the Committee has, in exercise of any power conferred by this Regulation, undertaken the house-scavenging.

(h) For the purpose of constructing or maintaining works for the supply of water to the municipality or paying the principal or interest, or both principal and interest,
poses of, and in the manner direct
pose in the whole or any part of
following taxes, namely:—
he owner, on buildings or lands, or
one-tenth of the annual value, or
rupees three per running foot of
of lands or buildings occupied by
shall be payable by such tenants,
classing any profession or art or
owner, on all or any vehicles,
cing any profession or art or
owner, on all or any vehicles,
proposed for such purposes.
(a) A terminal tax on animals or goods, or both, imported
(b) Any other tax:
Provided that the total net proceeds of the tax, together
with the estimated income for water supplied from the works
to privately-owned premises, shall not exceed the amount
required for such purposes.

77. (1) Every Committee shall, before imposing any tax, observe the procedure prescribed in this section.

(2) The Committee shall, by resolution passed at a special
meeting, frame proposals specifying the following particulars:
(a) the nature of the tax (having regard to the provisions
of section 76);
(b) the persons or class of persons on whom, and the
description of property or other taxable thing or
circumstance in respect of which, the tax is to be
levied;
(c) the amount or rate of the tax;
(d) any other matter which may be prescribed by rule in
this behalf;
and shall publish the proposals in such manner as may be
prescribed by rule in that behalf, together with a notice inviting
objections thereto.

(3) The Committee shall, at a special meeting, take into
consideration any objection to the proposals submitted, within
thirty
Ajmer-Merwara Municipalities. [REG. V]

thirty days of the publication of the said notice, by any inhabit-
ant of the municipality.

(4) If any material alteration is made in the proposals, the
modified proposals shall be published and further objections
considered in the manner prescribed in sub-section (2) and
(3).

(5) If no objections are received within the time prescribed,
or if all objections so received, after having been duly con-
sidered, are held insufficient, the Committee may confirm the
resolution proposing the tax, and shall thereupon forward a
copy thereof to the Chief Commissioner for publication in the
official Gazette:

Provided that, in the case of any tax to which the previous
sanction of the Governor General in Council is required under
section 76, or in any other case in which the Commissioner, by
reason of the indebtedness of the Committee or the absence of
elected members thereon, by order in writing so directs, the
resolution shall, instead of being confirmed, be communicated
to the Chief Commissioner.

(6) When a resolution proposing a tax to which the pre-
vious sanction of the Governor General in Council is required
is communicated to the Chief Commissioner under sub-section
(5), he shall forward the proposals to the Governor General in
Council, together with his own opinion thereon; in the case of
any other proposals communicated to him under the proviso
to that sub-section before confirmation he may sanction or
refuse to sanction the same or may return them to the Com-
mittee for further consideration.

(7) Where a resolution has after confirmation been for-
warded to, or any proposals have been sanctioned by, the Chief
Commissioner under sub-section (6), or where any proposals
forwarded to the Governor General in Council have been
sanctioned by him, the Chief Commissioner shall notify the
same in the official Gazette, together with any rules which he
may make under section 247 in respect of the tax.

(8) The notification issued under sub-section (7) shall
specify a date not less than three months from the date of
publication thereof on which the tax shall, and before which
it may not, come into force:

Provided that a tax leviable by the year shall come into
force on the first day of January or on the first day of April,
or on the first day of July or on the first day of October in
any
any year, and if it comes into force on any day other than the first day of the year for which it is leviable, shall be leviable by the quarter till the first day of such year next ensuing.

(9) The procedure prescribed in the preceding sub-sections shall apply to any proposals to increase the amount or rate, or extend the effect, of any tax.

(10) A notification under sub-section (7) of the imposition of a tax under this Regulation shall be conclusive evidence that the tax has been imposed in accordance with the provisions of this Regulation.

78. Notwithstanding anything contained in section 76, if at any time it appears to the Chief Commissioner, on complaint made, that any tax imposed under this Chapter is unfair in its incidence or that the levy thereof or of any part thereof is injurious to the interests of the general public, he may require the Committee to take within a specified period measures to remove the objection; and, if within that period, the requirement is not complied with to the satisfaction of the Chief Commissioner, he may by notification suspend the levy of the tax or of such part thereof, as the case may be, until the objection has been removed.

Property Taxes.

79. Every Committee shall cause an assessment list of all buildings and lands on which any tax is imposed to be prepared, containing—

(a) the name of the street or mahalla in which the property is situated;

(b) a description of the property sufficient for the identification thereof;

(c) the names of the owner and occupier, if known;

(d) the annual value and the particulars on which the annual value is based; and

(e) the amount of the tax assessed thereon by the Committee.

80. When the assessment list has been completed, the Committee shall give public notice thereof, and of the place where the list or a copy thereof may be inspected; and every person claiming to be either the owner or the occupier of property included in the list, and any authorised agent of such person, shall
shall be at liberty to inspect the list and to make extracts therefrom without charge.

81. (1) The Committee shall, at the time of the publication of the assessment list, give public notice of a time, not less than one month thereafter, when it will proceed to revise the valuation and assessment; and in all cases in which any moveable property is for the first time assessed, or the assessment thereof is increased, it shall also give notice thereof to the owner or occupier of the property.

(2) Every objection to a valuation or assessment shall be in writing setting forth the grounds on which the valuation or assessment is disputed, and shall be left at the office of the Committee before the time fixed in the notice.

(3) The Committee, or such sub-committee or officer of the Committee or of the Government as it may by special resolution appoint in this behalf, shall consider every objection duly made and shall, after giving the objector an opportunity of being heard, either in person or by duly authorised agent, in support thereof, dispose of it and make such consequential amendment (if any) as is necessary in the assessment list.

82. (1) When the Committee, or the sub-committee or officer appointed in that behalf under sub-section (3) of section 81, has disposed of the objections and made the necessary amendments in the assessment list in the manner prescribed in that sub-section, the Chairman, or two members of the sub-committee, or the officer aforesaid, as the case may be, shall authenticate it and at the same time certify that no valid objection has been made to the valuation and assessment contained in the list, except in the cases in which amendments have been entered therein; and, subject to such amendments as may thereafter be duly made, the tax so assessed shall be deemed to be the tax for the year commencing on the first day of January or first day of April next ensuing as the Committee may determine, and, in the case of a tax imposed for the first time, for the period between the date on which the tax comes into force and such first day of January or April, as the case may be.

(2) The list when so authenticated shall be deposited in the office of the Committee, and shall there be open during office hours to all owners or occupiers of property comprised therein or the authorised agents of such persons, and a public notice that it is so open shall forthwith be published.

83. (1) The
83. [(1) The Committee may, after giving notice to any person affected by the amendment of a time, not less than one month from the date of service, at which the amendment is to be made, at any time amend the list by inserting the name of any person whose name ought to have been or ought to be inserted, or by inserting any property which ought to have been or ought to be inserted, or by altering the assessment on any property which has been erroneously valued or assessed through fraud, accident or mistake, whether on the part of the Committee or of the assessee, or, where, in the case of a tax payable by the occupier, a change in the tenancy has taken place, by altering the name of the occupier.

(2) Any person interested in any such amendment may tender an objection to the Committee in writing before the time fixed in the notice, and shall be allowed an opportunity of being heard in support of the same in person, or by authorised agent, as he may think fit.

84. It shall be in the discretion of the Committee to prepare a new assessment list every year, or to adopt the valuation and assessment contained in the list for any year, with such alterations as may in particular cases be deemed necessary, as the valuation and assessment for the year following, giving to persons affected by such alterations the same notice of the valuation and assessment as if a new assessment list had been prepared.

85. [(1) Whenever the title to or over any building or land of any person primarily liable for the payment of property taxes on such property is transferred, the transferor shall, within three months of the registration of the deed of transfer if it is registered, or if it is not registered, within three months of its execution, or if no instrument is executed, within three months of the actual transfer, give notice in writing of such transfer to the Committee.

(2) Every person primarily liable for the payment of a tax on any immovable property who transfers his title to or over such property without giving notice of such transfer to the Committee as aforesaid, shall, in addition to any other liability which he incurs through such neglect, continue liable for the payment of all such taxes from time to time payable in respect of the said property until he gives such notice, or until the transfer shall have been recorded in the Committee's books.

(3) Nothing in this section shall be held to diminish the liability of the transferee for the said taxes or to affect the prior claims.
Ajmir-Merwara Municipalities. [Reg. vii.

claim of the Committee for the recovery of the taxes due on any immovable property.

86. (1) When any property assessed to a tax under clause (a) or clause (g) of section 76, which is payable by the year or by instalments, has remained unoccupied and unproductive of rent throughout the year or the period in respect of which any instalment is payable, the Committee shall remit the amount of the tax or of the instalment, as the case may be:

Provided that no such remission shall be granted unless notice in writing of the circumstances under which it is claimed has been given to the Committee within the first month after the expiry of the period in respect of which it is so claimed.

(2) When any such property as aforesaid—

(a) has not been occupied or productive of rent for any period of not less than sixty consecutive days, or

(b) consists of separate tenements, one or more of which has or have not been occupied or productive of rent for any such period as aforesaid, or

(c) is wholly or in greater part demolished or destroyed by fire or otherwise,

the Committee may remit such portion (if any) of the tax or instalment as it may think equitable.

(3) The burden of proving the facts entitling any person to claim relief under this section shall lie upon him.

(4) For the purposes of this section neither the presence of a caretaker nor the mere retention in an otherwise unoccupied dwelling-house of the furniture habitually used in it shall constitute occupation of the house.

(5) For the purposes of this section a house shall be deemed to be productive of rent if let to a tenant who has a continuing right of occupation thereof, whether it is actually occupied by such tenant or not.

87. (1) When any sum is due on account of a tax payable under this Regulation in respect of any immovable property by the owner thereof, the Committee shall cause a bill for the amount, stating the property and the period for which the charge is made, to be delivered to the person liable to pay the same.

(2) If the bill is not paid within ten days from the delivery thereof, the Committee may cause a notice of demand to be
of the taxes due on any
sessed to a tax under clause
is payable by the year or
upied and unproductive of
in respect of which any
shall remit the amount of
may be:
shall be granted unless
under which it is claimed
the first month after
it is so claimed.
productive of rent for any
or more of which has
or productive of rent for
olished or destroyed by
of the tax or
entitling any person to
upon him.
neither the presence of
otherwise unoccupied
ly used in it shall
a house shall be deemed
who has a continuing
is actually occupied by
ount of a tax payable
moveable property
all cause a bill for the
period for which the
person liable to pay the
days from the delivery
notice of demand to be

1925.] Ajmer-Merwara Municipalities.

served on the person liable to pay the same and, if he does not,
within seven days from the service of the notice, pay the sum
due, with any fee leviable for the notice, or show sufficient
cause for non-payment, the sum due, with the fee, shall be
deemed to be an arrear of tax.

(3) The amount of every such arrear shall, subject to any
claim on behalf of the Government, be a first charge on the
property in respect of which it is payable, and shall, besides
being recoverable in any other manner provided by this Regu-
lation, be recoverable, on application made in this behalf by
the Committee to the Collector, as if the property were an
estate assessed to land-revenue and the arrear were an arrear
of such revenue due thereon:

Provided that nothing in this sub-section shall authorise
the arrest of a defaulter.

(4) If any tax or sum leviable under this Regulation from
the owner is recovered from the occupier, such occupier shall,
in the absence of any contract to the contrary, be entitled
to recover the same from the owner and may deduct the same
from the rent then or thereafter due by him to the owner.

Octroi and Terminal Tax.

88. Every person bringing or receiving within the octroi
or terminal tax limits of a municipality any article on which
octroi or terminal tax is payable shall, when required by an
officer duly authorised by the Committee in this behalf, and
so far as may be necessary for ascertaining the amount of tax
chargeable,—

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

(b) communicate to that officer any information, and
exhibit to him any bill, invoice or document of a
like nature which he may possess relating to the
article.

89. (1) If any person bringing or receiving within the
octroi or terminal tax limits of a municipality a conveyance
or package on which octroi or terminal tax is or is believed to
be leviable, refuses, on the demand of an officer authorised by
the Committee in this behalf, to permit the officer to inspect,
weigh or otherwise examine the contents of the conveyance
or

whether it contains or terminal tax, it must officer any instructions or document relating to the articles community committee exhibits any such article which is false, with fine which the conveyance or may be taken without. Executive Officer cause the inspection

92. If a Committee, with the sanction of the Governor General in Council, has agreed with the cantonment authority of an adjoining cantonment that the same octroi or terminal tax limits shall be established for the municipality and the cantonment and that octroi or terminal tax collections and charges shall be divided between the municipal fund and the cantonment fund, the Committee may fix limits so as to include so much both of the municipality and of the cantonment as it thinks necessary, and shall have the same powers of collecting octroi or terminal tax on animals or goods brought within such limits, and the provisions of this Regulation relating to octroi or terminal tax shall apply in the same way, as if the said limits were wholly comprised in the municipality.

Applies against Taxation, etc.

93. (1) An appeal against the assessment or levy of, or against the refusal to refund, any tax under this Regulation shall lie to the Commissioner or to such other officer as may be empowered by the Chief Commissioner in this behalf.

(2) If, on the hearing of an appeal under this section, any question as to the liability to or the principle of assessment of a tax arises, on which the officer hearing the appeal entertains reasonable doubt, he may, either of his own motion or on the application of any person interested, draw up a statement of the facts of the case and the point on which doubt is entertained, and refer the statement with his own opinion on the point for the decision of the Chief Commissioner.

(3) On a reference being made under sub-section (2), the subsequent proceedings in the case shall be, as nearly as may be, in conformity with the rules relating to references to the High Court contained in section 113 and Order XLVI in the First Schedule to the Code of Civil Procedure, 1908.

(4) In every appeal the costs shall be in the discretion of the officer deciding the appeal.

(5) Costs awarded under this section to a Committee shall be recoverable by the Committee as though they were arrears of a tax due from the appellant.

(6) If a Committee fails to pay any costs awarded to an appellant within ten days after the date of the order for payment after the lapse of such shorter time as he may, having regard to the nature of the articles, think proper.
payment thereof, the officer awarding the costs may order a person having the custody of the balance of the municipal fund to pay the amount.

94. No appeal shall be entertained under section 93 unless the appellant has paid all other municipal taxes due from him to the Committee up to the date of such appeal, and unless it has been preferred—

(a) where it refers to a tax on any land or building, within one month of the publication of the notice prescribed by section 82 or section 84 or of the date of the final order under section 83, as the case may be;

(b) where it refers to any other tax, within one month of the date on which a demand was made therefor.

Provided that an appeal may be entertained after the expiry of the period referred to in clause (a) or clause (b), as the case may be, if the appellant satisfies the officer before whom the appeal is preferred that he had sufficient cause for not presenting the appeal within that period.

General Provisions as to Levy of Taxes.

95. No assessment and no charge or demand of any tax made under this Regulation shall be impeached or affected by reason of any mistake in the name, residence, place of business or occupation of any person liable to pay the tax, or in the description of any property or thing liable to the tax, or by any mistake in the amount of assessment or tax, or by reason of any clerical error or other defect of form; and it shall be enough in any such tax on property or 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.

96. (1) A Committee may exempt, in whole or in part, for any period not exceeding one year, from the payment of any tax, any person who by reason of poverty is, in its opinion, unable to pay the same, and may renew such exemption as often as may be necessary.

(2) A Committee, by a resolution passed at a special meeting, may—

(a) provide that all or any persons may be allowed to compound for any tax imposed under clause (f) of section 76; or

(b) subject
or any property or
description of property.

The Chief Commissioner may, by order in writing,
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.

97. (1) Every person shall, on the demand of an officer duly authorised by the Committee in this behalf, furnish such information as may be necessary in order to ascertain whether such person is liable to pay any municipal tax; and every hotel or lodging-house keeper or secretary of a residential club shall also, on demand made as aforesaid, furnish a list of all persons residing in such hotel, lodging-house or club.

(2) If any person so called upon to furnish such information omits to do so or furnishes information which is untrue, he shall be punishable with fine which may extend to one hundred rupees.

98. Subject to the provisions of sub-section (8) of section 77 and of sub-section (l) of section 82, any tax imposed under this Chapter and payable periodically shall be payable on such dates and in such instalments (if any) as the Committee may direct.

99. No objection shall be taken to any valuation or assessment, nor shall the liability of any person to be assessed or taxed be questioned in any other manner or by any other authority than is provided in this Regulation.

100. No refund of any tax shall be claimable by any person otherwise than in accordance with the provisions of this Regulation and the rules.

CHAPTER IX.

PUBLIC HEALTH AND SAFETY.

Water-Supply.

101. (1) In a municipality in which a water tax is levied under clause (h) of section 76, the Committee shall, and in any
any other case a Committee may, provide a supply of drinking water within the municipality; and shall cause such tanks, reservoirs, engines, pipes, taps and other works as may be necessary for the said purpose to be constructed and maintained, whether within or without the municipality; and also erect sufficient standpipes or other conveniences for the conscientious supply of water to the public.

(2) The Committee shall, as far as possible, make adequate provision to ensure that such supply is continuous throughout the year, and that the water is at all times pure and fit for human consumption.

102. (1) A Committee may, on application by the owner of any building, arrange for supplying water from the nearest main to the same for domestic purposes in such quantities as it thinks reasonable, and may, whenever it considers it necessary, limit the amount of water to be so supplied.

(2) If a water tax is levied on the building, no additional charge shall be payable in respect of such supply; but for water supplied in excess of the quantity to which such supply is under sub-section (1) limited, or, where no water tax is levied, for all the water supplied under sub-section (1), payment shall be made by the owner or occupier at such rate as may be prescribed by bye-law.

Explanation.—A supply of water for domestic purposes shall not be deemed to include a supply—

(a) for animals or for washing vehicles where such animals or vehicles are kept for sale or hire,

(b) for any trade, manufacture or business,

(c) for fountains, swimming baths, or for any ornamental or mechanical purpose,

(d) for gardens or for purposes of irrigation,

(e) for watering roads or paths,

(f) for building purposes.

103. (1) A Committee may supply water for any purpose other than a domestic purpose on receiving a written application specifying the purpose for which such supply is required and the quantity likely to be consumed.

(2) For all water supplied under sub-section (1), payment shall be made at the same rate as is prescribed under sub-section (2) of section 102.
Ajmer-Merwara Municipalities.

The Committee may withdraw such supply at any time if it should appear necessary to do so in order to maintain a sufficient supply of water for domestic purposes.

104. (1) Where an application under section 102 or section 103 has been received, all necessary communication-pipes and fittings shall be supplied by the Committee, and the work of laying and applying such communication-pipes and fittings shall be executed by municipal agency under the orders of the Committee; but the cost of making any such connection and of all communication-pipes and fittings so supplied and of all works so executed shall be paid by the owner or the person making such application. The Committee may, if it thinks fit, provide a meter and charge rent for the same, or may require the owner or applicant to provide a meter of such size, material and description as it may approve.

(2) Notwithstanding anything in sub-section (1), the Committee may require any owner or person applying for a supply of water to provide all communication-pipes and fittings and to carry out at his own cost under its supervision and inspection all the work of laying and applying such communication-pipes and fittings.

105. Any owner or occupier of any building or land, in or on which water supplied under this Regulation is misused from negligence or other circumstances under his control, or is used without permission in excess of the quantity fixed under section 102 or section 103, or in which the pipes, mains or other works are out of repair to such an extent as to cause waste of water, shall, if he has knowledge thereof, be bound to give notice of the same to such officer as the Committee may appoint in this behalf.

106. If any person whose premises are supplied with water neglects to pay the water-tax, or any sum payable under section 102 or section 103 when due, or to give notice as provided in section 105, or wilfully or negligently misuses or causes waste of water, the Committee may, after giving him such notice as it deems reasonable in the circumstances, cut off the supply of water from the said premises.

Protection from Fire.

107. For the prevention and extinction of fire, a Committee may establish and maintain a fire brigade, and may provide any implements, machinery or means of communicating...
ing intelligence which the Committee thinks necessary for the efficient discharge by the brigade of its duties.

108. (1) On the occasion of a fire in a municipality, any Magistrate, the Secretary or the Executive Officer or any member of the Committee, any member of a fire brigade maintained by the Committee then and there directing the operations of men belonging to the brigade, and, if directed so to do by a Magistrate, or the Secretary or the Executive Officer or a member of the Committee, any police-officer above the rank of constable, may——

(a) remove or order the removal of any person who by his presence interferes with or impedes the operations for extinguishing the fire or for saving life or property;

(b) close any street or passage in or near which any fire is burning;

(c) for the purpose of extinguishing the fire, break into or through or pull down any premises, or cause any premises to be broken into or through or to be pulled down or used for the passage of hoses or other appliances;

(d) cause mains and pipes to be shut off so as to give greater pressure of water in or near the place where the fire has occurred;

(e) call on the persons in charge of any fire-engine to render such assistance as may be possible; and

(f) generally, take such measures as may appear necessary for the preservation of life or property.

(2) When any Government building is endangered by such a fire, the officer of the Public Works Department for the time being in charge of the building may exercise the powers conferred on a Magistrate by sub-section (1).

(3) No person shall be liable to pay damages for any act done by him in good faith under this section.

(4) Any damage done in the exercise of a power conferred or a duty imposed by this section shall be deemed to be damage by fire within the meaning of any policy of insurance against fire.

(5) The powers conferred by this section shall be subject to any conditions or restrictions which may be imposed by rule.

109. (1) A person who by his acts or omissions, or by a neglect of duty, or by the culpable omission of any body of persons, any public officer, or any person exercising a public office, occasion a loss or sufferance of any bungalow or any part thereof, or of any building or house, or of any goods, choses or any appliances, or of any rights or privileges aforesaid, may——

(2) A playing municipal, and the daily cle.

Provided any factor.

(3) Any occupier or any privy by a sufficient passing by an alter, as a privy, l

110. (1) or occupi demolish, latrine, or to close

ing therein.

(2) A constructs urinal, or permission: provisions for cesspools or to be dem drain, pri such alter

111. A without it
Committee thinks necessary for the rigade of its duties.

of a fire in a municipality, any or the Executive Officer or any member of a fire brigade main- and there directing the opera- he brigade, and, if directed so to secretary or the Executive Officer ttee, any police-officer above the removal of any person who by his or impedes the operations of the fire or for saving life or passage in or near which any fire occurs, or to give water in or near the place where the fire was extinguished or broken into or through or to be used for the passage of hoses or water. to be shut off as to give water in or near the place where the fire occurred; of any fire-engine to be as may be possible; and means as may appear necessary for the safety of life or property.

building is endangered by the Works Department for the a fire, may exercise the powers of this section. exercise of a power conferred shall be deemed to be damage by policy of insurance against this section shall be subject which may be imposed by

109. (1) A Committee may, by notice, require the owner or occupier of any building or land in the municipality to provide, move, or remove any drain, privy, latrine, urinal, cesspool or other receptacle for filth or refuse, or provide any additional drains, privies, latrines, urinals, cesspools or other receptacles as aforesaid which should in its opinion be provided for the building or land, in such manner and of such pattern as the Committee may direct.

(2) A Committee may, by notice, require any person employing more than twenty workmen or labourers in the municipality to provide such latrines and urinals as it thinks fit, and to cause the same to be kept in proper order and to be daily cleansed:

Provided that nothing in this sub-section shall apply to any factory regulated by the Indian Factories Act, 1911.

(3) A Committee may, by notice, require the owner or occupier of any building or land in the municipality to have any privy, latrine or urinal 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 the Committee may direct, any door or trapdoor of a privy, latrine or urinal opening on to any street or drain.

110. (1) A Committee may, by notice, require the owner or occupier of any building or land in the municipality to demolish, repair, alter or put in good order any drain, privy, latrine, urinal, cesspool or receptacle for any filth or refuse, or to close any drain, privy, latrine, urinal or cesspool belonging thereto.

(2) A Committee may, by notice, require any person who constructs in the municipality any new drain, privy, latrine, urinal, cesspool or receptacle for filth or refuse without its permission in writing to demolish, repair, alter or put in good order any drain, privy, latrine, urinal, cesspool or receptacle for any filth or refuse, or to close any drain, privy, latrine, urinal or cesspool belonging thereto.

(3) A Committee may, by notice, require any person who constructs, rebuilds or opens any drain, privy, latrine, urinal, cesspool or receptacle for filth or refuse which it has ordered to be demolished or closed or not to be made, to demolish the drain, privy, latrine, urinal, cesspool or receptacle, or to make such alteration therein as it thinks fit.

111. A Committee may, by notice, require any person who, without its permission in writing, newly erects or rebuilds any building
building over any sewer, drain, culvert, water-course or water-pipe vested in the Committee to pull down or otherwise deal with the same as it may think fit.

112. (1) A Committee may, by notice, require the owner or occupier of any land on which any drain, privy, latrine, urinal, cesspool or other receptacle for filth or refuse for the time being exists within fifty feet of any spring, well, tank, reservoir or other source from which water is or may be derived for public use, to remove or close the same within one week from the service of such notice.

(2) Whoever, without the permission of the Committee, keeps or uses, as the case may be, for a longer time than one week after notice under this section any drain, privy, 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 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 compliance therewith.

113. Whoever, without the permission of the Committee, causes or knowingly or negligently allows the water of any sink, sewer or cesspool, or any other offensive matter, to flow, drain 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.

114. Whoever, without the permission of the Committee, makes or causes to be made, or alters or causes to be altered, any drain leading into any sewer or drain vested in a Committee, shall be punishable with fine which may extend to fifty rupees.

Laying and connecting Pipes, Sewers and the like.

115. A Committee may carry any cable, wire, pipe, drain, sewer or channel of any kind—

(a) for the purpose of establishing telephonic or other similar communication or of carrying out, establishing or maintaining any system of water supply, lighting, drainage or sewerage, through, across, under or over any road or street, or any place laid out or intended as a road or street, or after giving reasonable
reasonable notice in writing to the owner or occupier, into, through, across, under or over any land or building, or up the side of any building, situated within the municipality, or

(b) for the purpose of supplying water or of the introduction or distribution of outfall of water or for the removal or outfall of sewage, after giving reasonable notice in writing to the owner or occupier, into, through, across, under or over any land or building, or up the side of any building, situated outside the municipality;

and may at all times do all acts and things which may be necessary or expedient for repairing or maintaining any such cable, pipe, drain, sewer or channel, as the case may be, in an effective state for the purpose for which the same may be used or intended to be used:

Provided that no nuisance more than is necessarily caused by the proper execution of the work shall be created by any such operation:

Provided, further, that reasonable compensation shall be paid to the owner or occupier for any damage at the time sustained by him and directly occasioned by the carrying out of any such operation.

116. In the event of any cable, wire, pipe, drain, sewer or channel being laid or carried above the surface of any land or through, over or up the side of any building, such cable, wire, pipe, drain, sewer or channel, as the case may be, shall be so laid or carried as to interfere as little as possible with the rights of the owner or occupier to the due enjoyment of such land or building, and reasonable compensation shall be paid in respect of any substantial interference with any such right to such enjoyment.

117. The Committee shall cause not less than fourteen days' notice in writing to be given to the owner or occupier before commencing any operations such as are referred to in section 115, unless they are commenced, in the exercise of any power conferred by or under any provision of this Regulation by which a shorter period of notice is prescribed.

Private Connection with Mains, etc.

118. No person shall, without the permission of the Committee, at any time make, or cause to be made, any connection or

Connection with mains not to be made without permission of Committee.
or communication with any cable, wire, pipe, drain, sewer or
channel constructed or maintained by or vested in a Com-
mittee, for any purpose whatsoever.

119. In any municipality to which the provisions of this
section, may, by notification, be extended by the Chief Com-
missioner, the Committee may, at any time, establish any
connection or communication from any water main, drain or
sewer to any premises, or may by notice require the owner of
any such premises to establish any such connection or com-
munication, in such manner and within such time as the
Committee, by notice in that behalf, may prescribe, at the
cost of such owner or occupier.

120. A Committee may prescribe the size of the ferrules to
be used for the supply of water or of gas, and may establish
meters or other appliances for the purpose of testing the quan-
tity or quality of any water or gas or electricity supplied to the
premises of any person or to, or for the use of, any person or
business.

121. The ferrules, communication-pipes, connections,
meters, stand-pipes and all fittings thereon or connected ther-
with, leading from mains or service cables, wires, pipes, drains,
sewers or channels into any house or land, and the wires, pipes,
fitting and works inside any such house or within the limits of
any such land, shall in all cases be executed subject to the
inspection by, and to the satisfaction of, the Committee.

122. A Committee may fix the charges to be made for the
establishment by it or through its agency of communications
from and connections with mains or service cables, wires or
pipes for the supply of light and telephonic, gas, or for
meters or other appliances for testing the quantity or quality
thereof supplied, and may levy such charges accordingly.

**Disposal of Surface Water.**

123. (1) The Committee may, by notice, require the owner
of any building or land in any street to put up and keep in
good condition proper troughs and pipes for receiving and
carrying the water from the building or land and for discharg-
ing the same so as not to inconvenience persons passing along
the street.

(2) For
For the purpose of efficiently draining any building or land in the municipality, a Committee may, by notice in writing,—

(a) require any court-yard, alley or passage between two or more buildings to be paved with such materials and in such manner as may be approved by it, and

(b) require such paving to be kept in proper repair.

Bathing and Washing Places.

124. (1) A Committee may set apart suitable places in the municipality for the purposes 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 other purpose connected with the health, cleanliness or comfort of the inhabitants of the municipality; and may, by public notice, prohibit the bathing or washing of animals or clothes in any public place not so set apart, or at times or by persons other than those specified and any other act by which water in public places may be rendered foul or unfit for use, and may charge fees for the use of such places by any specified class or classes of persons or by the public generally.

(2) A Committee may fix, by notice, places at which articles of clothing, bedding, or other articles which have been exposed to infection shall be washed, and no person shall wash any such article at any place in the municipality not so fixed.

Scavenging.

125. A Committee may fix places within, or, with the approval of the Commissioner, beyond the limits of, the municipality 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 dead bodies of animals may be removed along any street and deposited at such places.

126. Whoever, being the owner or occupier of any building or land in a municipality, keeps or knowingly or negligently allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle or pit, any dirt, dung, bones, ashes, night-soil or filth or any noxious or offensive
sive matter in or upon such building or land, or suffers any such receptacle or pit 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.

127. Whoever, without the permission of the Committee or in disregard of its orders, throws or deposits or permits any servant or member 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 into any public sewer or drain or any drain communicating therewith shall be punishable with fine which may extend to twenty rupees.

128. Whoever permits any person under his control to whom the provisions of section 82, section 83 or section 84 of the Indian Penal Code are applicable to commit a nuisance upon any street or into any public sewer or drain or any drain communicating therewith shall be punishable with fine which may extend to twenty rupees.

**House-Scavenging.**

129. For the purposes of sections 130 to 137, "house-scavenging" means the removal of filth, rubbish, ordure or other offensive matter from a privy, latrine, urinal, cesspool or other common receptacle for such matter in, or pertaining to, a building.

130. (1) A Committee may, at any time, undertake the house-scavenging of any building on the application or with the consent of the occupier.

(2) A Committee may, by public notice, undertake the house-scavenging of any buildings in the municipality from any date not less than two months after issue of the notice.

(3) The occupier of any building affected by a notice under sub-section (2) may, at any time after the issue thereof, apply to the Committee to exclude that building from the notice.

(4) The Committee shall consider and pass orders upon every such application within six weeks of the receipt thereof, and may, by any such order, exclude such building from the notice.

(5) In deciding whether to exclude any building from the notice, the Committee shall consider, among other matters,
Municipalities. [Sec. vi.
building or land, or suffers any
a filthy or noxious state, or
an to cleanse and purify the
fine which may extend to fifty

permission of the Committee
rows or deposits or permits any
old under his control to throw
of any description, or refuse,
any kind, upon any street or
or any drain communicating
with fine which may extend to

person under his control to
82, section 83 or section 84
plicable to commit a nuisance
ie sewer or drain or any drain
be punishable with fine which

venging.
sections 130 to 137, "house-
of filth, rubbish, ordure or
ivy, latrine, urinal, cesspool
uch matter in, or pertaining

at any time, undertake the
3 on the application or with
ublic notice, undertake the
3 in the municipality from
after issue of the notice.
ng affected by a notice under
ffer the issue thereof, apply
building from the notice.
ider and pass orders upon
weeks of the receipt thereof,
lude such building from the
clude any building from the
ider, among other matters, the

1925.] Ajmer-Merwara Municipalities.
the efficiency of the arrangements, if any, for house-scaveng-
ing made by the occupier and the purpose to which he applies
the matter dealt with in house-scavenging.

131. Notwithstanding anything in section 130, a Com-
mittee shall not, except in accordance with the provisions of
this Chapter,—

(a) undertake the house-scavenging of any building in
respect whereof any sweeper has a customary right
to do such house-scavenging;

(b) without the consent of the occupier undertake the
house-scavenging of any building occupied by an
agriculturist who himself cultivates land within
municipal limits or in a village conterminous therewith.

132. When once a Committee has undertaken the house-
savenging of any building under this Chapter, it may con-
tinue to perform such house-scavenging with or without the
consent of the occupier for the time being of such building.

133. When a Committee has undertaken the house-sca-
venging of any building under this Chapter, it shall be bound
to perform the same properly until relieved of the obligation
by an order under sub-section (4) of section 130.

134. Any servant of a Committee who is employed in
house-scavenging may, at all reasonable times, do all things
ecessary for the proper performance of any house-scavenging
undertaken by the Committee.

135. All matter removed by the servants of a Committee
in the course of house-scavenging shall belong to the
Committee.

136. (1) Where a sweeper who has a customary right to
do the house-scavenging of a building fails to perform such
house-scavenging in a proper way and at reasonable intervals,
the occupier of the building or the Committee may complain
to a Magistrate.

(2) The Magistrate receiving such complaint shall hold an
inquiry, and, if it appears to him that the sweeper has failed
to perform the house-scavenging of the building in a proper
way or at reasonable intervals, he may impose upon such
sweeper a fine which may extend to ten rupees, and, upon a
second or any subsequent conviction in regard to the same
building, may also direct the right of the sweeper to do the
house-scavenging
house-scavenging of the building to be forfeited, and thereupon such right shall be forfeited accordingly.

137. (1) If an agriculturist, who himself cultivates land within municipal limits or in a village conterminous therewith, fails to provide for the proper house-scavenging of any building occupied by him, the Committee may complain to a Magistrate.

(2) The Magistrate receiving the complaint shall hold an inquiry, and if it appears to him that the agriculturist has not provided for the proper house-scavenging of the building, he may pass an order empowering the Committee to undertake the same, and thereupon the Committee shall be entitled to undertake such house-scavenging.

138. (1) Whenever any animal in the charge of any person dies in a municipality otherwise than by slaughter either for sale or for some religious purpose, the person in charge thereof shall, within twenty-four hours, either—

(a) convey the carcass to a place (if any) fixed by the Committee under section 125 for the disposal of the dead bodies of animals, or, if no such place has been fixed, to some suitable place at least one mile beyond the limits of the municipality; or

(b) give notice of the death to the Committee, whereupon the Committee shall cause the carcass to be disposed of.

(2) In respect of the disposal of the dead body of an animal under clause (b) of sub-section (1), the Committee may charge such fee as it may, by public notice, prescribe in this behalf.

(3) For the purposes of this section, "animal" means and includes all horned cattle, elephants, camels, horses, ponies, asses, mules, deer, sheep, goats, swine and other large animals.

(4) Any person who fails, when so required by sub-section (1), to take action in accordance therewith be punishable with fine which may extend to ten rupees.

Slaughter Places.

139. (1) A Committee may appoint premises within, or, with the approval of the Commissioner, beyond the limits of the municipality for the slaughter of animals for sale or of any specified description of such animals, and may, with the like approval in the case of premises outside the limits of the municipality, grant licences for the use of such premises, or,
Municipalities. [Res. vl, a village conteminoes there-

(1) If any person cultivate land for a term of three years and a half, the village containing such lands shall be forfeited, and there-

bed according to law.

rest of the same.

(2) When such premises have been appointed by a Com-

mittee beyond municipal limits, it shall have the same power to make bye-laws for the inspection and proper regulation of the same as if they were within those limits.

(3) When any such premises have been appointed, no person shall slaughter any such animal for sale at any other place within the municipality.

(4) Any person who slaughters for sale any animal at any place within a municipality other than a place appointed by the Committee under this section, if any such place or beyond the limits of the municipality, has been so appoint-

ed, shall be punishable with fine which may extend to twenty rupees.

Food and Drugs.

140. A Committee may regulate by bye-law or otherwise the keeping of any place in the municipality, other than a municipal market, as a market or shop for the sale of animals, meat or fish intended for human food, or as a market for the sale of fruit or vegetables; and such bye-laws may prohibit, subject to the exception aforesaid, the keeping of any place for any such purpose save under and in accordance with the conditions of a licence granted in that behalf by the Com-

mittee:

Provided that, where a licence is so prescribed, the Com-

mittee shall not—

(a) refuse a licence for the keeping of a market or shop lawfully established at the date of such bye-law coming into force, if application therefor is made within six months of such date, except on the ground that the place where such market or shop is kept fails to comply with any of the conditions to be attached to such licence, or

(b) cancel, suspend, or refuse to renew a licence granted under any such bye-law for any cause other than the failure of the licensee to comply, after warning, with some provision of this regulation, or of such bye-laws or with some condition of such licence.

141. (1) Whoever
141. (1) Whoever sells, to the prejudice of any purchaser, any article of food or drink or any drug which is not wholly of the nature, substance or quality of the article demanded by such purchaser, or any drug adulterated in such a manner as to lessen its efficacy or change its operation or render it noxious, shall be punishable with fine which may extend to one hundred rupees:

Provided that an offence shall not be deemed to be committed under this section in the following cases, that is to say,—

(a) where any matter or ingredient not injurious to health has been added to the food, drink or drug in order to the production or preparation of the same as an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight or measure or conceal the inferior quality thereof, or

(b) where the food, drink or drug is unavoidably mixed with some extraneous matter in the process of collection or preparation.

(2) In any prosecution under this section it shall be no defence to allege that the vendor was ignorant of the nature, substance or quality of the article sold by him, or that the purchaser, having bought such article for analysis only, was not prejudiced by the sale.

142. Whoever feeds or allows to be fed on any deleterious substance, filth or refuse of any kind any animal which is kept or is intended to be used for the supply of milk or food to the inhabitants of a municipality, shall be punishable with fine which may extend to fifty rupees.

Dangerous Diseases.

143. 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 any infectious or contagious disease in any dwelling in a municipality, other than a public hospital; or

(b) being
Municipalities. [REG. VII]

... to the prejudice of any purchaser or any drug which is not wholly of the article demanded by adulterated in such a manner as its operation or render it noxious, which may extend to one hundred rupees.

... shall not be deemed to be committed in the following cases, that is to

ingredient not injurious to health, the food, drink or drug in order or preparation of the same as an in a state fit for carriage or contain fraudulently to increase the measure or conceal the inferior or drug is unavoidably mixed with matter in the process of col-

fer this section it shall be no or was ignorant of the nature, ticle sold by him, or that the article for analysis only, was taken to be fed on any deleterious kind any animal which is kept supply of milk or food to the shall be punishable with fine

Diseases.

... or a person openly and the medical profession, and practice becoming cognizant any infectious or contagious in a municipality, other wise or

(b) being the owner or occupier of such dwelling, and being cognizant of the existence of any such disease therein; or

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

fails to give information to such officer as the Committee may prescribe in this behalf, or gives false information, respecting the existence of such disease, shall be punishable with fine which may extend to fifty rupees:

Provided that a person such as is referred to in clause (b) shall not be punishable if he had reasonable cause to believe that the information had been, or would be, duly given by a person such as is referred to in clause (a), and a person such as is referred to in clause (c) shall not be punishable if he had reasonable cause to believe that the information had been, or would be, duly given by a person such as is referred to in clause (a) or clause (b).

144. In any municipality to which this section may be extended by the Chief Commissioner by notification, when any person suffering from any infectious or contagious disease is found to be—

(a) without proper lodging or accommodation, or
(b) living in a serai or other public hostel, or
(c) living in a room or house which he does not own, or pay rent for, or occupy with the owner’s express permission or
(d) lodged in premises occupied by members of two or more families any of whom objects to his continuing to lodge in such premises,

the Committee, by any person authorised by it in this behalf, may, on the advice of any medical officer of rank not inferior to that of an assistant surgeon, 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.

145. If a Committee is of opinion that the cleansing or disinfecting of a building in the municipality, or any part thereof,
thereof, or of any article therein, which is likely to retain infection, will tend to prevent or check the spread of any disease, it may, by notice, require the owner or occupier to cleanse or disinfect the same in such manner and within such time as may be prescribed in the notice.

146. Every person knowingly letting a house or other building in a municipality, or part of such a house or building, in which any person has been suffering from an infectious or contagious disease, without having such house or building or part thereof and all articles therein liable to retain infection disinfected to the satisfaction of the Committee shall be liable to fine which may extend to two hundred rupees.

Explanation.—For the purpose of this section, a hotel or lodging-house keeper shall be deemed to let part of his house to any person admitted as a guest into his hotel or lodging-house.

147. In any municipality to which this section may be extended by the Chief Commissioner by notification, the Committee may—

(a) provide proper places, with all necessary attendants and apparatus, for the disinfection of conveyances, clothing, bedding or other articles which have been exposed to infection;

(b) cause conveyances, clothing or other articles brought for disinfection to be disinfected free of charge or subject to such charges as may be approved by it;

(c) direct any clothing, bedding or other articles likely to retain infection to be disinfected or destroyed;

and shall give compensation for any article destroyed under this section.

148. Whoever, while suffering from an infectious, contagious or loathsome disease or disorder—

(a) makes or offers for sale any article of food or drink for human consumption or any medicine or drug, or

(b) wilfully touches any such article, medicine or drug when exposed for sale by others, or

(c) takes any part in the business of washing or carrying soiled clothes,

shall
which is likely to retain or check the spread of any disease therein, which is likely to retain or check the spread of any disease by notification, the Committee shall be punishable with fine which may extend to twenty rupees.

(a) by public notice prohibit the removal or use of such water for drinking;

(b) by notice require the owner or person having control of such well, tank or place to take such steps as may be specified in the notice to prevent the public from having access to or using such water; or

(c) take such steps as it may, on the advice of the Civil Surgeon or Health Officer, consider expedient to prevent the generation or spread of any such disease.

Burial and Burning-places.

150. (1) A Committee may, by public notice, order any burial or burning ground situate in the municipality or within one mile thereof, which is certified by the Civil Surgeon or Health Officer to be dangerous to the health of persons living in the neighbourhood, to be closed from such date as may be specified in the notice, and shall, in such case, if no suitable place for burial or burning exists within a reasonable distance, provide a fitting place for the purpose.

(2) Private burial-places in such burial-grounds the limits of which are sufficiently defined, and which are only used for the burial of members of the family of the owners thereof may be excepted from the notice, subject to such conditions as the Committee may impose in this behalf.

(3) No burial or burning-ground, whether public or private, shall be made or formed in a municipality or within one mile thereof without the permission in writing of the Committee.

(4) If any person, without the permission of the Committee, buries or burns, or causes or permits to be buried or burnt, any corpse at any place in a municipality or within one mile thereof which is not a burial or burning-ground or in any burial or burning-ground
burning-ground made or formed contrary to the provisions of this section, or in any burial or burning ground after any day which has been fixed under sub-section (1) for the closing of the same, he shall be punishable with fine which may extend to fifty rupees.

151. (1) A Committee may, by public notice, prescribe routes for the removal of corpses to burial or burning places.

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

Dangerous or Insanitary Buildings or Places.

152. If any building, tank, reservoir, pool, depression or excavation in a municipality is, for want of sufficient repair, protection or enclosure, dangerous to the persons dwelling or working therein or in the neighbourhood thereof or to persons passing by, the Committee may, by notice, require the owner or occupier thereof to repair, protect or enclose the same; and shall forthwith take, at the expense of the owner, any steps which it thinks necessary for the purpose of averting imminent danger.

153. If in any municipality any building, wall or structure or any thing affixed thereto, or any bank or tree, is deemed by the Committee to be in a ruinous state or in any way dangerous, the Committee may, by notice, require the owner thereof forthwith either to remove the same or to cause such repairs to be made to the building, wall, structure or bank as the Committee may consider necessary for the public safety, and shall forthwith take, at the expense of the owner, any steps which it thinks necessary for the purpose of averting imminent danger.

154. If the owner or occupier of any building or land in a municipality suffers the same to be in a filthy or unwholesome state, the Committee may, by notice, require him within twenty-four hours to cleanse the same or otherwise put it in a proper state, and thereafter to keep it in a clean and proper state; and, if it appears to the Committee to be necessary for sanitary purposes to do so, it may at any time, by notice, direct the occupier of any building in the municipality to lime-wash or otherwise cleanse the said building inside or outside in such manner
Municipalities. [REG. V]

contrary to the provisions of burning ground after any date section (1) for the closing with fine which may extend

by public notice, prescribe to burial or burning places.

along a route prohibited by likely to cause annoyance to thine which may extend to

Buildings or Places.

servoir, pool, depression or or want of sufficient repair, to the persons dwelling or horhood thereof or to persons y notice, require the owner ct or enclose the same; and se of the owner, any steps purpose of averting immi-

y building, wall or struc numy bank or tree, is deemed nous state or in any way notice, require the owner the same or to cause such wall, structure or bank as rry for the public safety, use of the owner, any steps purpose of averting immi-

my building or land in a filthy or unwholesome ce, require him within or otherwise put it in a fit in a clean and proper ite to be necessary for y time, by notice, direct micipality to lime-wash outside or inside in such manner

[255.] Ajmer-Merwara Municipalities.

manner and within such period as may be specified in the notice.

155. If any building, or any part of any building, in a municipality appears to the Committee to be unfit for human habitation in consequence of the want of proper means of drainage or ventilation or for any other sufficient reason, the Committee may, by notice, prohibit the owner or occupier thereof from using the same for human habitation, or suffering it to be so used, until it has been rendered fit for such use to the reasonable satisfaction of the Committee.

156. A Committee may, by notice, require the owner or occupier of any land in the municipality to clear away and remove therefrom any thick vegetation or undergrowth which may appear to the Committee to be injurious to health or offensive to persons residing in the neighbourhood.

157. A Committee may, by notice, require the owner or occupier of any land in the municipality to cut or trim within three days the hedges growing thereon and bordering on any street, or any branches of trees growing thereon which overhang any street and obstruct the same or cause danger, or which so overhang any well, tank or other source from which water is derived for public use as to be likely to pollute the water thereof.

158. A Committee may, by notice, require the owner or part-owner, or person claiming to be the owner or part-owner, of any building or land in the municipality which, by reason of abandonment or disputed ownership or other cause, has remained untenant and become a resort of idle and disorderly persons or otherwise a nuisance to secure or enclose the same within such time as may be fixed by the notice.

159. A Committee may, by notice, require the owner or occupier of any land or building in the municipality to cleanse repair, cover, fill up or drain off any private well, tank, reservoir, pool, depression or excavation therein which may appear to the Committee to be injurious to health or offensive to the neighbourhood:

Provided that, if for the purpose of effecting any drainage under this section it is necessary to acquire any land not belonging to the same owner or to pay compensation to any person, the Committee shall provide such land or pay such compensation.

160. If
160. If the Civil Surgeon or Health Officer certifies 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—

(a) in any place within the limits of the municipality, is injurious, or facilitates practices which are injurious to the health of persons dwelling in the neighbourhood, or

(b) in any place within or beyond the limits of the municipality, is likely to contaminate the water-supply of the municipality or otherwise render it unfit for drinking purposes;

the Committee may, by public notice, prohibit the cultivation of such crop, the use of such manure, or the use of the method of irrigation so reported to be injurious, or impose such conditions with respect thereto as may prevent such injury or contamination:

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

Dangerous or Offensive Trades.

161. (1) No place within a municipality shall be used—

(a) for melting tallow;

(b) for boiling bones, offal or blood;

(c) as a soap-house, oil-boiling-house, dyeing-house or tannery;

(d) as a brick-kiln, brick-kiln, pottery or lime kiln;

(e) as any other manufactory, engine-house or place of business from which offensive or unwholesome smells, noises or smoke arise;

(f) as a yard or depot for trade in hay, straw, thatching-grass, dry leaves, wood, charcoal or coal, or other dangerously inflammable material; or

(g) as a store-house for any explosive, or for petroleum or any inflammable oil or spirit;

except
Health Officer certifies that if crop or the use of any kind in any specified manner—

municipalities. [REG. VI,

l,lailltain

nlould

be the

cause

of annoyance, offence or
danger
to persons
residing in, or frequenting the immediate neigh-

bourhood,
or that for general reasons the

establishment of

such

business in

the

locality is undesirable.

The

Committee

may

charge fees
according to a scale

to

be fixed

by

bye-laws

for

such

licences,

and

may

impose

such

in respect thereof as it may think necessary.

Aimo~g

other conditions, it

may

prescribe that any furnace

prohibit

the

cultivation

sed

in

conuection

with

such trade shall, so far as practicable,

?

Or

the

use

of

the

method

onsunie

its

om711

smolte.

OUS,
or

impose

such

condi-

(4) Whoever,

wit.hout

a licence or in contravention of the

rel'ent

such

injury

Or

con-

condition of anv

such

licence,

uses

any place for any such

purpose as is specified in this section shall be punishable

with

[la

to

which

such

notice

6ne

which

inap

estend to

fifty

nppees,

and, in the case of a

Practised

during

the

five

continuing offence, with a

further

fine

which

may extend to

two

lluidred

rupees,

and,

2nsioe

or

UUW~~~~~~~~

ill

the

case of a

colltilluing

offence, to a further fine of

fifty

se;

rupees

for

everv day after the first during which the

doence is continued.

se; or

straw,

thatching-

arcoal or coal, or other

material; or

live, or for petroleum or

it;

except

1925.]  

Ajmer-Merwara Municipalities.  

except under a licence from the Committee which shall be.
generable annually.

(2) The licence shall not be withheld unless the Committee

considers that the business which it is intended to establish or

maintain would be the cause of annoyance, offence or danger
to persons residing in, or frequenting the immediate neigh-

bourhood, or that for general reasons the establishment of such

business in the locality is undesirable.

(3) The Committee may charge fees according to a scale
to be fixed by bye-law for such licences, and may impose such
conditions in respect thereof as it may think necessary.

Among other conditions, it may prescribe that any furnace
used in connection with such trade shall, so far as practicable,
consume its own smoke.

(4) Whoever, without a licence or in contravention of the

condition of any such licence, uses any place for any such

purpose as is specified in this section shall be punishable with

the

fine which may extend to fifty rupees, and, in the case of a

continuing offence, with a further fine which may extend to

ten rupees for every day after the first during which the

doence is continued.

162. (1) No exhibition of pictures or other optical effects
by means of a cinematograph or other similar apparatus for

the purpose of which inflammable films are used and no public

dramatic performance or pantomime, shall be given in any

municipality elsewhere than in premises for which a licence

has been granted by the Committee under this section.

(2) If the owner of a cinematograph or other apparatus
uses the apparatus or allows it to be used, or if any person

takes part in any public dramatic performance or pantomime,
or if the occupier of any premises allows those premises to be

used, in contravention of the provisions of this section or of

any condition of a licence granted thereunder, he shall be

liable to fine which may extend to two hundred rupees, and,
in the case of a continuing offence, to a further fine of fifty

rupees for each day during which the offence continues, and

the licence, if any, of which the conditions have been con-

travened shall be liable to be revoked by the Committee.

163. (7) Whenever it is shown to the satisfaction of the
Committee that any place licensed under section 161 or sec-

tion 162 is a nuisance to the neighbourhood or is likely to be
dangerous
dangerous to life, health or property, the Committee may, by notice, require the occupier thereof to discontinue the use of such place, or to effect such alterations, additions or improvements as will, in the opinion of the Committee, render it no longer a nuisance or dangerous.

(3) Whoever, after any notice has been given under this section, uses such place or permits it to be used in such manner as to be a nuisance to the neighbourhood or dangerous, or does not effect such alterations, additions or improvements, shall be punishable with fine which may extend to two hundred rupees, and, in the case of a continuing offence, with a further fine not exceeding fifty rupees for every day after the first during which the offence is continued.

164. Whoever in a municipality quarries, blasts, cuts timber or carries on building operations in such a manner as to cause or to be likely to cause danger to persons passing by or dwelling or working in the neighbourhood, shall be punishable with fine which may extend to fifty rupees.

Fairs.

165. When special police protection is, in the opinion of the Chief Commissioner, requisite on the occasion of any fair, agricultural show or industrial exhibition managed by a Committee, or for the purpose of guarding houses in a municipality evacuated on account of plague, the Chief Commissioner may provide such protection, and the Committee shall pay the whole charge thereof or such portion of such charge as the Chief Commissioner may consider equitably payable by it.

166. A Committee may levy fees, not exceeding such amount in any case as the Chief Commissioner may fix in this behalf by notification, from each person attending a fair on which the Committee incurs expenditure under this Regulation and from persons exposing goods for sale and all persons plying any occupation for gain (except water-carriers, scavengers and others employed in connection with the fair) for defraying the cost of sanitary arrangements, watch and ward and the like.

Brothels.

167. (1) A Committee may, by notice, prohibit in any specified part of the municipality—
(a) the keeping of a brothel;
(b) the residence of a public prostitute.

(2) Whoever
Municipalities. [REG. W.

Whoever fails to comply with a notice issued under sub-section (1) shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees, and, in the case of a continuing failure, with a further fine which may extend to five rupees for every day after the first during which the failure continues.

68. On the complaint of the Committee or of three or more inhabitants of a municipality that a house in the municipality is used as a brothel, or by disorderly persons of any description in the neighbourhood or dangerous, additions or improvements, or it is used in a manner as to render to persons passing by or residing therein, shall be punishable rupees.

Section is, in the opinion of the occasion of any fair, bition managed by a Com- g houses in a municipality, Chief Commissioner may authorize the notice, prohibit in any

sur under this Regulation and all persons plying c-carriers, scavengers and the fair) for defraying the and ward and the like.

notice, prohibit in any

169. (1) A Committee may—

(a) authorise any person—

(c) to destroy or cause to be destroyed, or to confine or cause to be confined for such period as the Committee may direct, any dog or other animal found in the municipality suffering, or reasonably suspected to be suffering, from rabies, or bitten by any dog or other animal suffering or suspected as aforesaid;

(ii) to confine, or cause to be confined, any dogs found wandering about streets or public places without collars or other marks distinguishing them as private property;

(b) charge a fee for any dog confined under sub-clause (ii) of clause (a) and destroy or otherwise dispose of any such
such dog if the dog is not claimed and the fee paid within one week;

(c) by public notice, issue a temporary or standing order that any dogs without collars or other marks distinguishing them as private property found straying on the street or beyond the enclosures of the houses of the owners of such dogs may be destroyed and destroy or cause them to be destroyed accordingly.

(2) No damages shall be payable in respect of any dog or other animal destroyed or otherwise disposed of under this section.

170. Whoever in a municipality keeps any swine in disregard of any orders which the Committee may give to prevent them from becoming a nuisance, or keeps any other animal as to be injurious to the health of the inhabitants or of animals or so as to become a nuisance, shall be punishable with fine which may extend to twenty rupees, and, in the case of a continuing offence, with a further fine which may extend to five rupees for every day after the first during which the offence is continued.

Other Nuisances.

171. Whoever, in contravention of any general or special prohibition issued by a Committee, without the permission of the Committee beats a drum or tom-tom, blows a horn or trumpet, or beats or sounds any brass or other instrument or utensil, shall be punishable with fine which may extend to twenty-five rupees.

Explanations.—In the case of an offence under this section committed by a band, each individual member of such band shall be so punishable.

172. Whoever in a municipality discharges firearms or sets off fireworks, fire-balloons or detonators, or engages in any game, in such a manner as to cause, or be likely 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.

173. (I) Whoever, in any municipality to which this section is extended by the Chief Commissioner by notification, without the written permission of the Committee or at any time
A Committee may—

(a) close temporarily any public street or any part thereof for any public purpose;
(b) divert, discontinue or close permanently any public street; or
(c) sell the land forming such street or any part thereof if not required for the purposes of this Regulation.

176. A Committee may grant permission in writing for the temporary occupation of any street or land vested in it for the purpose of depositing any building materials or making any repairs, temporary excavation therein or erection thereon, subject to such conditions as it may prescribe for the safety or convenience of persons passing by or dwelling or working in the neighbourhood, and may charge fees for such permission.

177. (J) When a Committee considers that in any street, not being a public street which has previously been levelled, paved, metalled, channelled, sewered and repaired out of municipal or other public funds, or in any part of such street it is necessary for the public health, convenience or safety that any work should be done for the levelling, paving, metalling, flagging, channelling, draining, lighting or cleaning thereof, the Committee may, by notice, require the respective owners of the land or buildings, fronting, adjoining or abutting upon such
such street or part thereof, to carry out such work in such manner and within such time as may be specified in the notice.

(2) If the notice is not complied with within the time specified, the Committee may, if it thinks fit, execute the work mentioned or referred to therein, and may recover the expenses incurred in so doing from the owners in default according to the frontage of their respective lands or buildings and in such proportion as may be decided by the Committee.

(3) After such work has been carried out, whether by such owners or by the Committee at their expense, the street or part thereof in which such work has been done may, and on the joint requisition of a majority of the said owners shall, be declared, by a public notice put up therein by the Committee, to be a public street and shall vest in the Committee.

(4) A Committee may, by public notice fixed up in any street or part of a street not maintained by the Committee, give intimation of its intention to declare the same a public street, and, unless within one month next after such notice has been so put up the owner or the majority of several owners of such street or such part of a street lodges or lodge objections thereto at the office of the Committee, the Committee may, by public notice put up in such street or such part, declare the same to be a public street vested in the Committee.

(5) This section shall not have operation in any municipality until it has been specially extended thereto by the Chief Commissioner by notification at the request of the Committee.

**Enroachments and Obstructions.**

178. (1) Whoever, without the written permission of the Committee, builds or erects any immoveable encroachment upon the ground level of any street or over or on any sewer, drain or water-course in a municipality, or builds or makes any immoveable overhanging structure projecting into a street at a point above the said ground level, shall be punishable with fine which may extend to fifty rupees.

(2) The Committee may, by notice, require the owner or occupier of any building to remove or alter such immoveable encroachment or overhanging structure as aforesaid, and no compensation shall be claimable in respect of such removal or alteration.

179. (1) Whoever...
A
d
mo

ent

 upon

 the
ground

 of any street or over or

 on any sewer, drain or water-course, or erects any

 moveable overhanging structure projecting into the

 street at a point above the said ground level, or

 (b) takes up or alters the pavement or other materials or

 the fences or posts of any street, or

 (c) deposits building materials, goods for sale or other

 articles of merchandise on any street, or

 (d) makes any hole or excavation in or under any street,

 or removes materials from beneath any street, so as

 to cause risk of subsidence,

 shall be punishable with fine which may extend to fifty rupees.

 (2) The Committee or the Secretary of the Committee or

 the Executive Officer may—

 (i) summarily remove, or cause to be removed by the

 police, any such moveable encroachments or over-

 hanging structures and any such materials, goods

 or articles of merchandise,

 (ii) take order summarily to restore the street to the con-

 dition it was in before any such alteration, excava-

 tion or damage,

 and the expense of such restoration shall be recoverable from

 the offender.

 Explanation.—For the purposes of this section 'moveable

 encroachment' includes a seat or settle, and 'moveable over-

 hanging structure' includes an awning of any material.

 180. In cases to which the provisions of section 178 or sec-

 tion 179 do not apply, the Committee may, subject to the

 payment of reasonable compensation, by notice require the

 owner or occupier of any building in the municipality to

 remove or alter any balcony, projection, structure or verandah

 overhanging any street or projecting into or encroaching on

 any street, or any drain, sewer or aqueduct therein.

 181. (7) If any building or part of a building projects

 beyond the regular line of a street, either existing or deter-

 mined on for the future, or beyond the front of the building

 on

 91
on either side thereof, the Committee may, whenever such building or part has been either entirely or in greater part taken down or burnt down, or has fallen down, by notice require such building or part when being re-built to be set back to or towards the said regular line or the front of the adjoining buildings; and the portion of the land added to the street by such setting back or removal shall become part of the street and shall vest in the Committee:

Provided that the Committee shall make full compensation to the owner for any damage which he may sustain in consequence of his building or any part thereof being set back.

(2) The Committee may, on such terms as it thinks fit, allow any building to be set forward for the improvement of the line of the street.

(3) The provisions of this section shall apply to the rounding off of dangerous or inconvenient street corners.

General Provisions as to Streets.

182. A Committee may attach to the outside of any building in the municipality brackets for lamps in such manner as not to occasion any injury to such building or other inconvenience.

183. Whoever, without being authorised by the Committee, defaces or disturbs any municipal direction-post, lamp-post or lamp, or extinguishes any municipal light in any public place, shall be punishable with fine which may extend to ten rupees.

184. Whoever, without the consent of the owner or occupier or other person for the time being in charge, affixes any posting bill, notice, placard or other paper or means of advertisement against or upon any building, wall, tree, board, fence or pale in a municipality, or writes upon, soils, defaces or marks any such building, wall, tree, board, fence or pale with chalk or paint or in any other way whatsoever, shall be punishable with fine which may extend to twenty rupees.

185. (1) A Committee may cause a name to be given to any street, and to be affixed on any building therein in such place as it may think fit, and may also cause a number to be affixed to any building in the municipality.

(2) Whoever destroys, pull down or defaces any name or number affixed to any street or building under this section, or
municipalities. [BE3.]

Committee may, whenever such pines are entirely or in greater parts fallen down, by notice to the owner thereof being set back, or the front of the adjoining land added to the street by the land added to the street by

all make full compensation which he may sustain in consequence thereof being set back; such terms as it thinks fit, for the improvement of

shall apply to the round-street corners.

to Streets.

do the outside of any building lamps in such manner as authorized by the Committee, direction-post, lamp-post or to light in any public place, may extend to ten rupees.

sent of the owner or occupant in charge, affixes any paper or means of advertising, wall, tree, board, fence or upon, soils, defaces or board, fence or pale with whatsoever, shall be punishable twenty rupees.

a name to be given to any thing therein in such place as a number to be affixed to,
or defaces any name or

picks up any different name or number from that put up by order of the Committee, shall be punishable with fine which may extend to twenty rupees.

Street Nuisances.

186. Whoever, without the permission of the Committee, picks up animals or collects carts on any street or uses any street as a halting place for vehicles or animals of any description or as a place of encampment, or causes or permits animals to stray therein, shall be punishable with fine which may extend to twenty rupees.

187. Whoever, between such hours as may be prescribed by bye-laws, drives or propels in any street any vehicle which is not properly supplied with lights shall be punishable with fine which may extend to twenty rupees.

188. Whoever, being the owner or person in charge of any dog, neglects to restrain it so that it shall not be at large in any street without a muzzle—

(a) if such dog is likely to annoy or intimidate passengers, or

(b) if the Committee has by public notice during the prevalence of rabies directed that dogs shall not be at large without muzzles,

shall be punishable with fine which may extend to twenty rupees.

189. Whoever, being in charge of any elephant, camel or bear in any street or public place, omits, on being requested to do so, to remove as far as may be practicable the elephant, camel or bear 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.

190. Whoever, in contravention of any order of the Committee promulgated by public notice, takes an elephant along a street, shall be punishable with fine which may extend to twenty rupees.

191. Whoever in any street or public place begs uncomplacently for alms or exposes or exhibits, with the object of exciting charity, any deformity or disease, or any offensive sore or wound, shall be punishable with fine which may extend to twenty rupees.

CHAPTER XI.

33
CHAPTER XI.

BUILDINGS.

192. A Committee may by public notice direct that, within such limits within the municipality as may be specified in the notice, the roofs and external walls of huts or other buildings shall not be made or renewed of grass, mats, leaves or other highly inflammable materials without the permission of the Committee in writing; and the Committee may, by notice, require any person who has disobeyed any such direction to remove or alter the roofs or walls so made or renewed, as it thinks fit.

193. For the purposes of this Chapter, a person is said to erect or re-erect a building who makes any material alteration or enlargement of a building or any part of a building.

Explanation.—An alteration in a building shall be deemed to be material if it—

(a) affects or is likely to affect prejudicially the stability or safety of the building or the condition of the building in respect of drainage, ventilation, sanitation or hygiene, or

(b) increases or diminishes the height or cubical capacity of, or the area covered by, the building or reduces the cubical capacity of any room in the building below the minimum prescribed in any bye-law, or

(c) converts into a place for human habitation a building or part of a building originally constructed for other purposes, or

(d) involves the addition of any rooms, out-houses or other structures to any building, or

(e) involves the construction in a wall adjoining any land not belonging to the owner of the wall of a door opening on to such land, or

(f) is an alteration of any kind which has been declared by bye-law to be a material alteration.

194. (1) No person shall erect or re-erect, or commence to erect or re-erect, any building in a municipality without the sanction of the Committee.

(2) Every person who intends to erect or re-erect any building shall give notice in writing to the Committee of such intention.

(3) The
The Committee may, by bye-law,—

(a) prescribe the manner in which notice of the intention to erect or re-erect a building shall be given to the Committee;

(b) require that with every such notice there shall be furnished a site plan of the land on which it is intended to erect or re-erect such building, and a plan and specification of the building, of such character and with such details as the bye-law may require in respect of all or any of the following matters, namely:

(i) the free passage or way to be left in front of the building;

(ii) the space to be left about the building to secure free circulation of air and facilitate scavenging and for the prevention of fire;

(iii) ventilation, and the provision and position of drains, privies, latrines, urinals or cesspools;

(iv) the level and width of the foundation, the level of the lowest floor, and the stability of the structure; and

(v) the line of frontage with neighbouring buildings, if the building abuts on a street.

(4) Where bye-laws have been framed under this section, no notice under sub-section (2) shall be valid until the information, if any, required by such bye-laws has been furnished to the satisfaction of the Committee.

A Committee may by bye-laws regulate in respect of the erection or re-erection of any buildings within the municipality or any part thereof—

(a) the materials and method of construction to be used for external and party walls, roofs, floors, fire-places and chimneys;

(b) the materials and method of construction and position of fire-places, chimneys, drains, latrines, privies, urinals and cesspools;

(c) the height and slope of the roof above the uppermost floor upon which human beings are to live or cooking operations are to be carried on;

(d) the ventilation and the space to be left about the building to secure the free circulation of air and for the prevention of fire;

(e) the
(e) the line of frontage where the building abuts on a street;

(f) the number and height of the storeys of which the building may consist, and

(g) the means to be provided for egress from the building in case of fire.

196. In any case in which no bye-laws have been made under sub-section (3) of section 194, the Committee may, within fourteen days of the receipt of the notice required by sub-section (2) of that section, require a person who has given such notice to furnish, within one week of the receipt by him of the requisition, information on all or any of the matters as to which bye-laws might have been made, and in such case the notice shall not be valid until such information has been furnished.

197. A Committee may by resolution dispense with the observance of any or all of the bye-laws made under sub-section (3) of section 194 in regard to the erection or re-erection of any building specified in the resolution.

198. Within one month after the receipt of the notice required by sub-section (2) of section 194, the Committee may refuse to sanction the building or may sanction it either absolutely or subject to such modification as it thinks fit in respect of all or any of the matters specified in sub-section (3) of that section; and the person erecting or re-erecting any such building as aforesaid shall comply with the sanction of the Committee as granted in every particular:

Provided that, if the Committee neglects or omits for one month after the receipt of a valid notice to make and deliver to the person who has given such notice an order of sanction or refusal in respect thereof, it shall be deemed to have sanctioned the proposed building absolutely.

Explanation.—The Committee may refuse to sanction the erection or re-erection of any building either on grounds affecting the particular building or in pursuance of a general scheme sanctioned by the Commissioner restricting the erection or re-erection of buildings or any class of buildings within specified limits for the prevention of overcrowding, or in the interests of the residents within such limits or for any other public purpose. Permission may also be refused in any case in which there is any dispute between the Committee and the applicant.
municipalities. [REG. VI, re the building abuts on a
f the storeys of which the and
for egress from the building
by-law have been made
the notice required by sub-
e a person who has given
week of the receipt by him
all or any of the matters
made, and in such case
such information has been
on the disperse with the
laws made under sub-section
erection or re-erection of
receipt of the notice re-
4 the Committee may, with-
y any sanction it either abso-
1 in sub-section (3) of that
-erection any such build-
the sanction of the Com-
- neglects or omits for one
ctice to make and deliver
ice an order of sanction
be deemed to have sanct-
y refuse to sanction the
either on grounds affect-
ance of a general scheme
icting the erection or re-
buildings within specified
ing, or in the interests
or for any other public
ed in any case in which
mittee and the applicant

to the title of the land on which it is proposed to erect the
building until such dispute is decided.

199. Every sanction for the erection or re-erection of a building which is given, or is deemed to have been given, by
Committee, shall remain in force for one year only from
the date of such sanction; and, if the erection or re-erection
of the building is not commenced within the said period of
one year, the sanction shall be deemed to have lapsed; but such
lapse shall not bar any subsequent application for fresh san-
cion under the foregoing provisions of this Regulation.

200. If the erection or re-erection of a building is begun or continued—

(a) without sanction as required by sub-section (1) of
section 194; or

(b) without notice as required by sub-section (2) of sec-
tion 194; or

(c) after sanction has been refused; or

(d) in contravention of the terms of any sanction granted;
or

(e) after the sanction has lapsed; or

(f) in contravention of any by-law made under section
195;

the Committee may, by notice, to be delivered within a reason-
able time, require the building to be altered or demolished, as
it thinks necessary, within the space of thirty days from the
date of the service of such notice:

Provided that no such notice shall issue in respect of the
contravention of any by-law the observance of which has been
dispensed with under section 187:

Provided, further, that the Committee may, instead of
requiring the alteration or demolition of any such building,
accept by way of compensation such sum as it thinks reason-
able.

201. (1) No compensation shall be claimable by an owner
for any damage which he may sustain in consequence of a
refusal to sanction the erection of any building:

(2) The Committee shall make full compensation to the
owner for any damage which he may sustain in consequence
of a refusal to sanction the re-erection of any building:

Provided
A.jmer-Morwara Municipalities.  

Provided that the Committee shall not be liable to make any compensation in respect of a refusal to sanction the erection of a building which, for a period of three years or more immediately preceding such refusal, has not been in existence or has been unfit for human habitation.

CHAPTER XII.

GENERAL PROVISIONS.

Power of Entry and Inspection.

202. Any person authorised by the Committee in this behalf may—

(a) after giving twenty-four hours' notice to the occupier, or, if there be no occupier, to the owner, of any building or land in a municipality, at any time between sunrise and sunset, enter, inspect and measure the building or land for the purpose of valuation;

(b) 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 or for which a license has not been duly taken out.

203. (7) Any person authorised by the Committee in this behalf may enter, between sunrise and sunset, any building or land in a municipality and inspect any drain, privy, latrine, urinal, cesspool, cable, wire, pipe, sewer or channel therein or thereon, and cause the ground to be opened where such person thinks fit for the purpose of preventing or removing any nuisance arising from the drain, privy, latrine, urinal, cesspool, cable, wire, pipe, sewer or channel.

(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 or occupier of the land or building; but if it is found that no nuisance exists or but for such opening would have arisen, the ground or portion of any building, drain or other work, if any, opened, injured or removed for the purpose of such inspection shall be filled in, reinstated and made good by the Committee.
shall not be liable to make a refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanction the refusal to sanitize...
and, in case it is reasonably suspected that any drug is 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 cause the owner thereof to be brought before a Magistrate for inquiry whether any offence has been committed in respect thereof, and for orders as to the disposal of the said drug.

207. (1) Any person authorised by the Committee in this behalf may at all reasonable times enter into and inspect any market, building, shop, stall or place used for the sale of any goods, food, drink or drug, and may inspect any instruments for weighing, weights or measures found therein and test the same with other weights and measures, and may seize any such instrument for weighing, or any such weight or measure, which he reasonably believes to be false or the use of which he reasonably believes to be contrary to the provisions of any bye-law made in this behalf, and may take the same to be examined or tested by the officer appointed for the purpose.

(2) Every person for the time being in charge of or employed in such market, building, shop, stall or place shall, if so requested by the person making such inspection, produce for such inspection and comparison all instruments for weighing, and all weights and measures kept therein.

208. If there are reasonable grounds for believing that any animal has been, is being, or is about to be, slaughtered in any place or premises in a municipality not appointed for such purpose under section 139, or in contravention of any bye-law, the Committee, by any person authorised by it in this behalf, may, at all reasonable times, enter into and inspect any such place or premises:

Provided that no entry shall be made under the provisions of this section without an order in writing from the Chairman or from the Health Officer. Such order shall specify the place or premises to be entered and the locality in which the same is situate and the period (which shall not exceed seven days) for which it is to remain in force.

209. (1) Any person authorised by the Committee in this behalf may at any reasonable time enter and inspect any building in a municipality which is suspected to contain petroleum, explosive or other inflammable material in excess of the quantity permitted to be kept in such house or building under
suspected that any drug is essen its efficacy or to change its properties, may remove the same, use the owner thereof to be inquired whether any offence of the premises of this Regulation or of any rule or by-law or of any public notice made or published thereunder.

If any such excess quantity of such material is discovered, it may be seized and held subject to such order as a Magistrate may pass with respect to it.

If the Magistrate decides that the material seized was stored in the building contrary to the provisions of this Regulation or of any rule or bye-law or of any public notice made or published thereunder, he shall pass an order confiscating the same.

Subject to any general rules for the time being applicable thereto, the material confiscated may be sold by order of the Magistrate, and the proceeds, after the expenses of such sale have been defrayed therefrom, shall be credited to the municipal fund.

No order of confiscation under this section shall operate to prevent any other criminal or civil proceedings to which the person storing the material in excessive quantity may be liable.

Any person authorised by the Committee in this behalf may, at any time after three hours' notice has been or is about to be given, enter any building or premises, situated in a municipality, in which any infectious or contagious disease is reputed or suspected to exist, for the purposes of inspecting such building or premises.

No such inspection shall be made except in the hours between sunrise and sunset.

A Committee may authorise persons to exercise the powers of entry conferred by the foregoing sections of this Chapter either generally in regard to all buildings and lands, or particularly in regard to specified buildings or lands or classes of buildings or lands.

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 entering any apartment in the actual occupancy 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.

Whoever
213. Whoever refuses to suffer the inspection of any premises, food, drink, drug, animal, weight, measure, instruments for weighing, petroleum, explosive, or inflammable material, by any person authorised under the foregoing provisions of this Chapter to make such inspection or refuses, on being requested by a person authorised under section 207, to produce any weight, measure, or instrument for weighing to which he has access, shall be punishable with fine which may extend to two hundred rupees.

Notices and Consequences of Non-compliance therewith.

214. When any notice under this Regulation 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.

215. (1) Every notice issued by a Committee under this Regulation shall be in writing, signed by the Chairman, Vice-Chairman, Executive Officer, Secretary or Assistant Secretary, or by the members of any sub-committee specially authorised by the Committee in that behalf, and may be served on the person to whom it is addressed, or delivered or left at his usual place of abode or business with some adult male member or servant of his family, or, if it cannot be so served, may be affixed to some conspicuous part of his place of abode or business.

(2) When the place of abode or business of the person to whom the notice is addressed is not within the limits of the municipality, the notice may be served by posting it addressed to his usual place of abode.

(3) If the owner of any property has no place of abode or business within the municipality, every such notice addressed to him as such owner may be served on the occupier.

(4) When the place of abode or business of the occupier of any property is not known, every such notice addressed to him as such occupier may be served by affixing it to some conspicuous part of the property.

(5) No notice issued by the Committee under this Regulation shall be invalid for defect of form.

216. Whenever it is provided by or under this Regulation that any notice may be given to the owner or occupier of any land or building, and the owner and occupier are different persons, such notice shall be given to that one of them who is primarily
inspection of any premises, measure, instruments of inflammable material, or going provisions of any other kind, or refuse, on being required to produce weighing to which he is primarily liable to comply with such notice, and in case of doubt to both of them:

Provided that in any such case, where there is no owner resident within the municipality, the delivery of such notice to the occupier shall be sufficient.

217. When any notice is, by or under this Regulation, required to be given to or served on the owner or occupier of any property and he is unknown, it may be served—

(a) by delivering a written notice to some person on the property, or, if there is no person on the property to whom it can be delivered, by affixing it to some conspicuous part of the property, or

(b) by posting a pre-paid letter containing a written notice and addressed by the description of the "owner" or "occupier" of the property (naming it) in respect of which the notice is given, without further name or description.

218. Every public notice given by a Committee under this Regulation shall be published by proclamation or in such other manner as the Chief Commissioner may by rule direct.

219. Whoever disobeys any lawful direction or prohibition given by a Committee by public notice under this Regulation or any written notice lawfully issued by it thereunder, or fails to comply with the conditions subject to which any permission was given by the Committee to him thereunder, shall, if the disobedience or failure is not an offence punishable under any other section, be punishable with fine which may extend to fifty rupees and, in the case of a continuing disobedience or failure, with a further fine which may extend to five rupees for every day after the first during which the disobedience or failure continues:

Provided that, when the notice fixes a time within which a certain act is to be done and no time is specified by or under this Regulation, no penalty shall be incurred by reason of such disobedience or failure if, in the opinion of the Court trying the case, the time so fixed was not a reasonable time.

220. Whenever the terms of any notice issued under this Regulation have not been complied with, the Committee may, after six hours' notice, cause the act to be done by its officers.

221. Any
221. Any person wilfully obstructing a Committee, or any officer or servant of a Committee, or any person authorised by a Committee, in the exercise of any power conferred by or under this Regulation shall be punishable with fine which may extend to fifty rupees.

222. (1) Where, under this Regulation, the owner or occupier of property is required by a Committee to execute any work and default has been made in complying with the requirement, and the Committee has executed the work, the Committee may recover the cost of the work from the person in default.

(2) As between themselves and the Committee both owner and occupier shall be deemed to be in default for the purposes of this section, but that one of them shall be deemed to be primarily in default upon whom, as between landlord and tenant, the duty of doing the required act would properly fall in pursuance of the contract of tenancy or by law.

(3) When the person primarily in default is the owner, and the Committee has recovered the whole or any part of the cost from the occupier, or he has paid the same upon its demand, he may deduct the sum so recovered or paid from the rent from time to time becoming due from him to the owner, or otherwise recover it from such owner:

Provided that no occupier shall be required to pay under sub-section (3) any sum greater than the amount for the time being due from him to the owner, either in respect of rent due at the date of such demand as aforesaid or thereafter accruing, unless he has refused on application to him by the Committee truly to disclose the amount of his rent and the name and address of the person to whom it is payable; but the burden of proof that the sum so demanded by the Committee from the occupier exceeds the rent due at the time of demand, or which has since become due, shall lie on the occupier.

(4) Where any money recoverable by the Committee under this section is payable by the owner of the property, it shall be a charge thereon and shall be recoverable as if it were a tax levied by the Committee on the property.

(5) Nothing in this section shall affect any contract between an owner and an occupier.

223. (1) When any person, by reason of his receiving the rent of immovable property as agent or trustee, or of his being,
as agent or trustee, the person who would receive the rent if the property were let to a tenant, would, under this Regulation, be bound to discharge any obligation imposed by or under this Regulation on the owner of the property and for the discharge of which money is required, he shall not be bound to discharge the obligation unless he has, or but for his own improper act or default might have had, in his hand funds belonging to the owner sufficient for the purpose.

(2) The burden of proving the fact entitling an agent or trustee to relief under this section shall lie on him.

(3) When any agent or trustee has claimed and established his right to relief under this section, the Committee may give him notice to apply to the discharge of such obligation as aforesaid the first monies which shall come to his hands on behalf or for the use of the owner, and, if he fails to comply with such notice, he shall be deemed to be personally liable to discharge such obligation.

Payment of Compensation by the Committee.

224. (1) A Committee may make compensation out of the municipal fund to any person sustaining any damage by reason of the exercise of any of the powers vested in the Committee, its officers or servants under this Regulation, and shall make such compensation where the damage was caused by the negligence of the Committee, its officers or servants and the person sustaining the damage was not himself in default in the matter in respect of which the power was exercised.

(2) If any dispute arises regarding the amount of any compensation which the Committee is required by this Regulation to pay for injury to any building or land, it shall be settled in such manner as the parties may agree, or, in default of agreement, in the manner provided by the Land Acquisition Act, 1894, with reference to the acquisition of, and payment of compensation for, land for public purposes so far as the provisions of that Act can be made applicable.

Appeals from Orders, etc., of Committee.

225. (1) Any person aggrieved——

(a) by any order made by a Committee under any power conferred upon it by section 150, section 165 or section 163, or

(b) by
Ajmer-Merwara Municipalities. [Reg. VI.

(b) by a notice from a Committee under section 177 requiring a way, road, lane, square, court, alley, passage or open space to be drained, levelled, paved, flagged, metalled or provided with proper means of lighting, or under section 200 requiring the alteration or demolition of a building, or

(c) by the refusal of a Committee under section 198 to sanction the erection or re-erection of a building, may appeal within thirty days from the date of such prohibition, notice or order to such officer as the Chief Commissioner may appoint in this behalf, or, failing such appointment, to the Commissioner, but no such refusal, notice or order shall be liable to be called in question otherwise than by such appeal.

(2) The appellate authority may, if it thinks fit, extend the period allowed by sub-section (1) for appeal.

(3) The order of the appellate authority confirming, setting aside or modifying the refusal, notice or order appealed from shall be final:

Provided that the refusal, notice or order shall not be modified or set aside until the appellant and the Committee have had a reasonable opportunity of being heard.

226. When any order of a kind referred to in section 163, section 219 or section 222 is subject to appeal, and an appeal has been instituted against it, all proceedings to enforce such order and all prosecutions for any contravention thereof or non-compliance therewith shall be suspended pending the decision of the appeal, and, if such order is set aside on appeal, disobedience thereto shall not be deemed to be an offence.

227. Every order of forfeiture under section 136, and every order under section 137, section 209, or section 232 shall be subject to appeal to the next superior Court, but shall not be otherwise open to appeal.

Offences and Prosecutions.

228. (1) Every member of the police establishment shall give immediate information to the Committee of any offence made punishable by or under this Regulation, and shall be bound to assist all members, officers and servants of the Committee in the exercise of their lawful authority.

(2) Every
Every member of the police establishment may arrest any person committing in his view any offence made punishable by or under this Regulation, if—

(a) the name and address of the person are unknown to him, and

(b) the person declines to give his name and address, or there is reason to doubt the accuracy of the name and address, if given.

A person arrested under this section may be detained until his name and address have been correctly ascertained:

Provided that no person so arrested shall be detained longer than may be necessary for bringing him before a Magistrate except under the order of a Magistrate for his detention.

Unless otherwise expressly provided, no Court shall take cognizance of any offence made punishable by or under this Regulation except on the complaint of, or upon information received from, the Committee or some person authorised by the Committee in this behalf.

Explanation.—A Committee may authorise persons to make complaints or give information without previous reference to the Committee, either generally in regard to all offences punishable under this Regulation or particularly in regard only to specified offences or offences of a specified class. The person authorised may be authorised by office, if he is the Chairman, Vice-Chairman, Executive Officer or Secretary of the Committee, but in other cases the authority shall be conferred by name. The authority shall in all cases be in writing, and may at any time be cancelled by the Committee.

(2) On payment of such sum of money, the suspected person, if in custody, shall be discharged, and no further proceedings shall be taken against him in regard to the offence or alleged offence so compounded for.

(3) Sums
Ajmer-Merwara Municipalities. \[\text{Reg. vi,}\]

(3) Sums paid by way of composition under this section shall be credited to the municipal fund.

(4) Authorisation under sub-section (1) to accept composition for alleged offences may be given by the Committee either generally in regard to all offences under this Regulation or particularly in regard only to specified offences or offences of a specified class.

231. No Judge or Magistrate shall be deemed to be a party to, or personally interested in, any prosecution for an offence made punishable by or under this Regulation or any other law, within the meaning of section 556 of the Code of Criminal Procedure, 1898, by reason only that he is a member of the Committee by the order, or under the authority, of which it has been instituted.

232. Where any person is convicted of an offence made punishable by or under this Regulation, the Magistrate may direct that such costs of the prosecution and such compensation for any damage which may have been caused to any municipal property in the commission of such offence shall be paid by such person; and any sum so ordered to be paid shall be recoverable as if it were a fine.

Suits.

233. No suit shall be instituted against a Committee, or against any member, officer or servant of a Committee, in respect of any act purporting to be done in its or his official capacity, until the expiration of one month next after notice in writing has been, in the case of a Committee, delivered or left at its office, and in the case of an officer or servant, delivered to him or left at his office or place of abode, stating the cause of action and the name and place of abode of the intending plaintiff; and unless the plaint contains a statement that such notice has been so delivered or left:

Provided that nothing in this section shall apply to any suit instituted under section 54 of the Specific Relief Act, 1877.

Recovery of Municipal Claims.

234. Any tax, water-rate or fee (other than a school-fee) and any costs, damages or compensation, or other moneys payable to, or claimable or recoverable by, a Committee under this Regulation or any rule or bye-law may, after demand has been
Provided that nothing in this section shall prevent the Committee, at its discretion, from suing for the amount payable in any competent Civil Court.

The sale proceeds, such surplus shall, if the owner of the pro-
sold claims it within six months from the date of the sale, be paid to him by the Committee, but if no such claim is preferred within such time, the said surplus shall be credited to the municipal fund, and no suit shall lie for the recovery thereof.

Provided that nothing in this section shall prevent the Committee, at its discretion, from suing for the amount payable in any competent Civil Court.

Disposal of surplus proceeds of sale.

235. If any property, moveable or immovable, is sold under the provisions of this Regulation and there is, after payment of the amount due to the Committee, any surplus from the sale proceeds, such surplus shall, if the owner of the property sold claims it within six months from the date of the sale, be paid to him by the Committee, but if no such claim is preferred within such time, the said surplus shall be credited to the municipal fund, and no suit shall lie for the recovery thereof.

No distress or sale made or held under this Regulation shall be deemed unlawful, nor shall any person making or holding the same be deemed a trespasser, on account of any error, defect, or want of form in any bill, notice, schedule, form, notice of demand, warrant of distress, inventory or other proceeding relating thereto if the provisions of this Regulation have been in substance and effect complied with:

Provided that any person aggrieved by any irregularity may recover satisfaction for any damage sustained by him arising therefrom.

CHAPTER XIII.

Control.

Control by Commissioner.

237. (1) The Commissioner may—

(a) enter, inspect, and survey, or cause to be entered, inspected and surveyed, any immovable property occupied by any Committee, Sub-Committee or Joint Committee, or any work in progress under its directions;

(b) by
by order in writing, call for and inspect any book or document in the possession or under the control of any Committee, sub-committee or Joint Committee;

(c) by order in writing, require any Committee, sub-committee or Joint Committee to furnish such statements, accounts, reports and copies of documents relating to the proceedings or duties thereof as he may think fit to call for; and

(d) record in writing, for the consideration of any Committee, sub-committee or Joint Committee, any observations he may think proper to make in regard to the proceedings or duties thereof.

(2) Every Committee shall submit such periodical reports to the Commissioner or other authority as the Chief Commissioner may direct.

238. The Commissioner may, by order in writing, suspend the execution of any resolution or order of a Committee, sub-committee or Joint Committee, or prohibit the doing of any act which is about to be done, or is being done, in pursuance of or under cover of this Regulation, or in pursuance of any sanction or permission granted by the Committee in the exercise of its powers under the Regulation, if, in his opinion, the resolution, order or act is in excess of the powers conferred by law, or the execution of the resolution or order, or the doing of the act, is likely to lead to a breach of the peace, or to cause injury or annoyance to the public or to any class or body of persons.

239. (1) In cases of emergency the Commissioner may provide for the execution of any work, or the doing of any act, which a Committee is empowered to execute or do, and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or of doing the act shall forthwith be paid by the Committee.

(2) If the expense is not so paid, the Commissioner may make an order directing the person having the custody of the balance of the municipal fund to pay the expense, or so much thereof as may from time to time be possible, from that balance, in priority to all other charges against the same.

240. (1) When the Commissioner, after due inquiry, is satisfied that a Committee has made default in performing any duty
A

municipalities. [Reg. VI

or and inspect any book or

tion or under the control of

mittee or Joint Committee;

any Committee, sub-com-

tee to furnish such state-

and copies of documents

gs or duties thereof as he

and

consideration of any Com-

Joint Committee, any ob-

propriate to make in regard

thereof.

it such periodical reports

as the Chief Commis-

order in writing, suspend-

ler of a Committee, sub-

hibit the doing of any

ing done, in pursuance

or in pursuance of any

mittee in the exer-

, if, in his opinion, the

he powers conferred by

order, or the doing

of the peace, or to cause

any class or body of

Commissioner may pro-

the doing of any act,

execute or do, and the

h is, in his opinion,

ublic, and may direct

of doing the act shall

e Commissioner may

the custody of the

expense, or so much

e, from that balance, e

after due inquiry, is

it in performing any

duty imposed upon it by or under this Regulation, he may, by

an order in writing, fix a period for the performance of that
duty; and, if it is not performed within the period so fixed, he
may appoint some person to perform it and may direct that the
expense thereof shall be paid, within such time as he may fix,
by the Committee.

241. When the Commissioner makes any order under sec-

tion 238 or section 240, he shall forthwith forward to the Chief

Commissioner a copy thereof, with a statement of the reasons

for making it, and with such explanation, if any, as the Com-

mittee may wish to offer; and the Chief Commissioner shall

confirm, modify or rescind the order.

- Control by Chief Commissioner.

242. (1) The Chief Commissioner, and the Commissioner

acting under the orders of the Chief Commissioner, shall be

bound to require that the proceedings of Committees shall be

in conformity with the law for the time being in force.

(2) The Chief Commissioner may exercise all powers neces-

sary for the performance of this duty and may, among other

things, by order in writing, annul or modify any proceeding

which he may consider not to be in conformity with law.

(3) The Commissioner may, for the same purpose, exercise

such powers as may be conferred upon him by rule made in

this behalf.

243. (1) If a Committee is, in the opinion of the Chief

Commissioner, incompetent to perform, or persistently makes

default in the performance of the duties imposed on it by or

under this Regulation or any other enactment, or exceeds or

abuses its powers, the Chief Commissioner may, after giving

an opportunity to the Committee to show cause why action

under this section should not be taken, by a notification setting

forth his reasons for taking such action, either—

(a) (if the Committee is wholly or partly elected) dissolve

it as from such date as may be specified in the noti-

fication, or

(b) supersede

111
(b) supersede it as from such date, and for such period, as may be specified therein.

(2) Where a Committee is dissolved, the members including the Chairman shall vacate their seats on the date fixed for dissolution in the same manner as if their periods of office had expired in the ordinary way on that date (save such members as hold office during the pleasure of the officer appointing them), and members shall be elected or nominated to fill their places in the manner provided in this Regulation.

(3) Where a Committee is superseded—

(a) all members, including the Chairman, shall, from such date as may be specified in that behalf in the notification, vacate their seats;

(b) all powers and duties of the Committee shall, until the Committee is reconstituted, be exercised and performed, subject to the conditions, restrictions and limitations imposed on the Committee by or under this Regulation, by such person or authority as the Chief Commissioner may appoint in that behalf;

(c) all property and rights vested in the Committee shall, until the Committee is reconstituted, vest in His Majesty;

(d) the person or authority appointed under clause (b) and all persons acting under his authority shall be entitled to the same protection, and persons suffering damage from the exercise of the powers of the Committee by the person or authority so appointed shall be entitled to the same relief, as if action had been taken by the Committee:

Provided that the Chief Commissioner may reconstitute the Committee before the expiry of the specified period of supersession.

244. If any dispute, for the decision of which this Regulation does not otherwise provide, arises between two or more Committees or between any Committee and a District Board or cantonment authority, the matter shall be referred to the Commissioner whose decision shall be final.

CHAPTER XIV.
CHAPTER XIV.

BYE-LAWS AND RULES.

Bye-laws.

245. A Committee may, by bye-law,—

(a) render licences necessary for the proprietors or drivers of vehicles or animals kept or plying for hire within the limits of the municipality, and fix the fees payable for such licences and the conditions on which they shall be granted and may be revoked, and may by such conditions provide among other things for a minimum breadth for wheel tyres and for a minimum diameter of the wheels;

(b) limit the rates which may be demanded for the hire of any carriage, cart or other conveyance, or of animals hired to carry loads or persons, or for the services of persons hired to carry loads or to impel or carry such conveyances, and prescribe the loads to be carried by such conveyances, animals or persons when hired within the municipality for a period not exceeding twenty-four hours, or for a service which would ordinarily be performed within twenty-four hours:

Provided that no bye-law made under clause (a) or clause (b) by the Committee of a municipality in which the Hackney Carriage Act, 1879, is in force shall apply to any vehicle to which that Act applies:

Provided, further, that the operations of any bye-law made under the provisions of clause (a) or clause (b) or of any rules made under the Hackney Carriage Act, 1879, may, with the sanction of the Chief Commissioner, be extended to—

(i) any railway station,

(ii) the whole or any part of any road so far as such road is situate within ten miles of the limits of the municipality,

(iii) the whole or any part of any road leading from the limits of the municipality to the limits of another municipality if the distance between the said municipalities does not exceed fifty miles.

113
miles, and the Committees of the said municipalities consent to the extension of such bye-law;

(c) provide for the proper registration of births, marriages and deaths, and for the taking of a census;

(d) fix, and from time to time vary, the number of persons who may occupy a building, or part of a building, which is let in lodgings or occupied by members of more than one family, or which is situated within such congested areas as may be specified in the bye-law; and provide—

(i) for the registration and inspection of such buildings,

(ii) for promoting cleanliness and ventilation in such buildings,

(iii) for the notices to be given and the precautions to be taken in the case of any infectious or contagious disease breaking out in such buildings,

(iv) in the case of hotels, serais, lodging houses and residential clubs, for the maintenance of registers, in such form as the Committee may prescribe, of visitors and lodgers, and

(v) generally for the proper regulation of such buildings;

(e) provide—

(i) for the inspection and proper regulation of encamping-grounds, pounds, serais, bakeries, aerated-water factories, ice factories, dhobi ghat, flour-mills and slaughter-houses;

(ii) for the inspection and proper regulation of markets, for the preparation and exhibition of a list of current prices, and for fixing the fees, rents and other charges to be levied in such markets;

(iii) for defining the standard weights and measures to be used in the municipality and for the inspection of weights and measures under section 207;

(iv) for the holding of fairs and industrial exhibitions within the municipality or under the control of
Ajmer-Merwara Municipalities.

of the Committee, and for the collection of fees under section 166;

(v) for controlling and regulating the use and management of burial and burning grounds;

(vi) for the supervision, regulation and protection from pollution of public wells, tanks, springs or other sources from which water is or may be made available for the use of the public, whether within or without the municipality;

(f) require and regulate the appointment by owners of buildings or land in the municipality, who are not resident in the municipality, of persons residing within or near the municipality to act as their agents for all or any of the purposes of this Regulation;

(g) where the collection of an octroi or terminal tax has been sanctioned, fix octroi or terminal tax limits for the purpose of collecting the same, and prescribe routes by which goods or animals or both which are subject to octroi or terminal tax may be brought into the municipality;

(h) render licences necessary for using premises as stables, cow houses, or houses or enclosures for sheep or goats;

(i) in any municipality where a reasonable number of slaughter-houses has been provided or licensed by the Committee, control, regulate or prohibit the admission within the municipality for the purpose of sale of the flesh (other than cured or preserved meat) of any cattle, sheep, goat or swine slaughtered at any slaughter-house or place not maintained or licensed under this Regulation, and provide for the seizure, destruction or disposal otherwise of any flesh brought within municipal limits in contravention of any such bye-law;

(j) fix premises in which the slaughter of animals of any particular kind, otherwise than for sale, shall be permitted, and prohibit, except in case of necessity, such slaughter elsewhere:

Provided that no such bye-laws shall apply to animals slaughtered for any religious purpose;

(k) prohibit
(k) prohibit the letting off of fire-arms, fire-works, fire-balloons, bombs or detonators except—

(i) with the permission of the Committee or of an officer of the Committee empowered to give such permission,

(ii) subject to such conditions as the Committee may impose, and

(iii) on payment of such fees (if any) as may at any time have been fixed by the Committee in that behalf;

(l) regulate the making and use of connections or communications between private houses and premises and mains or service cables, wires, pipes, drains, sewers and other channels established or maintained by the Committee under any of the provisions of this Regulation;

(m) regulate the posting of bills and advertisements, and the position, size, shape and style of name-boards, sign-boards and sign-posts;

(n) provide for and regulate the construction and maintenance of boundary walls, hedges and fences hereafter erected or re-erected so as to abut on a public street or upon property vested in the Committee;

(o) regulate or prohibit any description of traffic in the streets;

(p) prohibit the storage of more than a fixed maximum quantity of any explosive, petroleum, spirit, naphtha or other inflammable material in any building not licensed under section 161;

(q) provide for the seizure and confiscation of ownerless animals straying within the municipality;

(r) provide for the registration of all or any specified classes of dogs, and in particular and without prejudice to the generality of the foregoing,—

(i) provide for the imposition of an annual fee for such registration;

(ii) require that every registered dog shall wear a collar to which shall be attached a metal token to be issued by the Committee;

(iii) provide
Ajmer-Merwara Municipalities.

(iii) provide that any dog, not registered and not wearing such token, may, if found in any public place, be detained at a place to be set apart for the purpose, and shall be liable to be destroyed or otherwise disposed of after such period as may be specified in the bye-law;

(e) generally provide for carrying out the purposes of this Regulation.

246. (1) Any power to make bye-laws conferred by this Regulation is conferred subject to the bye-laws being made after previous publication.

(2) In making any bye-law, the Committee may direct that thereof shall be punishable 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 first during which the breach continues:

Provided that in lieu of, or in addition to inflicting such fine, the Magistrate may require the offender to remedy the mischief so far as is within his power.

(3) No bye-law shall come into force until it has been confirmed by the Chief Commissioner and published for such time and in such manner as the Chief Commissioner may prescribe in this behalf.

(4) The Chief Commissioner may cancel his confirmation of any such bye-law, and thereupon the bye-law shall cease to have effect.

(5) A copy of all bye-laws shall be kept at the office of the Committee and shall be open during office hours without charge to the inspection of any inhabitant of the municipality.

(6) Copies of all such bye-laws shall be kept at the said office for sale to the public at a price not exceeding one rupee.

Rules.

247. The Chief Commissioner may prescribe forms for any proceeding of Committees for which he considers that a form should be provided, and may, by notification, make rules consistent with this Regulation to provide for all or any of the following matters, namely:

(a) the qualifications requisite in the case of persons appointed by a Committee to offices requiring professional skill;

(b) the...
the authority on which money may be paid from the municipal fund, and the management and regulation of provident funds established under section 24;

c) the formation and working of municipal fire brigades;

d) the procedure to be observed for the appointment, punishment or dismissal of officers and servants of Committees, and as to appeals from orders of appointment, punishment or dismissal;

e) the conditions on which property may be acquired by a Committee or on which property vested in a Committee may be transferred by sale, mortgage, lease, exchange or otherwise;

f) the intermediate office or offices, if any, through which correspondence between Committees or members and the Chief Commissioner or his officers shall pass;

g) the preparation of plans and estimates for works to be partly or wholly constructed at the expense of Committees, and the persons by whom, and the conditions subject to which, such plans and estimates are to be sanctioned;

h) the assessment and collection, and the composition, refund or the limiting of refunds, of taxes imposed under this Regulation, and the prevention of evasion of the same; and the fees payable for notices of demand;

i) the conditions on which a Committee may receive goods into a bonded-warehouse and the agreements to be signed by traders or others wishing to deposit goods therein;

j) the accounts to be kept by Committees, the conditions on which such accounts are to be open to inspection by inhabitants paying any tax under this Regulation, the manner in which such accounts are to be audited and published, and the power of the auditors in respect of disallowance and exchange;

k) the returns, statements and reports to be submitted by Committees;

l) the powers to be exercised by the Commissioner under section 242;

(m) the
Municipalities. [Reg. V]

Money may be paid from...


g of municipal fire brigades; of officers and servants of appeals from orders of ap- or dismissal;

property may be acquired, which property vested in a referred by sale, mortgage, wise;

ices, if any, through which Councils or members of or his officers shall

nd estimates for works to structed at the expense of whom, and the such plans and esti-

on, and the composition, refunds, of taxes imposed the prevention of eva-

en; fees payable for notices

Committees may receive chouse and the agree-

mmittees, the conditions to be open to inspection

e such accounts are to be the power of the audi-

he Commissioner under

Aymer-Merawa Municipalities.

(m) the language in which business shall be transacted, proceedings recorded and notices issued;

(a) the publication of notices;

(o) the regulation of the proceedings of persons empowered to accept composition under section 230 for alleged offences;

(p) the maintenance, control and regulation of water works and supply of water; and

(q) generally the guidance of Committees and public officers in carrying out the purposes of this Regulation.

248. (7) In making rules, the Chief Commissioner may direct that a breach of any provision thereof shall be punish-

able with fine which may extend to fifty rupees.

(2) All rules shall be made after previous publication.

(3) A rule may be general for all municipalities, or for all municipalities not expressly excepted from its operation, or may be special for the whole or any part of any one or more municipalities, as the Chief Commissioner directs.

(4) On publication in the official Gazette of any rules made under this Regulation, such rules shall have effect as if enacted in this Regulation.

CHAPTER XV.

Supplementary.

249. No act done or proceeding taken under this Regula-

tion shall be questioned on the ground merely of the existence

of any vacancy in any Committee, sub-committee or joint com-

mittee, or on account of any defect or irregularity not affect-

ing the merits of the case.

250. (f) A copy of any receipt, application, plan, notice order, entry in a register or other document in the possession of a Committee shall, if duly certified by the legal keeper thereof or other person authorised by bye-law in this behalf, be received as evidence of the existence of the entry or document and of the matters or transactions therein recorded in every case where, and to the same extent as, the original entry or
Ajmer-Morwara Municipalities.

or document would, if produced, have been admissible to prove such matters.

(2) No officer or servant of a Committee shall in any legal proceedings to which the Committee is not a party be required to produce any register or document the contents of which can be proved under sub-section (1) by a certified copy or to appear as a witness to prove the matters or transactions recorded therein, unless by order of the Court made for special cause.

251. (1) If the circumstances of any municipality are such that, in the opinion of the Chief Commissioner, any of the provisions of this Regulation are unsuited thereto, the Chief Commissioner may, by notification, except the municipality or any part of it from the operation of all or any of the said provisions; and thereupon those provisions shall not apply to the municipality until applied thereto by notification.

(2) While such exception as aforesaid remains in force, the Chief Commissioner may, by notification and after previous publication, make rules for the guidance of the Committee and public officers in respect of the matters excepted from the operation of the said provisions.

THE SCHEDULE.

[See section 2.]

REGULATIONS REPEALED.

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Subject or short title</th>
<th>Extent of repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1886</td>
<td>V</td>
<td>The Ajmer Municipalities Regulation, 1886.</td>
<td>The whole Regulation.</td>
</tr>
<tr>
<td>1893</td>
<td>IX</td>
<td>The Ajmer Amending Regulation, 1893.</td>
<td>So much as relates to the Ajmer Municipalities Regulation, 1886.</td>
</tr>
<tr>
<td>1905</td>
<td>I</td>
<td>The Ajmer Municipalities (Amendment) Regulation, 1905.</td>
<td>The whole Regulation.</td>
</tr>
<tr>
<td>1914</td>
<td>II</td>
<td>The Ajmer Repealing and Amending Regulation, 1914.</td>
<td>So much as relates to the Ajmer Municipalities Regulation, 1886.</td>
</tr>
</tbody>
</table>

120
of a Committee shall in any case be required to produce a certified copy of the real estate or a statement of the matters or transactions relating to the Court made for special purposes of any municipality are such Chief Commissioner, any of the are unsuited thereto, the Chief, except the municipality creation of all or any of the said as aforesaid remains in force, by notification and after proviz the guidance of the Committee of the matters excepted from the.

TEDULE.

<table>
<thead>
<tr>
<th>Title</th>
<th>Extent of Repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulation</td>
<td>The whole Regulation</td>
</tr>
<tr>
<td>Repealed</td>
<td>So much as relates to the Ajmer Municipalities Regulation, 1866</td>
</tr>
<tr>
<td>Amendment 4</td>
<td>The whole Regulation</td>
</tr>
</tbody>
</table>

A Regulation to amend the Sonthal Parganas Settlement Regulation, 1872.

WHEREAS it is expedient to amend the Sonthal Parganas Settlement Regulation, 1872, in the manner hereinafter appearing; It is hereby enacted as follows:—

1. This Regulation may be called the Sonthal Parganas Settlement (Amendment) Regulation, 1925.

2. After section 27 of the Sonthal Parganas Settlement Regulation, 1872 (hereinafter called the said Regulation), the following sections shall be inserted, namely:

   27A. Notwithstanding anything contained in the Indian Urban Improvement Act, 1908, the period of limitation for a suit for arrears of rent brought by a proprietor against a headman shall be one year from the date on which the arrears became due.

   27B. The proprietor shall, within one month after such date shall be added, namely:—

   “(h) being a proprietor, without reasonable cause fails to give a headman the statement for any year in accordance with the provisions of section 27B.”

3. After clause (g) of section 28 of the said Regulation the following clause shall be added, namely:—

   “(g) being a proprietor, without reasonable cause fails to give to a headman the statement for any year in accordance with the provisions of section 27B.”

4. Nothing in this Regulation shall bar a suit for rent savings which would not have been barred under the law in force before the date of the commencement of this Regulation, provided that such suit be brought within a period of one year from the commencement of this Regulation.

Price 1 anna or 1½d.
REGULATION No. I OF 1926.

[Received the assent of the Governor General on the 2nd January, 1926; and published in the Gazette of India on the 9th January, 1926.]

A Regulation to amend the Laccadive Islands and Minicoy Regulation, 1912.

WHEREAS it is expedient to amend the Laccadive Islands and Minicoy Regulation, 1912; It is hereby enacted as follows:

1. This Regulation may be called the Laccadive Islands and Minicoy (Amendment) Regulation, 1926.

2. In section 3 of the Laccadive Islands and Minicoy Regulation, 1912 (hereinafter referred to as the said Regulation), after the words and figures "State Prisoners Act, 1858," the words "the Indian Penal Code" shall be inserted.

3. Section 4 of the said Regulation is hereby repealed.

4. For section 5 of the said Regulation the following section shall be substituted, namely:

"5. Whoever—
(a) uses abusive language to another,
(b) obstructs any person in seizing stray cattle,
(c) without reasonable cause fails to attend the kacheri when ordered to do so,

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."

5. Section 6 of the said Regulation is hereby repealed.

6. For sub-section (2) of section 8 of the said Regulation the following sub-section shall be substituted, namely:

"(2) Whoever disobeys any reasonable order of an amin or other public servant, or acts in such a manner

Price 1 anna or 1½d.
as to bring into contempt the authority of such amin or other public servant, shall, in cases not punishable under the Indian Penal Code or under any sub-section (I), be punishable with imprisonment which may extend to fifteen days, or with fine which may extend to fifteen rupees, or with both.

7. After section 8 of the said Regulation the following section shall be inserted, namely:

"SA. 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 sections 5, 7 and 8, and prescribe punishments for the offences so added."

8. For section 9 of the said Regulation the following section shall be substituted, namely:

"9. (I) The local amin of each island shall have jurisdiction to try persons accused of any of the following offences in the island, namely:

(a) offences specified in sections 5, 7 and 8;

(b) offences which, if committed in an area in which the Code of Criminal Procedure, 1898, is in force, would be triable by a Magistrate of the third class under that Code, and offences punishable under section 224 or section 500 of the Indian Penal Code;

(c) any other offence which the Governor in Council may, by notification in the Fort St. George Gazette, declare to be triable by an amin.

(2) The amin may inflict on persons found guilty of any of the offences triable by him under the provisions of sub-section (I) the punishment prescribed therefor:

Provided that he shall not pass any sentence of imprisonment exceeding fifteen days, or of fine exceeding fifteen rupees.

(3) For the conduct of trials under this section the amin shall sit with four or more assessors called karnavars"
that the authority of such an amin, shall, in cases not triable with imprisonment for fifteen days, or with fine in rupees, or with both, specially appointed by the Collector or Inspecting officer for life, subject to good behaviour.

(4) If the amin is of opinion that an accused person tried before him is guilty of an offence triable by him under the provisions of sub-section (1), and that such person 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, who may pass such order as he thinks fit. If the Inspecting officer or the Collector finds the accused guilty of the offence, he may inflict any punishment prescribed therefor.”

9. After section 10 of the said Regulation the following sections shall be inserted, namely:

10A. (1) When any offence other than an offence triable by an amin is 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 the Collector by general or special order in this behalf.

(2) The Inspecting officer or the Collector or any of the Collector’s assistants empowered under sub-section (1), when trying a case in accordance with the provisions of sub-section (1), shall, when the trial is held in the islands, sit with two or more island assessors.

10B. The procedure prescribed in section 10 shall, as far as may be, be applicable to trials held by the Inspecting officer or the Collector or any of the Collector’s assistants under the provisions of sub-section (1) of section 10A.

10C. Whenever, after such inquiry as he thinks fit, the amin to the Inspecting officer or the Collector or any of the Collector’s assistants empowered under sub-section...
section (1) of section 10A is satisfied that any person in the islands—

(a) is a habitual offender, or
(b) is likely to commit a breach of the peace or disturb the public tranquillity, or to do any wrongful act that may probably occasion a breach of the peace or disturb the public tranquillity, or
(c) is so desperate and dangerous as to render his being at large without security hazardous to the community,

he may require such person to execute a bond, with sureties, for keeping the peace or for his good behaviour for such period not exceeding three years as he thinks fit to fix.

10D. If any person required to give security under section 10C does not give such security, he shall be committed to prison or, if he is already in prison, be detained in prison until the period fixed under section 10C expires, or until within such period he gives the security. Imprisonment for failure to furnish security may be either simple or rigorous.

10E. The Collector, or, subject to the control of the Collector, the Inspecting officer, may at any time cancel any bond for keeping the peace or for good behaviour executed under section 10C or section 10D, or may release from prison any person imprisoned for failure to give security.”

10. In sub-section (2) of section 11 of the said Regulation, for the words “his Divisional officers” the words “the Collector’s assistants” shall be substituted.

11. In section 13 of the said Regulation, for the words “Divisional officer” the words “Collector’s assistant” shall be substituted.

12. In section 14 of the said Regulation, after the word “order” the words and figures “other than an order under section 10C or section 10D,” shall be inserted.

13. After section 21 of the said Regulation the following section shall be inserted, namely:

“21A. Every suit instituted after a period of three years from the date on which the cause of action arose shall
Mincocoy. [Reg. 1]

satisfied that any per-

ch of the peace or dis-

utility, or to do any

probably occasion a

isturb the public tran-

uous as to render his

security hazardous to

execute a bond, with

ce or for his good be-

ceeding three years

ve security under sec-

security, he shall be

is already in prison, he period fixed under

within such period he

ment for failure to

r simple or rigorous.

he control of the Col-

', may at any time

the peace or for good

ction 10C or section

ison any person im-

curity.""

the said Regulation,

the words "the Col-

tion, for the words

or's assistant" shall

of 1926.] Laccadive Islands and Minicoy.

shall be dismissed, although limitation has not

been set up as a defence:

Provided that this section shall not apply to suits insti-
tuted before or within one year after the com-

mencement of the Laccadive Islands and Minicoy

(Amendment) Regulation, 1926."

14. In section 24 of the said Regulation, for the words

"Divisional officers" the word "assistants" shall be sub-

stituted.

15. In section 26 of the said Regulation,—

(a) in sub-section (2), for the words "any other of his

Divisional officers" the words "one of the Collec-

tor's assistants" shall be substituted; and

(b) in sub-section (2), for the words "Divisional officer"

the words "Collector's assistant" shall be substi-

tuted.

16. In section 29 of the said Regulation, for the words

and figure "sub-section (3)" the words and figure "sub-sec-

tion (4)" shall be substituted.

17. For section 33 of the said Regulation the following

section shall be substituted, namely:—

"33. The Governor in Council may by order—

(a) prohibit any person from visiting or taking up

his residence in an island of which he is not a

native, and

(b) require any person to leave an island of which he

is not a native,

and may make such rules as he deems fit to carry

out the purposes of this section."

MOIPC—L.—J.118.—19.2.26.—9,000.
REGULATION No. II OF 1926.

[Received the assent of the Governor General on the 4th January, 1926, and published in the Gazette of India on the 16th January, 1926.]

A Regulation to declare the law in force in the Pargana of Manpur.

WHEREAS it is expedient to declare the law in force in the Pargana of Manpur; It is hereby enacted as follows:—

1. This Regulation may be called the Manpur Laws (Short title. Regulation, 1926.

2. (1) So much of each of the enactments specified in the Schedule as is in force in the territories to which the enactment generally applies shall be deemed to be in force in the Pargana of Manpur, subject to the modifications stated in the Schedule, and to any amendments to which the enactments are for the time being subject in the territories to which they generally apply.

(2) An enactment not comprised in the Schedule shall not be deemed to be, or to have been, in force in the Pargana of Manpur or in any part thereof unless, after the commencement of this Regulation, the enactment 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 Chief Commissioner, 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 the Schedule, 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 the Pargana of Manpur or in any part thereof specified in the notification.

3. (1) For

Price 1 anna or 1¿d.
3. 

(I) For the purpose of facilitating the application of any enactment for the time being in force in the Pargana of Manpur, 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 the Pargana of Manpur to the Gazette or to the local official Gazette shall be construed as referring to the Gazette of India.
THE SCHEDULE.

**Manpur Laws.**

**THE SCHEDULE.**

*(See section 2.)*

Enactments to be deemed in force in the Pargana of Manpur.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1818</td>
<td>III</td>
<td>The Bengal State Prisoners Regulation, 1818.</td>
<td></td>
</tr>
<tr>
<td>1860</td>
<td>XVIII</td>
<td>The Judicial Officers Protection Act, 1860.</td>
<td></td>
</tr>
<tr>
<td>1850</td>
<td>XXXIV</td>
<td>The State Prisoners Act, 1850.</td>
<td></td>
</tr>
<tr>
<td>1858</td>
<td>III</td>
<td>The State Prisoners Act, 1858.</td>
<td></td>
</tr>
<tr>
<td>1860</td>
<td>XLV</td>
<td>The Indian Penal Code.</td>
<td></td>
</tr>
<tr>
<td>1861</td>
<td>V</td>
<td>The Police Act, 1861.</td>
<td></td>
</tr>
<tr>
<td>1867</td>
<td>III</td>
<td>The Public Gambling Act, 1867. (1) The preamble, the first two paragraphs of section 1 and section 2 shall be omitted.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) In section 5, for the words &quot;Lieutenant Governor or Chief Commissioner&quot; and in section 17, for the words &quot;Lieutenant Governor or Chief Commissioner, as the case may be&quot; the words &quot;Chief Commissioner&quot; shall be substituted.</td>
<td></td>
</tr>
<tr>
<td>1870</td>
<td>VII</td>
<td>The Court-fees Act, 1870.</td>
<td></td>
</tr>
<tr>
<td>1871</td>
<td>I</td>
<td>The Cattle-trespass Act, 1871.</td>
<td></td>
</tr>
</tbody>
</table>

1872
<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1872</td>
<td>I</td>
<td>The Indian Evidence Act, 1872.</td>
<td></td>
</tr>
<tr>
<td>1872</td>
<td>IX</td>
<td>The Indian Contract 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>XIV</td>
<td>The Scheduled Districts Act, 1874.</td>
<td></td>
</tr>
<tr>
<td>1876</td>
<td>IX</td>
<td>The Indian Majority Act, 1875.</td>
<td></td>
</tr>
<tr>
<td>1877</td>
<td>I</td>
<td>The Specific Relief Act, 1877.</td>
<td></td>
</tr>
<tr>
<td>1878</td>
<td>XI</td>
<td>The Indian Arms Act, 1878.</td>
<td></td>
</tr>
<tr>
<td>1880</td>
<td>XIII</td>
<td>The Vaccination Act, 1880.</td>
<td></td>
</tr>
</tbody>
</table>

(1) In section 1, for the second paragraph the following shall be substituted, namely:—

"It shall apply only to such municipalities and notified areas situate in the Pargana of Manpur as it may be extended to in the manner hereinafter provided."

(2) In clause (3) of section 2, for the word "cantonment" the words "notified area" shall be substituted.

(3) For section 4 the following section shall be substituted, namely:

"4. The Local Government may, by notification in the Gazette of India, extend the Act to any area other than a municipality, specified in the notification, and such area shall thenceforth be deemed to be a notified area."
### Manpur Laws

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1880</td>
<td>XIII</td>
<td>The Vaccination Act, 1880</td>
<td>(4) In section 5, for the words “any local area in a Cantonment” the words “a notified area” shall be substituted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(5) For section 20 the following section shall be substituted, namely:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>“20. When this Act has been applied to any notified area the Local Government may make such rules.”</td>
</tr>
<tr>
<td>1882</td>
<td>IV</td>
<td>The Transfer of Property Act, 1882</td>
<td></td>
</tr>
<tr>
<td>1885</td>
<td>XIII</td>
<td>The Indian Telegraph Act, 1886</td>
<td></td>
</tr>
<tr>
<td>1887</td>
<td>IX</td>
<td>The Provincial Small Cause Courts Act, 1887</td>
<td>For section 16 the following shall be substituted, namely:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>“16. If a suit is instituted in any other court having jurisdiction within the local limits of the jurisdiction of a Court of Small Causes which in the opinion of the judge who tries the same (whose opinion shall be final), ought to have been instituted in the Court of Small Causes, no costs shall be allowed to a successful plaintiff and a successful defendant shall be allowed his costs including such pleader’s fees as the court may direct.”</td>
</tr>
</tbody>
</table>

---

1. In section 1, for the second paragraph the following shall be substituted, namely:

> “It shall apply only to such municipalities and notified areas situate in the Punjabs of Manpur as it may be extended to in the manner hereinafter provided.”

In clause (6) of section 2, for the word “cantonment” the words “notified area” shall be substituted.

For section 4 the following section shall be substituted,

> “4. The Local Government may, by notification in the Gazette of India, extend the Act to any area other than a municipality, specified in the notification, and such area shall thenceforth be deemed to be a notified area.”
<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1897</td>
<td>X</td>
<td>The General Clauses Act, 1897.</td>
<td>(1) Sub-section (3) of section 1 shall be omitted.</td>
</tr>
<tr>
<td></td>
<td>III</td>
<td>The Lepers Act, 1898.</td>
<td>(2) After section 19 the following section shall be inserted, namely:—</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>&quot;20. When a Magistrate has issued an order in Form C or Form D for the detention of a leper, and the Local Government is satisfied that it is to the interests of the leper that he be detained in an asylum established in an Indian State in Central India in which arrangements can be made for his detention and for his inspection by the members of the Board as required by section 13 or by a Board similarly constituted, the Local Government may direct that he shall be detained in such asylum in accordance with such order.&quot;</td>
</tr>
<tr>
<td>1898</td>
<td>V</td>
<td>The Code of Criminal Procedure, 1898.</td>
<td></td>
</tr>
<tr>
<td>1898</td>
<td>VI</td>
<td>The Indian Post Office Act, 1898.</td>
<td></td>
</tr>
<tr>
<td>1899</td>
<td>II</td>
<td>The Indian Stamp Act, 1899.</td>
<td>(1) Sections 57, 58 and 59 shall be omitted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(2) In sub-section (4) of section 60, the words and figures &quot;other than a Court mentioned in section 57&quot; and the words beginning with &quot;or Chief Court&quot; and ending with &quot;refer the same&quot; shall be omitted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(3) In sub-section (9) of section 60, the words and figures &quot;as if it had been reserved under section 67&quot; and the words beginning with &quot;under the seal&quot; and ending with &quot;another like copy&quot; shall be omitted.</td>
</tr>
</tbody>
</table>
Sub-section (5) of section 1 shall be omitted.
After section 19 the following section shall be inserted, namely:—
20. When a Magistrate has issued an order in Form C or Form D for the detention of a leper, and the Local Government is satisfied that it is to the interests of the leper that he be detained in an asylum established in an Indian State in Central India in which arrangements can be made for his detention and for his inspection by the members of the Board as required by section 13 or by a Board similarly constituted, the Local Government may direct that he shall be detained in such asylum in accordance with such order.”

Sections 57, 58 and 59 shall be omitted.
Sub-section (1) of section the words and figures “other than a Court mentioned in sec. 57” and the words beginning with “or Chief Court” ending with “refer the e” shall be omitted.
Sub-section (2) of section the words and figures if it had been referred to section 57” and the words beginning with “under seal” and ending with “other like copy” shall be left.

1908 IX The Indian Limitation Act, 1908.
1908 XVI The Indian Registration Act, 1908.
1909 IV The Whipping Act, 1909.
1912 IV The Indian Lunacy Act, 1912.
1913 X The Usurious Loans Act, 1913.


Sections 14, 15 and 67 shall be subject to the proviso that, if a lunatic is an inhabitant of an Indian State, the Magistrate or Judge, as the case may be, may make him over to the care of such State with its consent and in the case of an order under section 67, with the consent of the person on whose application the inquiry was instituted.

In sub-section (2) of section 1, the words “except the Scheduled Districts” shall be omitted.
EGULATION No. III of 1926.

This Regulation may be called the Andaman and Nicobar Islands (Land-tenure) Regulation, 1926.

(2) It extends to the Andamans and the Nicobars.

(3) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

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

(a) "agricultural land" means land which is let or held for agricultural purposes or for pasture, and includes the sites of buildings situated on such land;

(b) "agricultural year" means the year commencing on the first day of January and ending on the thirty-first day of December;

(c) "the Andamans" and "the Nicobars" mean, respectively, the Andamans and the Nicobars as defined in section 1 of the Andaman and Nicobar Islands Regulation, 1876;

(d) "holding" means a parcel or parcels of agricultural land held under one tenure and under one licence;

(e) "improvement," with reference to a holding, means any work which adds materially to the letting value of the holding, which is suitable to the holding and consistent with the purpose for which the holding has been made.

Price 1 anna or 14d.
been let and which, if not executed on the holding, either is executed directly for its benefit or is after execution made directly beneficial to it; and includes—

(i) the constructions of wells, tanks, water-channels and other works for the storage, supply or distribution of water for agricultural purposes,

(ii) the construction of works for the drainage of agricultural land or for the protection of such land against floods, erosion or other damage by water,

(iii) the planting of trees and the reclaiming, clearing and closing, levelling or terracing of agricultural land,

(iv) the erection of buildings on, or in the immediate vicinity of, the holding for the more convenient or profitable use or occupation of the holding; and

(v) the renewal or re-construction of any of the foregoing works or such alterations therein or additions thereto as durably increase their value and are not of the nature of mere repairs;

but does not include any such clearances, embankments, water-channels, levellings, enclosures or temporary wells as are made by tenants in the ordinary course of cultivation;

(f) "land-revenue" means whatever is in cash or kind to be paid or delivered to Government on account of land or on account of groves, tanki, rights of pasture or of gathering produce, forest rights, fisheries, the use of water for irrigation or the like;

(g) "licence" means a licence granted under clause (6) of sub-section (f) of section 4; and

(6) "occupancy tenant" and "non-occupancy tenant" mean, respectively, a person who has and a person who has not acquired a right of occupancy under the provisions of this Regulation in agricultural land held under a licence.

CHAPTER II.

OWNERSHIP OF LAND.

Ownership of land. 3. All land in the Andamans and the Nicobars is vested absolutely in His Majesty and, save as provided by or under this Regulation, no person shall be deemed to have acquired any property therein or any right to or over the same by occupation, prescription or conveyance or in any other manner whatsoever except by a conveyance executed by, or under the authority of, the Governor General in Council.

CHAPTER III.
CHAPTER III.

Grants of Land and the Products of Land.

4. (1) The Chief Commissioner may, on such terms and subject to such conditions as he thinks fit,—

(a) make to any person, for the cultivation of long-lived crops such as coconuts, coffee, rubber and the like and for the construction of buildings and works to be used for the purpose of or in connection with such cultivation, a grant of land for any period not exceeding thirty years with an option for renewal for the like period subject on such renewal to re-assessment of the land-revenue fixed by the original grant:

Provided that no such grant shall be made without the previous sanction of the Governor General in Council other than a grant of land situated in the South Andaman Islands which is not included within the limits of a reserved forest or a grant of land included in any other area specified in this behalf by the Governor General in Council by notification in the Gazette of India;

(b) by a licence in writing, permit any person to occupy any land for any purpose.

(2) Every such grant or licence shall contain as accurate a description of the land to be granted or occupied, whether by boundaries or otherwise, as is possible, and shall specify the purposes for which, and the terms and conditions on and subject to which, the grant is made or the permission is given.

5. (1) When a licence is given for the occupation of land and for the erection of buildings or the construction of agricultural works therein, the licence shall specify the maximum amount of compensation payable by Government under sub-section (2) in respect of such buildings or works, and such maximum amount shall not, without the previous sanction of the Governor General in Council, exceed twenty-five thousand rupees.

(2) Save as otherwise provided by this Regulation, no licence and no right acquired under a licence shall devolve by inheritance or be transferred by conveyance or in any other manner whatever without the consent of the Chief Commissioner in writing.

(3) The Chief Commissioner may at any time determine any licence upon giving to the licensee one year's previous notice of his intention so to do and upon paying to him, in respect of any buildings erected or works constructed on such land in pursuance of a permission granted in the licence, such compensation, not exceeding the maximum sum specified in the licence, as to the Chief Commissioner may seem just and reasonable.

(4) The
(4) The notice required by sub-section (3) shall be in writing and shall be served on the licensee in person or, if he cannot be found, shall be deemed to have been served if it is affixed to some conspicuous place on the land to which it relates.

(5) If on the determination of a licence by lapse of time, by notice under sub-section (3), by breach of any condition contained therein, or otherwise, the licensee does not give up the land to such officer as the Chief Commissioner may depute to take it over, the Chief Commissioner may direct such officer to enter upon the land and remove any person found thereon, and all movable property found thereon shall be forfeited and shall vest in His Majesty.

6. The Chief Commissioner may give to any person a permit in writing, on such terms and subject to such conditions as he thinks fit, to fell any trees or take the produce of any trees or collect edible birds' nests or any other product.

7. Any land-revenue or other dues claimable by Government in respect of any land occupied under a grant such as is referred to in section 4 or under a licence, or in respect of any right conferred by a permit given under section 6, may be summarily recovered by such officer as the Chief Commissioner may appoint in this behalf by attachment and sale of the property of the defaulter.

CHAPTER IV.

Agricultural Tenancies and Classes of Tenancies.

8. There shall be two classes of tenants of agricultural land, namely, occupancy tenants and non-occupancy tenants.

9. (1) Where any person has as a non-occupancy tenant cultivated continuously for a period of five years—

(a) any holding in the South Andaman Islands which is not included within the limits of a reserved forest or of any other area specified in this behalf by the Governor General in Council by notification in the Gazette of India, or

(b) any holding situated in the Bomlungta or Bonington Forest Settlements in the Middle Andaman Island in respect of which a recommendation is made by the Chief Forest Officer for a grant of occupancy right, the Chief Commissioner shall, unless he is, for reasons to be recorded in writing, of opinion that the right should be withheld, by order in writing confer upon such person a right of occupancy in respect of the holding so cultivated:

Provided that such right shall not be conferred upon any ticket-of-leave convict until he has been released and, when conferred upon
(3) shall be in writing or, if he cannot be if it is affixed to some
any lapse of time, by
ny condition contained up the land to such
to enter upon the land condition in His Majesty.
o any person a permit such conditions as he
duce of any acts or
able by Government in such as is referred to in
right conferred by
imarily recovered by
appointed in his behalf
defaulter.

of Tenancies.

1. agricultural land,
tenants.

2. non-occupancy tenant

Islands which is not
reserved forest or of
ix by the Governor
in the Gazette of

3. or Bonington
Andaman Island in
son is made by the
occupancy right,

4. reasons to be
should be withheld,
right of occupancy

10. (1) In computing the period of five years specified in Computation
section 9, any time during which the holding has been sub-let in
accordance with the provisions of this Regulation shall be included,
and any time during which the holding has been sub-let or other-
wise transferred in contravention of the provisions of this Regula-
tion, shall be excluded; but no such sub-lease or transfer by a non-
occupancy tenant shall be deemed to have broken the continuity
of the aforesaid period.

(2) Where a tenant who has a right of occupancy in any
holding accepts in exchange therefor any other holding under the
orders of the Chief Commissioner, he shall have a right of occu-
pancy in such other holding.

(3) A right of occupancy conferred upon any person by or under
this section shall include a right of occupancy in the site of any
village-house occupied rent-free by him in connection with his
holding.

11. A right of occupancy in any holding shall be Estimated
of period
extinguished— of right of

(a) when the tenant dies leaving no person entitled to inherit
it, or

(b) when he has remained absent at one time from the

Andamans and the Nicobars for a period exceeding one
year without the permission of the Chief Commissioner,
or

(c) when his residential licence is cancelled, or

(d) when he has been rejected from the holding in accordance

with the provisions of this Regulation, or

(e) when he has abandoned or surrendered the holding, or

(7) when
(f) when he has accepted another holding in exchange there- 
for under the orders of the Chief Commissioner, or
(g) when the holding has been acquired under the Land 
Acquisition Act, 1894.

12. (f) An occupancy tenant may, with the previous sanction 
of the Chief Commissioner and on such conditions as the Chief 
Commissioner may specify, but not otherwise, transfer his occupancy 
right by exchange, sale, mortgage or gift, and sanction to such 
transfer shall not be withheld, unless the Chief Commissioner consi-
der that it would be detrimental to the interests of the tenant.

(2) A right of occupancy may be mortgaged to Government 
as security for repayment of a loan and may, with the 
previous sanction of the Chief Commissioner, be sold in execution 
of a decree or order of a Court.

13. On the death of an occupancy tenant, or of a non-occupa-
ty tenant, the tenant right shall devolve as follows:—

(a) on his male lineal descendants in the male line of descent.
or

(b) failing such descendants, on his widow until her death or 
re-marriage, or

(c) failing such descendants and widow, or on the death or 
re-marriage of the widow, as the case may be, on his 
daughter or daughters until their death or marriage, or

(d) failing such descendants and a widow and daughters, or 
on the death or marriage of the last daughter remain-
ing unmarried, on whom the right has devolved under 
clause (c), on his brothers being sons of the same
father, or

(e) failing any such heirs as afore-mentioned, on the nearest 
collateral male relative in the male line of descent.

14. (f) An occupancy tenant may sub-let his holding or any 
part thereof for any term not exceeding two years, and a non-
occupancy tenant may sub-let his holding or any part thereof for 
any term not exceeding one year:

Provided that—

(a) no holding or part of holding shall be sub-let within two 
years from the expiry of any previous sub-lease;

(b) no ticket-of-leave convict shall sub-let his holding or any 
part of it without the previous sanction of such 
oficer as the Chief Commissioner may appoint in this 
behalf.

(2) Notwithstanding anything in sub-section (f), the holding 
of a female, a minor or a lunatic may be sub-let with the sanction 
of the Chief Commissioner for such period as he may approve.
An Holdings in exchange therebetween shall be entitled to sub-let his holding.

15. (1) No sub-lease shall in any way relieve the lessee from liability to the Government.

(2) If the holding of a tenant reverts to the Government by reason of death or otherwise, any sub-tenant who is in occupation shall at his option either pay the full land-revenue demand of his holding for the period of his sub-lease or quit his holding. If he fails to do either, he shall have the right to remove the standing crops and other produce thereof after payment of the land-revenue due up to the date of quittance.

16. Every sub-lease or other transfer and every agreement to sub-let or otherwise transfer made in contravention of the provisions of this Regulation shall be void.

17. (1) A tenant shall be liable to ejectment from his holding on any of the following grounds, namely:

(a) that any instalment of land-revenue has remained unpaid for more than one month from the date on which such instalment became due, or

(b) that he has done any act detrimental to the land in that holding or inconsistent with the purpose for which it was let, or that he has by wilful neglect caused the deterioration of the land in that holding, or

(c) that he has sub-let or otherwise transferred the whole or any portion of his holding in contravention of the provisions of this Regulation, or

(d) that he has failed to build or acquire a residential house in the village in which the holding is situated within one year of his having acquired a right of occupancy in the holding.

(2) A non-occupancy tenant shall also be liable to ejectment if he without due cause has failed to pay, at the proper time, an instalment of taka due from him.

(3) A sub-tenant shall be liable to ejectment on the ground that arrears of rent payable in respect of the sub-tenancy on account of any agricultural year remain unpaid at the expiry of that year, or on any ground specified in clause (b) or in clause (c) of sub-section (I).

(4) No order for ejectment shall be executed before the first day of February or after the fifteenth day of March in any year.

18. (1) No order for the ejectment of an occupancy tenant claims for shall be executed until all claims for improvements made by the improvement tenant have been determined.

(2) No compensation for improvements shall be admissible in excess of the rate of fifty rupees per acre of the holding.

(3) In
(5) In estimating the amount of compensation payable in respect of an improvement, regard shall be had—

(a) to the amount by which the produce of the holding or the value of such produce is increased by the improvement,

(b) to the condition of the improvement and the probable duration of its effects,

(c) to the amount of labour and capital expended for the purpose of making the improvement,

(d) to any advantage which has already been allowed to the tenant in consideration of the improvement,

(e) to any assistance which has been given to the tenant by the Government in money, material or labour, and

(f) where the improvement consists of the reclamation or conversion for agricultural purposes of non-culturable land, to the length of time during which the tenant has had the benefit of the improvement.

19. (1) A tenant may surrender his holding at the end of any agricultural year.

(2) No tenant shall be entitled to surrender a portion only of his holding.

(3) A tenant who surrenders his holding in any agricultural year without having given notice in writing before the first day of February in that year of his intention to surrender the same, shall be liable for the land-revenue of the holding for the whole of the following agricultural year.

20. Where a tenant has ceased to cultivate his holding either by himself or by some other person and has left the neighborhood without having made and given notice of any arrangement for the payment of his land-revenue as it falls due, the Chief Commissioner may, at any time after the first day of February in any year, enter upon the holding and let it to another tenant.

21. Remission of land-revenue either in whole or in part may be granted to any cultivator whose crop has been damaged or destroyed by drought, inundation, blight, ravages of insects or other cause not ordinarily preventable, on application made on or before the thirtieth day of November in the agricultural year in which the crop in respect of which the remission is claimed has been sown.

CHAPTER V.

DETERMINATION OF DISPUTES.

22. (1) All applications and suits in matters arising for determination between tenants and sub-tenants as to such concerning agricultural land shall be heard and determined by such Courts as the Chief
Chief Commissioner may constitute for this purpose by rule made under this Regulation.

(2) Every other application under this Regulation shall be made to and be decided by such officer as the Chief Commissioner may appoint in this behalf.

23. An appeal shall lie from the decree or order of a Court Appeals, constituted under sub-section (1) of section 22 in such cases and subject to such conditions as to such authority as the Chief Commissioner may prescribe by rule made under this Regulation.

24. The Chief Commissioner may call for the record of any case which has been decided by any Court constituted under sub-section (1) of section 22, or by any officer under sub-section (2) of that section or which has been decided on appeal by an authority appointed under section 23, and may make such order in the case as he thinks fit.

CHAPTER VI.
MISCELLANEOUS.

25. The Chief Commissioner, with the sanction of the Governor General in Council, may by order in writing delegate powers, subject to the control of the Chief Commissioner, to any officer subordinate to him all or any of the powers conferred on him by any provision of this Regulation, other than the power to make rules.

26. (1) The Chief Commissioner may, by notification in the Gazette, make rules consistent with this Regulation to carry into effect the purposes thereof.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for any of the following matters, namely:—

(a) the constitution, powers and procedure of Courts for the disposal of cases between tenants and sub-tenants;

(b) the cases in which, the conditions subject to which, and the authorities to which, appeals shall lie under section 23; and

(c) the maintenance of maps, field books and other land records.

27. Part II of the Andaman and Nicobar Islands Regulation, is hereby repealed:

Provided that all conveyances executed, licences granted and rights protected under that Part shall remain in force and be deemed to have been executed, granted and protected under this Regulation.
REGULATION NO. IV OF 1926.

[Received the assent of the Governor General on the 9th March, 1926; and published in the Gazette of India on the 13th March, 1926.]

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, for the purposes hereinafter appearing; It is hereby enacted as follows:

1. (1) This Regulation may be called the North-West Frontier Province Law and Justice (Amendment) Regulation, 1926.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

2. In sub-section (2) of section 2 of the North-West Frontier Province Law and Justice Regulation, 1901 (hereinafter referred to as the said Regulation), after the words "Judicial Commissioner", the words "the Additional Judicial Commissioner" shall be inserted.

3. Sub-section (2) of section 42 of the said Regulation shall be re-numbered as sub-section (5), and after sub-section (7) of that section the following sub-sections shall be inserted, namely:

"(2) The Court of the Judicial Commissioner shall consist of the Judicial Commissioner and the Additional Judicial Commissioner.

(3) Save as otherwise provided by or under this Regulation or any other law for the time being in force, the jurisdiction of the Court of the Judicial Commissioner may be exercised by the Judicial Commissioner or the Additional Judicial Commissioner.

(4) Any..."
North-West Frontier Province Law and Justice [Misc. IV
(Amendment).

4. Any power or duty conferred or imposed upon the Judicial Commissioner by any of the following sections, namely, sections 12, 45 and 87, may, subject to and in accordance with such directions as may be made in this behalf by the Judicial Commissioner, be exercised and performed by the Additional Judicial Commissioner.

42A. The Judicial Commissioner shall have rank and precedence before the Additional Judicial Commissioner and shall be responsible for the administration of, and generally for the distribution of business in, the Court of the Judicial Commissioner.

42B. The Local Government may, with the previous sanction of the Governor General in Council, make rules—

(a) requiring that any specified class of criminal or civil proceedings shall be heard by a Bench consisting of the Judicial Commissioner and the Additional Judicial Commissioner, and

(b) regulating the procedure to be followed in the disposal of such cases.

42C. Wherever in any case heard by a Bench a difference of opinion arises between the Judicial Commissioner and the Additional Judicial Commissioner, the following provisions shall apply, namely:

I. In the case of an appeal against, or a revision, or review of, a decree or order in any civil proceedings, unless the Judicial Commissioner and the Additional Judicial Commissioner concur in a decision reversing or varying the decree or order, such decree or order shall be confirmed.

II. If the case is a criminal case, unless the Judicial Commissioner and the Additional Judicial Commissioner concur in an order deciding the case, then—

(a) in the case of a difference of opinion as to whether a sentence should be enhanced or not, the sentence shall not be enhanced,

(b) in
of 1926.] North-West Frontier Province Law and Justice (Amendment).

(b) in the case of an appeal from an order of an acquittal, the order of acquittal shall be confirmed, and

(c) in any other case, the opinion of the Judicial Commissioner shall prevail.”

5. (1) Section 87A of the said Regulation is hereby repealed.

(2) The provisions of the said Regulation which are mentioned in the first column of the Schedule shall be amended to the extent and in the manner specified in the second column thereof.

THE SCHEDULE.

AMENDMENTS.

(See section 5.)

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Section 6, sub-section (1), clause (e) and section 10.</td>
<td>For the words “Judicial Commissioner” the words “Court of the Judicial Commissioner” shall be substituted.</td>
</tr>
<tr>
<td>Section 12.</td>
<td>For the words “his Court”, in both places where they occur, the words “the Court of the Judicial Commissioner” shall be substituted.</td>
</tr>
<tr>
<td>Section 15, sub-section (4).</td>
<td>For the words “Judicial Commissioner” the words “Court of the Judicial Commissioner” shall be substituted.</td>
</tr>
<tr>
<td>Section 26, sub-section (3).</td>
<td>After the words “the Judicial Commissioner” the words “or the Court of the Judicial Commissioner” shall be inserted.</td>
</tr>
<tr>
<td>Section 42, sub-section (6) (as renumbered).</td>
<td>For the words “Judicial Commissioner” the words “Court of the Judicial Commissioner” shall be substituted.</td>
</tr>
<tr>
<td>Section 44, sub-section (1).</td>
<td>(1) For the words “Judicial Commissioner” where they first occur, the words “Court of the Judicial Commissioner” shall be substituted.</td>
</tr>
<tr>
<td></td>
<td>(2) In clause (g), for the words “his superintendence” the words “the superintendence of the Court of the Judicial Commissioner” shall be substituted.</td>
</tr>
<tr>
<td></td>
<td>(3) In clauses (g), (h) and (j), for the word “be”, wherever it occurs, the word “it” shall be substituted.</td>
</tr>
</tbody>
</table>

Section 46
Section 46

(1) For the words "Judicial Commissioner" wherever they occur, the words "Court of the Judicial Commissioner" shall be substituted.

(2) In sub-section (1):
   (a) for the word "he" the words "the Judicial Commissioner";
   (b) for the words "and may" the words "and the Judicial Commissioner may";
   (c) for the words "in his Court" the words "in the Court of the Judicial Commissioner";
   (d) for the word "his", where it occurs for the second time, the word "its" shall be substituted.

Section 71, clause (b), section 79, sub-section (1), and section 82, sub-section (1), clause (c).

For the words "Judicial Commissioner" the words "Court of the Judicial Commissioner" shall be substituted.

Section 84 and section 85

(1) For the words "Judicial Commissioner", wherever they occur, the words "Court of the Judicial Commissioner" shall be substituted.

(2) For the words "him" and "he", wherever they occur, except in clause (i) of the proviso to sub-section (1) of section 64, the word "it", and for the word "his" the word "its" shall be substituted.
REGULATION No. V OF 1926.

(Received the assent of the Governor General on the 13th May, 1926; and published in the Gazette of India on the 22nd May, 1926.)

A Regulation further to amend the Ajmere Rural Boards Regulation, 1886.

WHEREAS it is expedient further to amend the Ajmere Rural Boards Regulation, 1886; It is hereby enacted as follows:

1. (1) This Regulation may be called the Ajmere Rural Boards (Amendment) Regulation, 1926.
   (2) It shall come into force on the first day of January, 1927.

2. In sub-section (1) of section 2 of the Ajmere Rural Boards Regulation, 1886, for the words "three pies" the words "four and a half pies" shall be substituted.

Price 1 anna or 1½d.]
REGULATION No. VI of 1926.

[Received the assent of the Governor General on the 17th June, 1926; and published in the Gazette of India on the 26th June, 1926.]

A Regulation to declare the Excise Law in force in the Pargana of Manpur.

WHEREAS it is expedient to regulate the import, export, transport, manufacture, sale and possession into, from and in the Pargana of Manpur of spirit, fermented liquor, opium and other intoxicating drugs; It is hereby enacted as follows:—

1. (1) This Regulation may be called the Manpur Excise Regulation, 1926.
   (2) It extends to the Pargana of Manpur.

2. (1) In this Regulation, unless there is anything repugnant in the subject or context,—
   (i) "admixture of opium" means preparations, admixtures or derivatives of raw opium, not being prepared opium, medicinal opium or morphine;
   (ii) "Chief Commissioner" means the Chief Commissioner of the Pargana of Manpur;
   (iii) "cocaine" means the principal alkaloid of Erythroxylon coca, having the chemical formula C₁₇H₂₁NO₄, and includes—
      (a) all parts of the coca plant;
      (b) any derivative of cocaine or of its salts which is declared by notification of the Chief Commissioner, with the previous sanction of the Governor General in Council, to be included in the meaning of the term "cocaine";
      (c) eucaïne and every other preparation, synthetic or otherwise, in regard to which a like declaration is made;
      (d) all preparations containing cocaine or eucaïne;
      (iv) "denatured"

Price Anna 1 or 1½d.]
Manpur Excise.

(iv) "denatured" means rendered unfit for human consumption in such manner as may be prescribed by notification of the Chief Commissioner or, in the case of spirit imported from British India or from an area to which the Central India (Administered Areas) Excise Law, 1917, applies in such manner as may be prescribed under the law in force in the Province or area of origin;

(v) "export" means to take out of the Pargana of Manpur;

(vi) "fermented liquor" means malt liquor, wine, pachwai and fermented tari, and shall in any provision of this Regulation if the Chief Commissioner, with the previous sanction of the Governor General in Council, so directs, include any other fermented liquor and also tari though it may not have begun perceptibly to ferment;

(vii) "hemp drugs" means the leaves and flowering tops of the hemp plant (Cannabis sativa) and ganja, bhang, charas and every preparation or admixture thereof;

(viii) "heroin" means diacetyl-morphine, having the chemical formula C_{21}H_{22}O_2, and includes its salts and all preparations containing heroin;

(ix) "import" means to bring into the Pargana of Manpur;

(x) "intoxicating drug" includes raw opium, admixtures of opium, prepared opium, medicinal opium, morphine, cocaine, hemp drugs and every other article which may be declared by notification of the Chief Commissioner, with the previous sanction of the Governor General in Council, to be included in the term "intoxicating drug";

(xi) "Magistrate" means the District Magistrate, or any Magistrate of the first class or any other Magistrate specially empowered by the Chief Commissioner in this behalf;

(xii) "manufacture" includes every process, whether natural or artificial, by which any spirit, fermented liquor or intoxicating drug is produced or prepared, and also re-distillation and every process for the rectification, flavouring, blending or colouring of spirit or fermented liquor;

(xiii) "medicinal opium" means raw opium which has been heated to 60° centigrade and contains not less than 10 per
per cent. of morphine, whether or not it be powdered or granu-
lated or mixed with indifferent materials, and includes pre-
parations and derivatives of the foregoing not being morphine;

(xix) "morphine" means the principal alkaloid of opium,
having the chemical formula C_{17}H_{19}NO_3, and includes—

(a) heroine;

(b) any derivative of morphine or of its salts and every
other alkaloid of opium which is declared by noti-
fications of the Chief Commissioner, with the pre-
vious sanction of the Governor General in Council,
to be included in the meaning of the term
"morphine";

(c) any preparation containing morphine;

(x) "notification" means a notification in the Gazette
of India;

(xii) "place" includes building, house, shop, tent, booth,
enclosure, vessel, raft and vehicle;

(xiii) "prepared opium" means the product of raw opium,
obtained by a series of special operations, specially by dissolv-
ing, boiling, roasting and fermentation, designed to transform
it into an extract suitable for smoking, and includes madak
and chandu and also dross and all other residues remaining
when opium has been smoked;

(xiv) "prescribed" means prescribed by rule under this
Regulation;

(xv) "raw opium" means the spontaneously coagulated
juice obtained from the capsules of the *papaver somniferum*,
which has only been submitted to the necessary manipulations
for packing and transport, and also includes capsules from
which the juice has not been extracted;

(xvi) "spirit" means any liquor containing alcohol ob-
tained by distillation;

(xvii) "tree" means the sap of any kind of palm tree;

(xviii) "transport" means to move from one place to an-
other within the Pargana of Manpur.

(2) The Chief Commissioner may determine, in any case
in which doubt arises, whether any fermented liquor or any
spirit is to be classed as 'foreign' or 'country' for the
purpose
Manpur Excise. [Reg. VI

purpose of this Regulation, and his decision shall be binding on the Courts.

3. No plant from which any intoxicating drug may be produced shall be cultivated.

4. Save as permitted by rules made by the Chief Commissioner in this behalf, no medicinal opium, morphine, or cocaine shall be imported, transported, exported, manufactured, possessed or sold.

5. Save as permitted by rules made by the Chief Commissioner in this behalf, no spirit, fermented liquor, raw opium, admixtures of opium, prepared opium or hemp drugs shall be imported, transported, exported, manufactured, possessed or sold, nor shall any distillery, still or brewery be constructed, possessed or worked:

Provided that nothing in this section shall apply to—

(i) the import, transport, export or possession of—

(a) foreign spirit or foreign fermented liquor other than denatured spirit in quantities not exceeding two imperial gallons or twelve reputed quart bottles;

(b) foreign spirit or foreign fermented liquor other than denatured spirit in the possession of any common carrier or warehouseman as such;

(c) foreign spirit or foreign fermented liquor other than denatured spirit lawfully procured by and in the possession of any person for his own private consumption and not for sale;

(d) tare intended to be used solely for the manufacture of gur or molasses;

(ii) the sale of any foreign spirit or foreign fermented liquor lawfully procured by any person for his own private consumption and not for sale and sold by him or by auction on his behalf or on behalf of his representatives in interest upon his quitting the Pargana of Manpur or after his decease.

6. (1) Whoever—

(a) in contravention of this Regulation or of any prohibition notified or rule made thereunder, cultivates any plant from which any intoxicating drug may be produced, or imports, transports, exports, manufactures, possesses or sells any spirit, fermented liquor or intoxicating drug, or constructs, possesses or works any still, distillery or brewery; or

(b) attempts
(b) attempts to commit, or abets the commission of any such offence, or otherwise than in the performance of his duty under this Regulation receives or retains any spirit, fermented liquor or intoxicating drug in respect of which he knows or has reason to believe that any such offence has been committed,

shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

(2) Whoever, having been convicted of an offence punishable under sub-section (1), subsequently commits any such offence shall be liable to twice the punishment which might be imposed upon a first conviction.

7. Whoever, being licensed to sell spirit or fermented liquor or intoxicating drugs by retail, permits drunkenness, riot or gaming in his shop, or permits persons of notoriously bad character to meet or remain therein, or receives any wearing apparel or other effects in barter for spirit, fermented liquor or intoxicating drugs, shall be punishable with fine, which may extend to two hundred rupees, and, on the conviction of any person under this section, his licence may be suspended or cancelled by the authority which granted it.

8. Whoever, holding a licence or pass under this Regulation or the rules made thereunder, refuses to produce the same on the demand of any officer of the Police or Excise Department, and whoever commits a breach of any rule made under this Regulation or of any condition of a licence or pass granted thereunder, for the breach of which rule or condition no other penalty is provided by this Regulation, shall be punishable with fine which may extend to fifty rupees, and, on the conviction of any person under this section, his licence or pass may be suspended or cancelled by the authority which granted it.

9. Whoever attempts to commit any offence punishable under section 7 or section 8 or attempts the commission of any such offence, or otherwise than in the performance of his duty under this Regulation receives or retains any spirit, fermented liquor or intoxicating drug in respect of which he knows or has reason to believe that any such offence has been committed, shall be punishable with the punishment provided for such offence.

10. Any
Manpur Excise. [Reg. VI]

10. Any plant, spirit, fermented liquor, or intoxicating drug in respect of which any offence punishable under section 6 has been committed, together with all materials or implements collected for the purpose of manufacturing the same, vessels or packages containing such plant, spirit, fermented liquor, intoxicating drug, materials or implements, and any animals or conveyances used in carrying the same, may be confiscated by any Magistrate within the local limits of whose jurisdiction it is found, whether any person is or is not convicted of an offence in respect of the same.

11. Any officer by whom a licence is granted under this Regulation or the rules made thereunder may recover any amount due to the Government by the licensee under this Regulation or the rules thereunder by distress and sale of the moveable property of the licensee or of his surety, or by any other process for the time being in force in the Pargana of Manpur for the recovery of arrears of land-revenue due from landholders or from farmers of land or their sureties.

12. Any Magistrate or any Police Officer not below the rank of head constable or any officer of the Excise Department not below such rank as may be prescribed may enter and inspect at any time, by day or by night, the shop or premises in which any manufacturer or vendor licensed under this Regulation or the rules made thereunder carries on the manufacture of country spirit or the sale of country spirit, country fermented liquor or intoxicating drugs.

13. Any officer of the Police or Excise Department, subject to the prescribed restrictions, may—

(a) seize and detain any plant, spirit, fermented liquor, intoxicating drug, material or implement which he has reason to believe to be liable to confiscation under this Regulation and any animals or conveyances used in carrying the same, and

(b) detain and search, and, if he thinks proper, arrest without warrant any person, whom he has reason to believe to have committed an offence under section 6.

14. Whenever a Police Officer not below the rank of head constable, or an officer of the Excise Department not below such rank as may be prescribed, has reason to believe that any spirit, fermented liquor, intoxicating drug, material or implement in respect of which an offence under section 6 has been

15. (1)…

(b) such Magistrate, or…

(2) A person and direct the sureties to whom it shall relate to execute such direct

(3) Th…

16. Such provision, the regulations relating thereto as may be issued un

17. (1)…

(2) Any under section or send a copy of the same to the person a like re
or intoxicating under section 6 or of imple-
menting the same, spirit, fermented
ments, and any
same, may be limits of whose
or is not con-
stituted under this
the Pargana
not below the
vice Department
or premises ed under this
agement, country
ated liquor, or
ment liquor, fermented liquor, intoxicating drug,
material or implement in respect of which such an
offence has been, is being or is likely to be com-
mits, is kept or sold in any place,
such Magistrate may issue a warrant for the arrest of such
person, or for the search of such place by day or by night.
(2) A Magistrate issuing a warrant for the arrest of any
person under this section may, by endorsement on the warrant,
direct that, if such person executes a bond with sufficient
sureties for his attendance before the Magistrate, the person
to whom the warrant is directed shall take such security, and
shall release the person arrested from custody, and the person
executing such warrant shall in such a case give effect to
such direction.
(3) The person executing a warrant under this section may
exercise any or all of the powers specified in section 13, and
shall forward anything seized, and, subject to the provisions
of sub-section (2), any person arrested, to the Magistrate by
whom such warrant was issued.

16. Save as in this Regulation otherwise expressly pro-
vided, the provisions of the Code of Criminal Procedure, 1898,
relating to searches, arrest and warrants shall apply, so far
as may be, to all searches and arrests made and warrants
issued under this Regulation.

17. (2) Whenever any officer makes an arrest or seizure
under section 13 or section 14, he shall, without delay, take
or send any person arrested or thing seized to the officer in
charge of the nearest Police station, together with a report
of the particulars of such seizure or arrest, and shall also send
a like report to his immediate superior, who shall forward
the same to a Magistrate having jurisdiction.

(2) An
(2) An officer in charge of a Police station, to whom any person arrested or thing seized is made over, shall forthwith forward such person or thing to a Magistrate having jurisdiction, unless he considers further inquiry necessary, in which case he shall proceed in accordance with the provisions of Chapter XIV of the Code of Criminal Procedure, 1898:

Provided that such officer may, instead of forwarding a person arrested to the Magistrate, take a bond with such sureties as he may think sufficient for the attendance of such person before the Magistrate on a date to be specified; and in such case he shall forward the bond taken to the Magistrate.

18. In prosecutions under section 6 it shall be presumed, until the contrary is proved, that all spirit, fermented liquor, intoxicating drugs and materials or implements for the manufacture of the same for which the accused person is unable to account satisfactorily are articles in respect of which he has committed an offence under this Regulation.

19. (1) Nothing in this Regulation shall apply to the import, transport, export, manufacture, possession or sale of spirit, fermented liquor or intoxicating drugs on behalf of Government.

(2) Subject to the provisions of sub-section (1), the Chief Commissioner may, with the previous sanction of the Governor General in Council, by notification, either wholly or partially, and subject to such conditions, if any, as he may think fit, exempt any medicinal preparations containing spirit or intoxicating drugs, or any class of such preparations, from all or any of the provisions of this Regulation.

20. The Chief Commissioner may, by notification, make rules for all or any of the following purposes, namely:

(a) to permit, absolutely or subject to the payment of duty or to other conditions, and to regulate, the import, transport, export, manufacture, possession or sale of spirit, fermented liquor or intoxicating drugs;

(b) to regulate the disposal of things confiscated or seized as liable to confiscation under this Regulation;

(c) to regulate the powers and duties of officers under this Regulation; and

(d) generally to carry out the provisions of this Regulation.
REGULATION No. VII OF 1926.

[Received the assent of the Governor General on the 17th June, 1926; and published in the Gazette of India on the 26th June, 1926.]

A Regulation to amend the Frontier Crimes Regulation, 1901.

WHEREAS it is expedient to amend the Frontier Crimes Regulation, 1901, in the manner hereinafter appearing; it is hereby enacted as follows:

1. This Regulation may be called the Frontier Crimes Regulation (Amendment) Regulation, 1926.

2. For section 7 of the Frontier Crimes Regulation, 1901, the following section shall be substituted, namely:

"7. Section 337 of the Code of Criminal Procedure, 1898, shall, for the purposes of this Regulation, be construed as if—

(a) the words in sub-section (1) 'triable exclusively by the High Court or Court of Session or any offence punishable with imprisonment which may extend to ten years or any offence punishable under section 211 of the Indian Penal Code with imprisonment which may extend to seven years or any offence under any of the following sections of the Indian Penal Code, namely, sections 215A, 369, 401, 435 and 477A' and

(b) the whole of sub-section (2A),

were omitted."

Price Anna 1 or 1/4d.]
REGULATION NO. VIII OF 1926.

[Received the assent of the Governor General on the 14th July, 1926; and published in the Gazette of India on the 24th July, 1926.]

A Regulation further to amend the British Baluchistan Bazars Regulation, 1910.

WHEREAS it is expedient further to amend the British Baluchistan Bazars Regulation, 1910; It is hereby enacted as follows:—

1. This Regulation may be called the British Baluchistan Bazars (Amendment) Regulation, 1926.

2. In section 61 of the British Baluchistan Bazars Regulation, 1910,—

(a) in sub-section (1), the word “or”, where it occurs before the words “as a store-house”, shall be omitted, and after the words “explosive substance” the following words shall be inserted, namely:—

“or for the stabling of cattle, sheep or goats kept for the supply of milk to the public, or of horses, ponies, bullocks, camels or donkeys kept for hire”;

and

(b) in sub-section (2), the word “newly” shall be omitted.
A Regulation to consolidate and amend the law relating to the administration of civil and criminal justice in Ajmer-Merwara.

WHEREAS it is expedient to consolidate and amend the law relating to the administration of civil and criminal justice in Ajmer-Merwara; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Regulation may be called the Ajmer Courts Regulation, 1926.

(2) It extends to the territories (in this Regulation referred to as Ajmer-Merwara) for the time being administered by the Chief Commissioner of Ajmer-Merwara.

(3) It shall come into force on such date as the Chief Commissioner, with the previous sanction of the Governor General in Council, may, by notification in the Gazette of India, appoint.

CHAPTER II.

ADMINISTRATION OF CIVIL JUSTICE.

General.

2. For the purposes of the administration of civil justice grades of Ajmer-Merwara shall be a single district, and there shall be five grades of Civil Courts therein, namely:—

(a) the Court of the Judicial Commissioner;

(b) the Courts of the District Judge and the Additional District Judge;

(c) the

Price Anna 1 or 1¼d.]
Ajmer Courts.

(c) the Courts of Subordinate Judges of the first class;
(d) the Courts of Subordinate Judges of the second class;
and
(e) the Courts of Munsiffs.

3. (1) The Judicial Commissioner shall be appointed by the Governor General in Council.

(2) The Court of the Judicial Commissioner shall, for the purposes of all enactments for the time being in force, be deemed to be the highest Civil Court of appeal in Ajmer-Merwara.

4. The Commissioner shall, if no other person has been appointed by the Governor General in Council to be the District Judge, be the District Judge for the purposes of this Regulation.

5. The Chief Commissioner may, with the previous sanction of the Governor General in Council, appoint an Additional Commissioner who shall have such of the powers and be competent to perform such of the duties of the Commissioner under this Regulation as the Chief Commissioner may direct.

6. The Chief Commissioner may appoint any person to be an Additional District Judge and to exercise such of the powers and perform such of the duties of the District Judge as the Chief Commissioner may direct, and the Court of the Additional District Judge shall, as regards the exercise of those powers and the performance of those duties, be deemed to be the Court of the District Judge for the purposes of this Regulation.

7. The Chief Commissioner may appoint as many persons as he thinks fit to be Subordinate Judges of the first or of the second class, or Munsiffs, and may define the local limits of their respective jurisdictions.

Original Jurisdiction.

8. (1) The Court of the District Judge shall, for the purposes of all enactments for the time being in force in Ajmer-Merwara, be the principal Civil Court of original jurisdiction for the district.

(2) In original suits cognizable under the Code of Civil Procedure, 1908, the jurisdiction of the District Judge shall, as far as
9. (1) The jurisdiction of a Subordinate Judge of the first class shall extend to all original suits cognizable under the Code of Civil Procedure, 1908, in which the amount or value of the subject-matter does not exceed ten thousand rupees:

Provided that the Chief Commissioner may, by order in writing, extend the jurisdiction of any Subordinate Judge to all such suits without limit of amount or value.

(2) The jurisdiction of a Subordinate Judge of the second class shall extend to all such suits in which the amount or value of the subject-matter does not exceed five thousand rupees.

(3) The jurisdiction of a Munsiff shall extend to all such suits in which the amount or value of the subject-matter does not exceed one hundred rupees.

10. In addition to the jurisdiction specified in section 9, a Subordinate Judge of the first class may exercise such of the powers conferred by any enactment for the time being in force on a principal Civil Court of original jurisdiction as may be delegated to him by the District Judge.

11. (1) The Chief Commissioner may invest any Subordinate Judge with the powers of a Judge of a Court of Small Causes, and may define the local limits within which such powers shall be exercised.

(2) A Subordinate Judge invested with the powers of a Judge of a Court of Small Causes under this section may, in addition to such powers, exercise any other civil jurisdiction conferred on him by or under this Regulation, or any other law for the time being in force in Ajmer-Merwara.

(3) The Court of a Subordinate Judge exercising the powers of a Court of Small Causes shall be deemed to be a Court of Small Causes constituted under the Provincial Small Cause Courts Act, 1887, and, save as otherwise provided by this Regulation, shall be subject to all the provisions of that Act in so far as they are applicable.

Appeals.

12. When by any law for the time being in force an appeal is allowed from any decree or order passed or made by a Civil Court...
Court of original jurisdiction, and no provision applicable to Ajmer-Merwara is made by such law for determining the Court to which such appeal shall lie, such appeal shall lie as follows, namely:

(a) When such decree or order is passed or made by a Munsiff, to a Subordinate Judge of the first class especially empowered by the Chief Commissioner in this behalf;

(b) when such decree or order is passed or made by a Subordinate Judge, and the amount or value of the subject-matter is less than five thousand rupees, to the District Judge; and

(c) when such decree or order is passed or made by a Subordinate Judge and the amount or value of the subject-matter exceeds five thousand rupees, or is passed or made by the District Judge or Additional District Judge, to the Judicial Commissioner.

13. When any appeal is decided by the District Judge or a Subordinate Judge under section 12 in a suit which is of such a nature as to be cognizable by a Court of Small Causes, then, if the value of the suit does not exceed five hundred rupees, or if, in the case of a suit of any higher value, the parties agree that this section shall be applicable, the decision of the District Judge or of the Subordinate Judge, as the case may be, shall be final.

14. Save where otherwise provided in this Regulation or by any other law for the time being in force, a second appeal on any of the grounds indicated in section 100 of the Code of Civil Procedure, 1908, shall lie to the Judicial Commissioner.

15. (7) The period of limitation for an appeal under section 12, section 13 or section 14 shall run from the date of the decree, order or decision appealed against, and shall be as follows, namely:

(a) When the appeal lies to a Subordinate Judge, thirty days;

(b) when the appeal lies to the District Judge, sixty days;

(c) when the appeal lies to the Judicial Commissioner, ninety days.

(2) Save
(2) Save as provided by sub-section (1), all the provisions of the Indian Limitation Act, 1908, shall be applicable to all appeals under this Regulation.

Miscellaneous.

16. (1) The general control over all the Courts of the three lower grades shall be vested in the District Judge, subject to the superintendence of the Judicial Commissioner.

(2) The general control over the Court of the District Judge and of the Additional District Judge shall be vested in the Judicial Commissioner.

17. The Judicial Commissioner may appoint such persons as ministerial officers of his Court as he thinks fit.

18. The Judicial Commissioner may appoint to any Court constituted under this Regulation a Clerk of the Court who, in addition to such other duties as may be entrusted to him by the Judicial Commissioner, may receive and register plaints, appeals and applications, and may sign all processes and authenticate copies of papers, judgments and decrees.

19. Subject to the provisions of this Regulation and of all other enactments for the time being in force, and subject to the control of the Judicial Commissioner, the District Judge may distribute civil judicial business among the Courts of the three lower grades in such manner as he thinks fit.

20. (1) The Judicial Commissioner may withdraw any suit or appeal pending in any Court, and may try such suit or appeal himself or refer it for trial to any other Court competent to try the same.

(2) The District Judge may exercise the like power in respect of suits pending in any Court subject to his control, and may empower any Subordinate Judge of the first class to exercise a like power in respect of suits pending in the Court of any other Subordinate Judge or of any Munisiff.

21. In addition to the persons mentioned in Order III, schedule I to the Code of Civil Procedure, 1908, the following
following shall be deemed to be recognised agents for the purposes of that Order:

(a) A party's relation, partner, servant or friend especially empowered to act, and permitted by the Court to act, as such agent;

(b) a person especially empowered to act as such agent by any of the Istimrardars and Jagirdars whose names are included in the Schedule to the Ajmer Taluq-dars' Relief Regulation, 1872;

(c) a vakil or other person authorised by any Prince or Chief to act for him; and

(d) any advocate, pleader or attorney enrolled under rules made by the Judicial Commissioner with the sanction of the Chief Commissioner.

22. The Chief Commissioner may direct that in any class of suits between landlord and tenant in agricultural villages the evidence may be taken in the form prescribed by rule 13 of Order XVIII in the First Schedule to the Code of Civil Procedure, 1908, for cases in which an appeal does not lie to a higher tribunal.

23. (1) No Judge appointed under this Regulation shall try any suit or other proceeding to which he is a party or in which he has any personal interest, and no such Judge shall hear an appeal from any decree or order passed or made by himself in another capacity.

(2) When any suit, appeal or other proceeding comes before any Judge who is prevented by the provisions of sub-section (1) from trying the same, the Judge shall make a report to the Judicial Commissioner, who may thereupon take such action under section 20 or under any other enactment for the time being in force, as he thinks fit.

24. In addition to such property as is exempted by or under section 60 or section 61 of the Code of Civil Procedure, 1908, from attachment and sale in execution of a decree, land and wells not being situated within the inhabited limits of a town or village shall also be so exempted.

25. Save as provided by this Regulation or by any other enactment for the time being in force, the provisions of the Code of Civil Procedure, 1908, so far as the same may be applicable,
cable, shall apply to all suits, appeals and other proceedings in the Civil Courts.

Special provisions for the hearing of suits involving questions regarding succession to the Estates of Taluqdars, Thakurs and Jagirdars.

26. Notwithstanding anything hereinbefore contained in this Regulation, no suit in which any question regarding a right to inherit as heir by birth or adoption, or to succeed by any other title to the estates of any of the Taluqdars, Thakurs or Jagirdars entered in the Schedule to the Ajmer Taluqdars' Relief Regulation, 1872, is directly and substantially in issue shall be heard by any Court of a lower grade than that of a Subordinate Judge of the first class.

CHAPTER III.

ADMINISTRATION OF CRIMINAL JUSTICE.

27. Save in reference to proceedings against European British subjects, or persons jointly charged with European British subjects, the Judicial Commissioner shall be the High Court for the purposes of the Code of Criminal Procedure, 1888.

28. (1) The Commissioner shall be the District Magistrate.

(2) The Commissioner shall, if no other person is appointed in this behalf by the Governor General in Council, be the Sessions Judge.

(3) All orders passed by the Commissioner as District Magistrate shall, in cases where an appeal lies, be appealable to the Judicial Commissioner, notwithstanding anything in the Code of Criminal Procedure, 1888, to the contrary.

29. The Chief Commissioner may appoint an Additional District Judge to be an Additional Sessions Judge and to exercise such of the powers and perform such of the duties of the Sessions Judge as the Chief Commissioner may direct.

30. The enactments mentioned in the Schedule are hereby repealed to the extent specified in the fourth column thereof.

THE SCHEDULE
```
<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Extent of repeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1877</td>
<td>I</td>
<td>The Ajmere Courts Regulation, 1877.</td>
<td>The whole.</td>
</tr>
<tr>
<td>1890</td>
<td>IX</td>
<td>A Regulation to amend the Ajmere Courts Regulation, 1877.</td>
<td>The whole.</td>
</tr>
<tr>
<td>1893</td>
<td>IX</td>
<td>The Ajmere Amending Regulation, 1893.</td>
<td>So much as relates to the Ajmere Courts Regulation, 1877.</td>
</tr>
<tr>
<td>1907</td>
<td>VII</td>
<td>The Ajmere Courts (Amendment) Regulation, 1907.</td>
<td>The whole.</td>
</tr>
<tr>
<td>1914</td>
<td>II</td>
<td>The Ajmere Repealing and Amending Regulation, 1914.</td>
<td>So much as relates to the Ajmere Courts Regulation, 1877.</td>
</tr>
<tr>
<td>1921</td>
<td>I</td>
<td>The Ajmere Courts (Amendment) Regulation, 1921.</td>
<td>The whole.</td>
</tr>
</tbody>
</table>
```
REGULATION NO. I OF 1927.

[Received the assent of the Governor General on the 31st January, 1927; and published in the Gazette of India on the 5th February, 1927.]

A Regulation to amend the Aden Laws Regulation, 1891.

WHEREAS it is expedient to amend the Aden Laws Regulation, 1891; It is hereby enacted as follows:—

1. This Regulation may be called the Aden Laws (Amendment) Regulation, 1927.

2. After section 4 of the Aden Laws Regulation, 1891, the following section shall be inserted, namely:—

"4A. In the application to Aden of the Prisoners Act, 1900,

(i) clause (c) of sub-section (I) of section 15 of that Act shall be construed as if after the words "State in India" the words "or by any Court or Tribunal in Abyssinia" were inserted; and

(ii) section 18 of that Act shall be construed as if in sub-section (I) thereof—

(a) after the words "which the Governor General in Council has in such territory" the words "or the Court of His Majesty's Consul-General at Abyssinia or the Abyssinian Mixed Court" were inserted, and

(b) for the words "in such territory", where they occur for the second time, the words "in the territory in or with respect to which such Court exercises jurisdiction" were substituted."

Price Anna 1 or 1½d.]
REGULATION NO. II OF 1927.

(Received the assent of the Governor General on the 22nd April, 1927; and published in the Gazette of India on the 30th April, 1927.)

A Regulation further to amend the Andaman and Nicobar Islands Regulation, 1876.

WHEREAS it is expedient further to amend the Andaman and Nicobar Islands Regulation, 1876; It is hereby enacted as follows:—

1. This Regulation may be called the Andaman and Nicobar Islands (Amendment) Regulation, 1927.

2. In section 19 of the Andaman and Nicobar Islands Regulation, 1876 (hereinafter referred to as the said Regulation), for the words "any such port" the words "any port in the Nicobars" shall be substituted.

3. After section 19 of the said Regulation the following sections shall be inserted, namely:—

"19A. (1) The Chief Commissioner or any officer empowered by him in this behalf may at any time prohibit any person from landing in the said islands, and may order any person to remain in the vessel in which he came and depart in the same vessel or to depart in any vessel sailing for any port in India and, pending such sailing, to reside in any such place within the Settlement of Port Blair as the Chief Commissioner or officer may direct; and the Chief Commissioner or officer shall not be bound to assign to such person his reasons for such order.

(2) Any person acting in contravention of an order given under this section shall be liable to a fine not exceeding five hundred rupees.

19B. No person who has under this Regulation at any time been prohibited from landing in, or been refused permission to land in, or been required to remove himself from, the said islands, or who has been removed therefrom, or to whom the issue or renewal of a residential licence under this Regulation has been refused or whose residential licence has been cancelled, shall land within the limits of any port in the Andamans without a residential licence granted as hereinafter provided, or without the written permission of the Chief Commissioner; or

Price 1 anna or 1½d.
some other officer empowered by him to grant such permission; and any such person so landing without such licence or permission shall be liable to a fine not exceeding five hundred rupees."

4. After section 26 of the said Regulation the following section shall be inserted, namely:

"26A. (1) The Chief Commissioner may, by notification in the Andaman and Nicobar Islands Gazette, exempt any person or class of persons, on such conditions as he thinks fit, from the provisions of section 26 in respect of residence at any place in the Andamans.

(2) The Chief Commissioner may at any time withdraw the aforesaid exemption in the case of any person who has been convicted of any offence punishable under this Regulation or any rule made thereunder, or under any other law for the time being in force, or whose mode of life is shown to the satisfaction of the Chief Commissioner to be so notoriously scandalous and evil as to conduces to breaches of good order and discipline in the Settlement.

(3) The Chief Commissioner may at any time, after recording his reasons in writing, withdraw such exemption in the case of any person for reasons other than those referred to in sub-section (2), and shall not be bound to assign to such person his reasons for so doing.

(4) Any person in respect of whom an exemption has been withdrawn under sub-section (2) or sub-section (3) shall, within forty-eight hours of receipt of the order withdrawing the exemption, apply for a licence to reside, and, if he fails to do so or if, on such application being refused, he fails to remove himself from the Settlement within such time as the Chief Commissioner directs, he shall be liable to all the penalties provided in section 26 in the case of persons residing without a licence.

(5) If the Chief Commissioner refuses to grant a licence to reside to any person in respect of whom an exemption has been withdrawn under sub-section (3), he shall forthwith send to the Governor General in Council a copy of his recorded reasons for withdrawing such exemption and a statement of his reasons for the refusal, and the Governor General in Council may thereupon, of his own motion or on application by the person to whom the licence has been refused, order that a licence to reside shall be issued to such person."
REGULATION NO. III OF 1927.

[Received the assent of the Governor General on the 16th June, 1927, and published in the Gazette of India on the 25th June, 1927.]

A Regulation to amend the Punjab Frontier Crossing Regulation, 1873.

WHEREAS it is expedient to amend the Punjab Frontier Crossing Regulation, 1873; It is hereby enacted as follows:

1. This Regulation may be called the Punjab Frontier Crossing (Amendment) Regulation, 1927.

2. Section 1 of the Punjab Frontier Crossing Regulation, 1873 (hereinafter referred to as the said Regulation), shall be re-numbered as sub-section (I) of section 1, and to that section the following sub-section shall be added, namely:

"Provided that no proceeding shall be taken under this section against any person in respect of any dis-"
obedience to the prohibition contained in subsection (2) of that section, save with the sanction of the authority competent to issue the requisite passport or pass, as the case may be."

4. In section 4 of the said Regulation, for the words "the said prohibition" the words "any such prohibition" shall be substituted.

5. In section 6 of the said Regulation, for the words "the prohibition" the words "any prohibition applicable to him" shall be substituted.

6. After section 6 of the said Regulation the following section shall be added, namely:

"7. For the purposes of any proceeding under this Regulation in respect of any disobedience or attempted disobedience to a prohibition contained in subsection (2) of section 1, it shall be presumed, until the contrary is proved, that the person crossing or attempting to cross the frontier without a passport or pass was intending to proceed into Afghanistan."
THE MANPUR LAND AND REVENUE REGULATION, 1927
(REGULATION NO. IV OF 1927)
TABLE OF CONTENTS.

PART I.

PRELIMINARY.

Sections.
1. Short title, extent and commencement.
2. Interpretations.

PART II.

PROCEDURE OF REVENUE OFFICERS.

3. Subordination of Revenue Officers.
4. Place for holding inquiries.
5. Power to enter upon and survey land.
6. Power to transfer cases to and from subordinates.
7. Power of Revenue Officers to require attendance of persons and production of documents and to receive evidence.
8. Mode of serving process.
9. Notice or proclamation not void for error.
11. Adjournment of hearing.
12. No appeal from orders passed under section 10.
13. Power to give and apportion costs.
15. Delivery of possession of immoveable property.
16. Persons by whom appearances and applications may be made before and to Revenue Officers.

PART III.

APPEAL, REVISION AND REVIEW.

17. Appeals.
18. No appeal against certain orders.
19. Limitations
Manpur Land and Revenue.

Sec. 19. Limitations of appeals.
20. Copy of order objected to, to accompany petition.
22. Power to stay execution of orders of lower Court.
23. Powers of revision of Superior Revenue Officers.

PART IV.

Maps, Records and Boundaries.
26. Power to form and alter patwaris' circles.
27. Appointment of patwaris.
29. Correction of record-of-rights.
30. Annual papers.
31. Persons interested bound to furnish information.
32. Maintenance of boundary and survey marks.
33. Cognizance of, and penalty for, offence of damaging survey and boundary marks.
34. Settlement of boundary disputes.

PART V.

Settlement and Collection of Revenue.
35. Liability of all land to payment of land-revenue.
36. Previous settlements deemed to have been made under this Regulation.
37. Appointment of Settlement Officers, etc.
38. Assessment to whom to be offered.
40. Revision of assessment on appropriation of land to a purpose other than that for which it was granted.
41. Appointment of patels.
42. Duties of patels.
43. Allotment
1. Petition.
2. Petition.
3. Petition.
4. Petition.

Part VI.

Miscellaneous.

53. Right to minerals, mines and quarries. Compensation for infringement of rights by the occupation or disturbance of surface of land.
54. Exclusive jurisdiction of revenue authorities.
55. No suit lies for village-cesses.
56. Recovery of miscellaneous revenue.
57. Records open to public inspection.
58. Chief Commissioner may make rules and attach penalty to breach thereof.
59. Rules subject to previous publication in certain cases.
60. Delegation of powers by Collector.

43. Allotment of unoccupied land.
44. Nature of right of raiyat.
45. Responsibility of one of two co-sharers.
46. Responsibility of raiyat for assessment.
47. Ejection of raiyats.
48. Unauthorised occupation.
49. Revenue the first charge on land.
50. Notice of Demand.
51. Process for recovery of arrears.
52. Arrest and detention of the defaulter.
REGULATION NO. IV OF 1927.

[Received the assent of the Governor General on the 14th July, 1927; and published in the Gazette of India, dated the 23rd July, 1927.]

A Regulation to declare the law relating to certain interests in land and the assessment and collection of land-revenue in the Pargana of Manpur.

WHEREAS it is expedient to declare the law relating to certain interests in land and to the assessment and collection of land-revenue in the Pargana of Manpur; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

1. (1) This Regulation may be called the Manpur Land and Revenue Regulation, 1927.
   (2) It extends to the Pargana of Manpur.
   (3) It shall come into force on such date as the Chief Commissioner, with the previous sanction of the Governor General in Council, may, by notification in the Gazette of India, appoint.

2. In this Regulation, unless there is anything repugnant in the subject or context,—
   (a) "agricultural year" means the year commencing on the 1st day of June;
   (b) "Pargana" means the Pargana of Manpur;
   (c) "patel" means the headman of a village appointed under this Regulation;
   (d) "Revenue Officer" includes—
      (1) the Chief Commissioner;
(2) the Collector, namely, the officer who is for the time being the Political Agent in the Southern States of Central India and in Malwa;

(3) the Settlement Officer; and

(4) the Tehsildar of Manpur;

(e) "survey-number" means any area held by or intended to be settled with a raiyat under a separate assessment of land-revenue in any village or land which is the property of Government.

PART II.

PROCEDURE OF REVENUE OFFICERS.

3. The Collector and the Settlement Officer shall be subject to the control of the Chief Commissioner, and, unless the Chief Commissioner otherwise directs, all other Revenue Officers in the Pargana shall be subordinate to the Collector.

4. Except for reasons to be recorded in writing, no Revenue Officer shall inquire into or hear any case at any place outside the local limits of his jurisdiction:

Provided that nothing contained in this section shall apply to the Chief Commissioner.

5. All Revenue Officers and patwars, and, when authorised either verbally or in writing by them, their servants and workmen, may enter upon and survey land and demarcate boundaries and do other acts connected with their duties under this Regulation or any enactment for the time being in force:

Provided that no person shall enter into any building or upon any enclosed court or garden attached to a dwelling-house, unless with the consent of the occupier thereof, without giving such occupier at least twenty-four hours' notice, and in making such entry due regard shall be paid to the social and religious sentiments of the occupier.

6. Any Revenue Officer may make over any case or class of cases, arising under the provisions of this Regulation or otherwise,
otherwise, for inquiry or decision, from his own file to any Revenue Officer subordinate to him competent to deal with such case or class of cases, or may withdraw any case or class of cases from any such Revenue Officer and deal with such case or class of cases himself, or refer the same for disposal to any other such Revenue Officer competent to deal therewith.

7. (1) Every Revenue Officer shall have power to summon any person whose attendance he considers necessary either to be examined as a party, or to give evidence as a witness, or to produce any document for the purposes of any inquiry or case arising under this Regulation or any other enactment for the time being in force:

Provided that no person who is exempted under section 132 or section 133 of the Code of Civil Procedure, 1908, from personal attendance in Court, shall be required to attend in person under this section.

(2) Any person present at any such inquiry or at the hearing of any such case may be required by any Revenue Officer to give evidence or to produce any document then and there in his possession or power.

8. Service of process shall be made, as nearly as possible, in accordance with the law for the time being in force for the service of process by order of a Civil Court. In case of failure to comply with such process, the officer issuing the process may exercise all or any of the powers conferred on Civil Courts by rules 10, 11 and 12 of Order XVI in the First Schedule to the Code of Civil Procedure, 1908.

9. No notice or proclamation shall be deemed void on account of any error in the name or designation of any person or in the description of any land referred to therein, unless such error has produced substantial injustice.

10. If in any proceeding before a Revenue Officer any party fails to appear on the date fixed for hearing, the case may be heard and determined in his absence or, if he is the plaintiff or applicant, may be dismissed in default.

11. (1) A Revenue Officer may, from time to time, adjourn the hearing of any proceeding before him.
(2) The place of an adjourned hearing of a proceeding shall be intimated at the time of the adjournment to such of the parties and witnesses as are present.

12. (1) Except where a case before any Revenue Officer has been decided on the merits, no appeal shall lie from an order passed under section 10.

(2) The party against whom any order is passed under section 10 may apply, within thirty days from the date of such order, to have it set aside, on the ground that he was prevented by any sufficient cause from appearing at the hearing, and the Revenue Officer may, after notice to the opposite party and after making such inquiry as he considers necessary, set aside the order so passed.

13. A Revenue Officer may give and apportion costs incurred in any proceeding arising under this Regulation or otherwise in such manner and to such extent as he thinks fit:

Provided that the fees of a legal practitioner shall not be allowed as costs in any such proceeding, unless such officer, for reasons to be recorded by him in writing, so directs.

14. All fees, fines, costs and other moneys ordered to be paid or recoverable under this Regulation shall be recoverable as if they were arrears of land-revenue.

15. (1) If possession of immovable property is adjudged, the officer making the order may deliver possession in the same manner as, and with the same powers in regard to all contempts, resistance and the like as may be lawfully exercised by, the Civil Courts in execution of their own decrees.

(2) The provisions of rule 103 of Order XXI in the First Schedule to the Code of Civil Procedure, 1908, shall apply to a case where any order passed in exercise of powers under sub-section (1).

16. Save as otherwise provided in any other enactment for the time being in force, all appearances before, applications to, and acts to be done before, any Revenue Officer under this Regulation or otherwise may be made or done by the parties themselves or by their recognised agents or by any legal practitioner:

Provided
Provided that, subject to the provisions of sections 132 and 133 of the Code of Civil Procedure, 1908, any such appearance shall, if the Revenue Officer so directs, be made by the party in person.

PART III.

Appeal, Revision and Review.

17. (1) Save as otherwise provided in this Regulation, an appeal shall lie from every original order under this Regulation, or any rule made thereunder—
   (a) if such order is passed by any Revenue Officer subordinate to the Collector or to the Settlement Officer—to the Collector or to the Settlement Officer, as the case may be;
   (b) if such order is passed by the Collector or Settlement Officer—to the Chief Commissioner.
   (2) No second appeal shall lie in any case.
   (3) An order passed on revision or review varying or reversing any order shall be appealable in like manner as the order so revised or reviewed.

18. No appeal shall lie from an order—
   (a) admitting an appeal or application for review on the grounds specified in section 5 of the Indian Limitation Act, 1908; or
   (b) rejecting an application for revision or review.

19. No appeal shall lie—
   (a) to the Collector or Settlement Officer after the expiration of thirty days from the date of the order to which objection is made; or
   (b) to the Chief Commissioner after the expiration of sixty days from such date.

20. Every petition for appeal, revision or review shall be accompanied by a certified copy of the order to which objection
objection is made, unless the production of such copy is dispensed with by the authority to whom the petition is made.

21. (1) The appellate authority may either admit the appeal or, after examining the record, summarily reject it.

(2) If the appeal is admitted, a date shall be fixed for hearing, and notice thereof shall be served on the respondent.

(3) After hearing the parties, if they appear, the appellate authority may confirm, vary or reverse the order appealed against; or

may direct such further investigation to be made, or such additional evidence to be taken, as it may think necessary; or

may itself take such additional evidence; or

may remand the case for disposal with such directions as it thinks fit.

22. (1) If an appeal is admitted, the appellate authority may, pending the result of the appeal, direct the execution of the order appealed from to be stayed.

(2) A Revenue Officer who has passed any order, or his successor in office, may direct the execution of such order to be stayed at any time before the expiry of the period prescribed for appeal, if no appeal has been filed.

(3) If execution of any order is stayed under sub-section (1) or sub-section (2), such security may be taken or conditions imposed as the appellate authority or Revenue Officer, as the case may be, thinks fit.

23. The Chief Commissioner or Collector may at any time, for the purpose of satisfying himself as to the legality or propriety of any order passed by, or as to the regularity of the proceedings of, any Revenue Officer subordinate to him, call for and examine the record of any case pending before, or disposed of by, such officer; and may pass such order in reference thereto as he thinks fit:

Provided that he shall not vary or reverse any order affecting any question of right between private persons without having given to the parties interested notice to appear and be heard in support of such order.

24. (1)
24. (1) Any Revenue Officer may, either on his own motion or on the application of any party interested, review any order passed by himself or by any of his predecessors in office and pass such order in reference thereto as he thinks fit:

Provided that—

(i) if the Collector or Settlement Officer thinks it necessary to review any order which he has not himself passed, and if an officer subordinate to a Collector or Settlement Officer proposes to review any order, whether passed by himself, or by any predecessor, he shall first obtain the sanction of the officer to whom he is immediately subordinate:

(ii) no order shall be varied or reversed unless notice has been given to the parties interested to appear and be heard in support of such order:

(iii) no order from which an appeal has been made, or which is the subject of any revision proceedings shall, so long as such appeal or proceedings are pending, be reviewed:

(iv) no order affecting any question of right between private persons shall be reviewed except on the application of a party to the proceedings, and no application for the review of such order shall be entertained, unless it is made within ninety days from the date of the order.

(2) For the purposes of this section, the Collector shall be deemed to be the successor in office of any Revenue Officer who has left the Pargana or who has ceased to exercise powers as a Revenue Officer therein and to whom no successor has been appointed.

(3) An order which has been dealt with in appeal or on revision shall not be reviewed by any Revenue Officer subordinate to the appellate or revisional authority.

25. Subject to the provisions of section 19, the provisions of the Indian Limitation Act, 1908, shall apply to all appeals and applications for review under this Regulation.
PART IV.

MAPS, RECORDS AND BOUNDARIES.

26. The Collector shall arrange the villages of the Par-
gana in patwaris' circles and may alter the number and limits
of such circles.

27. The Collector shall appoint a patwari to each circle for
the maintenance and correction of the annual papers, and for
the performance of such other duties as the Collector may,
by
general or special order, prescribe.

28. (1) A record-of-rights shall be prepared for each
village at the time of settlement, or at such other times as the
Chief Commissioner may direct.

(2) The record-of-rights of a village shall consist of the
following documents, namely:—

(a) A khaara or field book, in which shall be entered the
names of all persons cultivating or occupying land,
the right in which such land is held, and the rent,
if any, payable in respect thereof;

(b) a jamabandi or list of persons cultivating or occupy-
ing land in the village;

(c) a field map of the village unless in any case the Chief
Commissioner otherwise directs; and

(d) the village administration paper as prepared by the
Settlement Officer.

(3) Until a new record-of-rights is framed for any village,
the record prepared therefor of the last preceding settlement
shall be the record-of-rights prescribed by this section.

29. (1) The Collector may, of his own motion or on the
application of any person interested, correct any entry in the
record-of-rights on one or more of the following grounds and
no other, namely:—

(a) that all persons interested in such entry wish to have
it corrected; or

(b) that by a decree of a Civil Court it has been declared
to be erroneous; or

(c)
of 1927.]  

Manipur Land and Revenue.

(Part IV.—Maps, Records and Boundaries.)

(c) that, being founded on a decree or order of a Civil Court or on the order of a Revenue Officer, it is not in accordance with such decree or order; or

(d) that, being so founded, such decree or order has subsequently been varied on appeal, revision or review.

(2) The Collector may revise a record-of-rights when such revision is provided for therein.

30. (1) The Collector shall cause to be prepared, for each village annually or at such longer intervals as the Chief Commissioner may, by general or special order, prescribe, an amended set of the documents (in this Regulation referred to as the annual papers) mentioned in clauses (a), (b) and (c) of sub-section (2) of section 28.

(2) The Collector shall cause to be recorded all changes that have taken place in respect of, and all transactions that have affected, any rights and interests in any land.

(3) Every person lawfully entering into possession of any such right or interest shall report the fact to the Tehsildar within six weeks from the date on which he entered into possession.

(4) If the person so entering into possession is a minor or of unsound mind, the guardian or other person in charge of the property shall make the report specified in sub-section (3).

31. (1) Any person whose rights, interests or liabilities are required by this Regulation or any rule made thereunder to be entered in the annual papers shall be bound, on the requisition of any Revenue Officer or patwari, to furnish within a reasonable time such information relating to his rights, interests or liabilities as may be necessary for the compilation of such papers.

(2) No prosecution for failing to furnish the information specified in sub-section (1) shall be instituted save by order of the Collector.

32. (1) All persons in occupation of villages, lands or fields shall maintain and keep in repair at their own cost the permanent post office.
Manipur Land and Revenue. [Reg. 17

(Part IV.—Maps, Records and Boundaries. Part V.—Settlement and Collection of Revenue.)

... boundary and survey marks erected thereon, and the Collector may at any time order such persons—

(a) to erect proper boundary marks on such villages, lands or fields; or

(b) to repair and renew, in such form and with such material as he may prescribe, all boundary and survey marks erected thereon.

(2) The Collector may fix a reasonable time for obeying such order, and, if his order is not obeyed within such time, may cause such marks to be erected, repaired or renewed under his own orders, and may recover from the persons against whom his order was made, in such proportion as he thinks fit, a sum not exceeding double the cost of such erection, repair or renewal.

33. (1) If any person wilfully destroys, damages or, without lawful authority, removes a survey or boundary mark lawfully erected, he may be ordered by the Collector to pay such penalty, not exceeding fifty rupees, for each mark so destroyed, damaged or removed, as may be necessary to defray the expense of restoring the same and of rewarding the person, if any, by whom information of the destruction, damage or removal was given.

(2) The imposition of a penalty under sub-section (1) shall not be a bar to a prosecution under section 434 of the Indian Penal Code.

34. All disputes regarding boundaries shall be decided by the Collector, and when a boundary has been demarcated by the Collector, its correctness shall not be called in question by a Civil Court.

PART V.

SETTLEMENT AND COLLECTION OF REVENUE.

35. (1) All land, to whatever purpose applied and wherever situate, is liable to the payment of land-revenue to Government,
Manipur Land and Revenue.

(Part V.—Settlement and Collection of Revenue.)

Government, except such land as has been wholly exempted from such liability by special grant of, or contract with, Government, or by the provisions of any enactment for the time being in force.

(2) Land-revenue may be assessed on land notwithstanding that such land-revenue, by reason of its having been assigned, released, compounded for or redeemed, is not payable to Government.

(3) No length of occupation of any land shall release such land from the liability to pay land-revenue.

36. Settlements made before this Regulation comes into force shall be deemed, so far as may be, to have been made under this Regulation, and the provisions of this Regulation in regard to proceedings taken and records prepared by Settlement Officers in the making of settlements under this Regulation shall apply in like manner to proceedings taken and records prepared before this Regulation comes into force.

37. Whenever a settlement or a revision of a settlement is to be made for the whole or any part of the Pargana, the Chief Commissioner shall appoint a Settlement Officer and such other officers subordinate to him as may be necessary, and shall issue instructions for their guidance.

38. (1) The assessment of a survey-number shall, in the first place, be offered to the raiyat, if any, holding the survey-number.

(2) If the raiyat accepts the assessment and the conditions of tenure, he shall execute an acceptance in such form as the Settlement Officer may prescribe, and shall deliver the same to the Settlement Officer.

(3) Any raiyat who, within thirty days, fails to execute and deliver such acceptance or to inform the Settlement Officer that he refuses the assessment, shall, if the Settlement Officer by an order in writing so directs, be deemed to have accepted such assessment.

39. If the raiyat refuses to accept the assessment of a survey-number, he may be ejected by the Collector and the assessment
assessment may be offered to any co-sharer of the ejected raiyat or, if such co-sharer refuses, to any other person:

Provided that the raiyat shall be entitled to remove any crop which may be standing on the ground at the time of his ejectment.

40. (1) If a raiyat wishes to appropriate his land or any part thereof to any purpose other than that for which it was granted, he shall apply for permission to the Collector who may, after inquiry, grant or refuse the same.

(2) If, in pursuance of permission granted under subsection (1), such appropriation is made, the land-revenue, if any, assessed on the survey-number shall therewith become liable to revision, and the Collector may also impose and realise a premium.

41. The Collector shall appoint one of the raiyats in each village to be the patel.

42. It shall be the duty of the patel—

(a) to collect and pay into the Government treasury the land-revenue assessed on the survey-numbers or lands of his village;

(b) to report on the following matters relating to his village:

(i) the abandonment of survey-numbers or lands;

(ii) the encroachment by raiyats on waste land not included in their survey-numbers or lands;

(iii) the non-payment of land-revenue; and

(iv) any facts which indicate that default in the payment of land-revenue is likely to be made;

(c) to assist the village-watchman of his village in the recovery of the dues to which he is entitled;

(d) to prevent the unauthorised cutting of wood in Government forests included in or adjoining his village and to report any such unauthorised cutting in such forests; and

(e)
of the ejected person;
remove any land or any which it was Collector who
become liable and realise a "iyats in each
treasury the numbers or
attaching to his or lands;
land not in
id in the pay-
illage in the titled;
ood in Gov-
g his village cutting in
(e) to perform such other duties as the Chief Commiss-
ioner may, by general or special order, pre-
scribe.

43. Unoccupied land may be allotted by the Collector, either directly or through the patel, to any person who accepts the assessment and the terms of tenure thereof.

44. (1) The right of a raiyat in a survey-number or in a house-site in the abadi shall devolve as if it were land, but shall not be transferable without the written permission of the Collector.

(2) The right of a raiyat in a survey-number or in a house-site in the abadi shall not be sold or foreclosed in execution of a decree.

(3) A raiyat shall not be entitled to claim partition of a survey-number, but the Collector may divide a survey-number and apportion the assessment between the holders thereof.

45. If a survey-number is held by two or more persons as co-sharers, the Collector may appoint one of such persons to be primarily responsible for the land-revenue.

46. (1) Any raiyat who has accepted an assessment, or his representative or transferee, shall be bound to pay the amount thereof, from such date and for such term as the Chief Commissioner may appoint in this behalf, unless he relinquishes the survey-number by presenting at the office of the Tehsildar a written notice of relinquishment; such notice of relinquishment shall take effect from the commencement of the agricultural year next following:

Provided that the raiyat shall be entitled to remove any crop which may be standing on the ground on that date.

47. (1) A raiyat may be ejected from his land by the Collector on any of the following grounds, namely:

(a) that he has failed to pay the land-revenue assessed thereon; or
(b) that he has, in contravention of section 44, transferred his land or part thereof; or
(c) that he has diverted the land without permission to any purpose other than that to which it was appro-
riated; or
Manpur Land and Revenue. [Reg. IV

(Part V.—Settlement and Collection of Revenue.)

(d) that he has persistently failed to cultivate the land; or

(e) that he has committed a breach of any of the conditions of his tenure:

Provided that a raiyat shall not be ejected under clause (c), clause (d), or clause (e) of this sub-section, unless he has been given notice calling on him to make good his default and unless he has failed to comply therewith within three months from the date of service of the notice.

(2) If any raiyat has been ejected under clause (b) of sub-section (1), the Collector may also eject any transferee of such raiyat.

(3) The Collector may, with the previous sanction of the Chief Commissioner, eject any holder of a survey-number for any other reason on payment of such compensation for disturbance as the Collector or, if his award is not accepted, the Civil Court may determine; such compensation shall include the value of any improvements effected by the holder during the period of his tenure.

(4) No ejectment under clause (b), clause (c), clause (d), or clause (e) of sub-section (1), or under sub-section (2) or sub-section (3), shall take effect until the close of the agricultural year in which the order of ejectment is passed:

Provided that the person ordered to be ejected shall be entitled to remove any crop which may be standing on the ground at the time of his ejectment.

(5) A raiyat who ceases to hold any survey-number in a village may be ejected by the Collector from his house-site:

Provided that he shall be allowed a reasonable time to remove the materials of his house.

48. (1) Any person who occupies any land without proper authority shall be liable to pay—

(a) if the land forms part of a survey-number assessed to land-revenue, the assessment of the entire survey-number for the whole period of his occupation; or

(b)
(b) if the land has not been so assessed, such amount as the Collector may fix, and, if the Collector so directs, shall also be liable to pay a fine not exceeding five rupees, or a sum equal to ten times the amount of assessment payable by him for one year, if such sum is in excess of five rupees.

(2) Any person occupying any land without authority may, in addition to such fine, be summarily ejected from such land by order of the Collector, and any crop which may be standing on the land, and any building which such person may have erected thereon, if not removed within such time as the Collector may fix, shall be liable to forfeiture.

(3) Any property forfeited under this section shall become the property of Government and shall be dealt with as the Collector may direct.

49. The land-revenue assessed on any holding shall be a first charge on the land to which it relates.

50. The Tehsildar may, if he thinks fit, cause a notice of demand to be served on a defaulter before the issue of process under section 51 for the recovery of any arrear.

51. (1) An arrear payable to Government may be recovered by any one or more of the following processes, namely:

(a) by arrest and detention of the defaulter, or his imprisonment in the civil jail,

(b) by attaching and selling his moveable property,

(c) by transferring the land in respect of which the arrear has accrued to any other person who pays the whole amount due thereon, and

(d) by attaching and selling immovable property belonging to the defaulter, other than the land in respect of which the arrear has accrued:

Provided that—

(i) the process specified in clause (a) shall not be employed against any female minor or lunatic, or against any person exempted from personal attendance in a Civil Court;

(ii)
(ii) the processes specified in clause (b) shall not permit the attachment and sale of any of the following articles, namely:

(v) the necessary wearing apparel, cooking vessels, beds and bedding of the defaulter, his wife or children and such personal ornaments as in accordance with religious usage cannot be parted with by any woman;

(b) tools of artisans and, if the defaulter is an agriculturist, his implements of husbandry and such cattle and seed as may, in the opinion of the revenue officer, be necessary to enable him to earn his livelihood as such; and

(c) articles set aside exclusively for the use of religious endowments.

(2) Attachment and sales of moveable and immovable property shall be made, as nearly as may be, according to the law for the time being in force for the attachment and sale of such property under the decree of a Civil Court.

52. (1) Every warrant for the arrest of a defaulter shall direct the officer named therein to bring such defaulter to the Tehsildar’s office, if he does not pay the arrear by a date fixed in the warrant.

(2) When the defaulter is brought to the Tehsildar’s office, the Tehsildar may detain him at the said office not more than ten days, unless within such period the arrear is paid. If at the end of ten days the arrear still remains unpaid, the Tehsildar may cause the defaulter to be taken before the Collector, who may issue an order to the officer in charge of the civil jail, directing him to confine the defaulter for such period, not exceeding three months from the date of the order, as the Collector thinks fit, unless the arrear is paid within such period.

PART VI.

MISCELLANEOUS.

53. (1) Unless it is otherwise expressly provided in the records of a settlement or by the terms of a grant made by Government, vest in G the prop...
[Manpur Land and Revenue. (Part VZ.—Miscellaneous.)]

The right to all minerals, mines and quarries shall vest in Government, which shall have all powers necessary for the proper enjoyment of such rights.

(2) The right to all minerals, mines and quarries includes the right to access to land for the purpose of mining and quarrying and the right to occupy such other land as may be necessary for purposes subsidiary thereto, including the erection of offices, workshops, subsidiary factories, and any other purpose which the Chief Commissioner may declare to be subsidiary to mining and quarrying.

(3) If Government has assigned to any person its right over any minerals, mines or quarries and if the proper enjoyment of such right is necessary that all or any of the powers specified in subsections (1) and (2) should be exercised, the Collector, by an order in writing subject to such conditions and reservations as he may prescribe, delegate such powers to the person to whom the right has been assigned, provided that no such delegation shall be made until notice has been duly served on all persons having rights in the land affected, and until their objections, if any, have been heard and considered.

(4) If, in the exercise of the right herein referred to over any land, the rights of any persons are infringed by the occupation or disturbance of the surface of such land, Government shall, if the Collector, in writing, shall have determined and tendered to the persons whose rights are infringed, the compensation for such infringement, shall be calculated by the Collector, or, if his award is not accepted, by the Civil Court.

(5) No assignee of Government shall enter on or occupy any land without the previous sanction of the Collector, unless the compensation has been determined and tendered to the persons whose rights are infringed.

(6) If an assignee of Government fails to pay compensation as provided in subsection (4), the Collector may recover such compensation, together with costs, as if it were an arrear of land-revenue.

Explanation.

[Part VI—Miscellaneous.]
Manpur Land and Revenue.  

(Part VI.—Miscellaneous.)

Explanation.—For the purposes of this section, "minerals" includes any sand or clay which the Chief Commissioner may declare to have a commercial value or to be required for any public purpose.

54. Except as otherwise provided in this Regulation or in any other enactment for the time being in force, no Civil Court shall entertain any suit instituted or application made to obtain a decision or order on any matter which the Governor General in Council, the Chief Commissioner, or any Revenue Officer is, by this Regulation, empowered to determine, decide or dispose of; and in particular and without prejudice to the generality of this provision, no Civil Court shall exercise jurisdiction over any of the following matters, namely:—

(a) any correction or revision of a record-of-rights under section 29;

(b) any question regarding the demarcation of boundaries under section 34;

(c) any matter as to lands held or claimed to be held free from land-revenue, except rights arising under any contract between the Governor General in Council and grantees of land;

(d) the compilation of the record-of-rights, the preparation of any of the documents contained therein or the notification of settlement, and any matter required to be entered in the village administration paper;

(e) the amount of land-revenue to be assessed under this or any enactment for the time being in force;

(f) the claim of any person to have an assessment offered to, or sub-settlement made with, him;

(g) any question as to the validity of any engagement with Government for the payment of land-revenue;

(h) any decision regarding the purpose to which land is appropriated;

(i) any claim connected with, or arising out of, any process enforced on account of refusal to accept the assessment.
section, "miner-
of Commissioner-
be required for
Regulation or in
force, no Civil
application made
ch the Governor
re any Revenue
termine, decide
prejudice to the
t shall exercise
, namely:
-of-rights under
on of boundaries
1 to be held free
-arising under
or General in
te, the prepara-
sined therein or
ny matter re-
administration
ssed under this
1g in force;
ssessment offer-
, him;
n any engagement
f land-revenue;
o which land is
out of, any pro-
il to accept the
ssessment offered in a settlement or sub-settlement
by the Settlement Officer or by the Collector;
(j) any claim against Government connected with, or
arising out of, the collection of land-revenue or
the recovery of any sum which is realizable as land-
revenue under this Regulation or any other enact-
ment;
(k) the partition or union of villages;
(l) any claim in connection with the office, or the fixation.
of the remuneration of patwari, patel or village
watchman, or in respect of any injury caused by
the exclusion of any person from such office; and
(m) any question connected with the allotment of house-
sites in an abadi.

55. No suit shall lie in any Civil Court for the recovery of
any village-cess.

56. Royalties due to Government for the use or occupa-
tion of land or water, whether the property of Government or
not, or on account of any products thereof, and all moneys
falling due to Government under any grant, lease or contract
which provides that they shall be so recoverable, may be re-
covered under this Regulation in the same manner as an arrear
of land-revenue.

57. (1) All records kept under this Regulation shall be
open to public inspection at such times, and on such conditions
as to fees or otherwise, as the Collector may direct.

(2) A patwari shall produce for the inspection of any per-
son interested therein any record or paper which he is required
therein or of land-revenue.
to maintain, and shall allow such person to take copies thereof.

58. The Chief Commissioner may make rules for the pur-
pose of carrying into effect the provisions of this Regulation,
and may attach to the breach of any such rule a penalty which
may extend to two hundred rupees.

59. (1) The power to make rules under section 58 shall be
subject to the condition of the rules being made after previous
publication.

(2) Rules subject to previous publication in certain cases.
(2) No rule made under this Regulation shall take effect until it has been published in the Gazette of India.

60. The Collector may delegate to any Revenue Officer subordinate to him all or any of the powers conferred upon him by this Regulation other than the power of ejectment conferred by section 47.
REGULATION NO. V OF 1927.

(Received the assent of the Governor General on the 3rd December, 1927; and published in the Gazette of India on the 10th December, 1927.)

A Regulation further to amend the Aden Settlement Regulation, 1900.

WHEREAS it is expedient further to amend the Aden Settlement Regulation, 1900, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Regulation may be called the Aden Settlement Regulation, 1927.

2. In sub-section (1) of section 11 of the Aden Settlement Regulation, 1900 (hereinafter referred to as the said Regulation), the words “and mode” shall be omitted.

3. To sub-section (2) of section 12 of the said Regulation, the following words shall be added, namely:—

"In the manner prescribed by rules under clause (6) of section 13 for the recovery of taxes."

4. In clause (6) of section 13 of the said Regulation,—

(a) for the word “collection” the word “recovery” shall be substituted; and

(b) after the word “demand” the words “or of distraints” shall be inserted.

5. Section 19 of the said Regulation is hereby repealed.
REGULATION NO. I OF 1928.

(Received the assent of the Governor General on the 17th January 1928; and published in the Gazette of India on the 21st January, 1928.)

A Regulation further to amend the Sonthal Parganas Settlement Regulation.

WHEREAS it is expedient further to amend the Sonthal Parganas Settlement Regulation in the manner herein-after appearing; It is hereby enacted as follows:—

1. This Regulation may be called the Sonthal Parganas Settlement (Amendment) Regulation, 1928.

2. After clause (a) of section 18 of the Sonthal Parganas Settlement Regulation, the following proviso shall be added, namely:—

"Provided that occupancy-rights shall not be acquired in—

(a) land acquired under the Land Acquisition Act, 1894, for the Government or for any local authority or for a railway company, while such lands remain the property of the Government, or of any local authority or railway company, or

(b) land recorded or demarcated as belonging to the Government or any local authority which is used for any public work, such as a road, canal or embankment, or is required for the repair and maintenance of the same, while such land continues to be so used or required."

MG1PC—L.—I.155—I.2.28—1.009.

Price 1 anna or $1/4d.
REGULATION NO. II OF 1928.

[Received the assent of the Governor General on the 27th January, 1928; and published in the Gazette of India on the 4th February, 1928.]

A Regulation to provide a summary procedure for the redemption of certain mortgages of land in the District of Ajmer-Merwara.

WHEREAS it is expedient to provide a summary procedure for the redemption of certain mortgages of land in the District of Ajmer-Merwara; It is hereby enacted as follows:—

1. (1) This Regulation may be called the Ajmer-Merwara Redemption of Mortgages Regulation, 1928.

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

(3) It applies only to mortgages of land in which—

(a) whatever may be the amount of the mortgage money, the area of the land mortgaged, after excluding the area of any share in the common land of the village or of a sub-division of the village appertaining thereto and mortgaged therewith, does not exceed 30 acres; or

(b) whatever may be the area of the land mortgaged, the principal secured under the mortgage does not exceed one thousand rupees:

Provided that it shall not apply to any mortgage made after the date on which the Ajmer Alienation of Land Regulation, 1914, came into force.

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

(1) "Collector" means the Collector of Ajmer-Merwara, and includes any Revenue-officer appointed by the Chief Commissioner to exercise the powers of the Collector under this Regulation;

(2) "land"

Price As. 2 or 3d.]
Ajmer-Merwara: Redemption of Mortgages. [Reg. II

(2) "land" means land which is not occupied as the site of any building in a town or village and is occupied or let for agricultural purposes or for purposes subservient to agriculture or for pasture, and includes—

(a) the sites of buildings and other structures on such land;
(b) a share in the profits of an estate or holding;
(c) any dues or any fixed percentage of the land-revenue payable by an inferior land owner to a superior land owner;
(d) a right to receive rent;
(e) any right to water enjoyed by the owner or the occupier of land as such; and
(f) any right of occupancy; and

(3) "prescribed" means prescribed by rules made under this Regulation.

3. Subject to the provisions of this Regulation and any rules made thereunder, in proceedings before the Collector under this Regulation, the following matters shall be regulated by the rules for the time being in force under clauses (d) and (f) of section 110 of the Ajmer Land and Revenue Regulation, 1877, in so far as they are applicable—

(a) the procedure for compelling the attendance of parties and witnesses;
(b) the fees to be charged for service of processes;
(c) the issue of Commissions;
(d) the production, rejection and admission of documents; and
(e) the awarding of costs.

4. No legal practitioner shall appear on behalf of any party interested in any proceeding before the Collector under this Regulation.

5. (1) The mortgager or other person entitled to institute a suit for redemption may, at any time after the principal money becomes payable and before a suit for redemption is barred, present a petition to the Collector applying for an order directing that his mortgage be redeemed, and, where the mortgage is with possession, that he be put in possession of the mortgaged property.

(2) The
The petition shall be duly verified in the manner provided by law for the verification of plaints, and shall state the sum which the petitioner declares to the best of his belief to be due under the mortgage.

(3) The petitioner shall at the same time deposit such sum with the Collector.

(4) The petitioner shall state in his petition such particulars and file therewith such documents as may be prescribed.

6. When the petition has been duly presented and the deposit of the sum mentioned in section 5 has been made, the Collector shall issue to the mortgagee a summons to appear on a date to be therein specified. Every summons shall be accompanied by a copy of the petition, with the date of deposit endorsed thereon.

7. If the mortgagee appears and the petitioner does not appear when the petition is called on for hearing, the Collector shall—

(a) if the mortgagee does not admit the claim—

(i) make an order that the petition be dismissed,

(ii) if he finds sufficient reason, adjourn the proceedings;

(b) if the mortgagee admits the claim, make an order—

(i) that the mortgage be redeemed;

(ii) if the mortgage is with possession, that the mortgagor be put in possession of the mortgaged property as against the mortgagee;

(iii) that the mortgagee deposit with the Collector the mortgage-deed, if any, if then in his possession or power, and that it be delivered to the petitioner; and

(iv) that, subject to the mortgage-deed, if any, being so deposited by the mortgagee, the sum in deposit be paid to him:

Provided that no such order shall be made inconsistent with any condition of the mortgage whereby a season or period of the year is fixed for redemption or for surrendering possession.

8. (1) If

...
8. (1) If the petitioner appears, but the mortgagee does not appear, when the petition is called on for hearing, the Collector shall, unless he adjourns the proceedings, inquire in a summary manner—

(a) whether the petitioner is entitled to redeem the mortgaged property, and

(b) whether the sum deposited by the petitioner is the sum rightly due under the mortgage.

(2) If the Collector is not satisfied that the petitioner is entitled to redeem, he shall dismiss the petition.

(3) If the Collector is satisfied that the petitioner is entitled to redeem, and that the sum deposited is the sum rightly due under the mortgage, he shall make an order as laid down in clause (b) of section 7.

(4) If the Collector is satisfied that the petitioner is entitled to redeem, but is of opinion that a sum larger than that in deposit is due under the mortgage, he shall fix a period not exceeding thirty days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of such deposit. If the petitioner makes such deposit within such period or such further period not exceeding thirty days as the Collector may fix, the Collector shall make an order as laid down in clause (b) of section 7.

(5) If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.

9. (1) If both parties appear when the petition is called on for hearing, the Collector shall inquire from the mortgagee whether he admits that the petitioner is entitled to redeem, whether he is willing to accept the sum in deposit in full discharge of the mortgage-debt and, where the mortgage is with possession, whether he is willing to surrender possession of the mortgaged property.

(2) If the mortgagee replies in the affirmative, the Collector shall make an order as laid down in clause (b) of section 7.

(3) If the mortgagee admits the petitioner’s right to redeem, but demands payment of a sum larger than that in deposit, the Collector shall inquire from the petitioner whether he is willing to pay such larger sum, and, if he replies
mortgagee does not reply in the affirmative, the Collector shall fix a period not exceeding thirty days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of such deposit. If the petitioner makes such deposit within such period or such further period not exceeding thirty days as the Collector may fix, the Collector shall make an order as laid down in clause (b) of section 7.

(4) If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.

10. If the mortgagee raises objection on any ground other than the amount of the deposit, or if the petitioner is not willing to pay the sum demanded by the mortgagee, the Collector may either—

(a) for reasons to be recorded dismiss the petition, or

(b) make a summary inquiry,

regarding the objection raised by the mortgagee or regarding the sum due.

11. If on inquiry regarding any objection so raised by the mortgagee the Collector is of opinion that redemption is barred or that there is sufficient cause for not proceeding further with the petition, he shall dismiss the petition; but if he is not of that opinion, he shall, unless he dismisses the petition under section 12, make an order as laid down in clause (b) of section 7.

12. (1) If on inquiry regarding the sum due the Collector is of opinion that the sum deposited is the sum rightly due under the mortgage, he shall, unless he dismisses the petition under section 11, make an order as laid down in clause (b) of section 7; but if he is of opinion that a sum larger than the sum deposited should be paid by the petitioner, he shall, unless he dismisses the petition under section 11, fix a period not exceeding thirty days within which the petitioner shall deposit the difference, together with any further sum which may be due on account of interest up to the date of such deposit. If the petitioner makes such deposit within such period or such further period not exceeding thirty days as the Collector may fix, the Collector shall make an order as laid down in clause (b) of section 7.

(2) If
(2) If the petitioner fails to make such deposit within the period fixed, the Collector shall dismiss the petition.

13. (1) Any party aggrieved by an order made under section 7, 8, 9, 10, 11 or 12 may institute a suit to establish his rights in respect of the mortgage, but, subject to the result of such suit, if any, the order shall be conclusive.

(2) Notwithstanding anything contained in sub-section (1) a mortgagee against whom an ex-parte order under section 8 has been made or a petitioner whose petition has been dismissed in default under section 7 may apply to the Collector to have such order or dismissal set aside, and the Collector may, in his discretion, set aside such order or dismissal on such terms as to costs or otherwise as he may deem fit:

Provided that the order or dismissal shall not be set aside unless notice of the application has been served on the opposite party.

14. The dismissal of a petition under this Regulation shall bar any further petition under this Regulation by the same petitioner or his representative in respect of the same mortgage.

15. If the Collector dismisses a petition under this Regulation, he shall order that the sum deposited by the petitioner be returned to him.

16. No sum deposited with the Collector by a petitioner under the provisions of this Regulation shall be attached by any Court or Revenue-officer.

17. (1) When the petitioner has deposited with the Collector the sum declared by the petitioner to be due on the mortgage, and such sum is accepted by the mortgagee, or is found by the Collector to be the sum actually due, interest on the mortgage shall cease from the date of the deposit.

(2) Where the Collector finds that a further sum is due and the petitioner deposits such further sum, interest shall cease from the date of such further deposit:

Provided that nothing in this section shall be deemed to deprive the mortgagee of his right to interest when there exists a contract that he shall be entitled to reasonable notice before payment or tender of the mortgage-money:

Provided
1928.] Ajmer-Merwara Redemption of Mortgages.

Provided also that, where a suit is instituted under section 13, the Court may pass such order as to interest as it deems fit.

18. The Chief Commissioner may—

(a) make rules consistent with this Regulation for carrying out the purposes of this Regulation; and

(b) appoint any Revenue-officer not below the rank of an Extra Assistant Commissioner to exercise the powers of the Collector under this Regulation.
REGULATION NO. III OF 1928.

[Received the assent of the Governor General on the 2nd March, 1928; and published in the Gazette of India on the 3rd March, 1928.]

A Regulation further to amend the North-West Frontier Province Security Regulation, 1922.

WHEREAS it is expedient further to amend the North-West Frontier Province Security Regulation, 1922;

It is hereby enacted as follows:—

1. This Regulation may be called the North-West Frontier Province Security (Amendment) Regulation, 1928.

2. In sub-section (3) of section 1 of the North-West Frontier Province Security Regulation, 1922, for the word "six" the word "nine" shall be substituted.
REGULATION No. IV OF 1928.

[Received the assent of the Governor General on the 2nd March, 1928; and published in the Gazette of India on the 3rd March, 1928.]

A Regulation further to amend the British Baluchistan Security Regulation, 1922.

WHEREAS it is expedient further to amend the British Baluchistan Security Regulation, 1922; It is hereby enacted as follows:

1. This Regulation may be called the British Baluchistan short title. Security (Amendment) Regulation, 1928.

2. In sub-section (3) of section 1 of the British Baluchistan Security Regulation, 1922, for the word "six" the word "nine" shall be substituted.
REGULATION NO. V OF 1928.

[Received the assent of the Governor General on the 9th July, 1928; and published in the Gazette of India on the 14th July, 1928.]

A Regulation further to amend the Frontier Crimes Regulation, 1901.

WHEREAS it is expedient further to amend the Frontier Crimes Regulation, 1901, in the manner herein-after appearing; It is hereby enacted as follows:

1. This Regulation may be called the Frontier Crimes (Amendment) Regulation, 1928.

2. After section 62 of the Frontier Crimes Regulation, 1901, the following section shall be inserted, namely:

"62A. The Local Government may make rules for the issue and safe custody of rifles and ammunition for border village defence, and for the imposition and recovery of fines for any breach of such rules.

Fines imposed for a breach of the rules made under this section may be recovered in the manner laid down in section 386 of the Code of Criminal Procedure, 1898."

Price 1 anna or ½d.
REGULATION NO. VI OF 1928.

[Received the assent of the Governor-General on the 16th July, 1928; and published in the Gazette of India on the 31st July, 1928.]

A Regulation to validate the imposition of certain taxes by District Boards in the North-West Frontier Province.

WHEREAS it is necessary to remove doubts as to the legality of certain taxes imposed by certain District Boards in the North-West Frontier Province; It is hereby enacted as follows:—

1. This Regulation may be called the North-West Frontier Province Haisiyat Tax (Validating) Regulation, 1928.

2. Notwithstanding anything contained in any law, the taxes imposed by the District Boards specified in the first column of the Schedule, the imposition of which was notified in the notifications specified in each case in the second column of the Schedule, shall be deemed to have been legally imposed with effect from the dates notified in each case as the date from which such taxes were imposed or were to come into force and shall be deemed to have remained legally in force until the sixteenth day of July, 1928.

THE SCHEDULE.

(See section 2.)

<table>
<thead>
<tr>
<th>District Board</th>
<th>Notification.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hazara</td>
<td>No. 916-L.F., dated the 15th October, 1925.</td>
</tr>
<tr>
<td>Dera Ismail Khan</td>
<td>No. 1231-L.F.-XXI-H.-47, dated the 4th December, 1926.</td>
</tr>
</tbody>
</table>

Price 1 anna or 1½d.

MGPC-L—IX-77—2-6-28—500.
REGULATION No. I OF 1929.

[Received the assent of the Governor General on the 4th February, 1929; and published in the Gazette of India on the 16th February, 1929.]

A Regulation to declare the law in force in Panth Piploda.

WHEREAS it is expedient to declare the law in force in Panth Piploda; It is hereby enacted as follows:—

1. This Regulation may be called the Panth Piploda Laws Short title Regulation, 1929.

2. (1) So much of each of the enactments specified in the Schedule as is in force in the territories to which the enactment generally applies shall be deemed to be in force in Panth Piploda, subject to the modifications stated in the Schedule, and to any amendments to which the enactments are for the time being subject in the territories to which they generally apply.

(2) An enactment not comprised in the Schedule shall not be deemed to be, or to have been in force in Panth Piploda or in any part thereof unless, after the commencement of this Regulation, the enactment 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 Chief Commissioner, 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 the Schedule, 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 Panth Piploda or in any part thereof specified in the notification.

3. (1) For the purpose of facilitating the application of construction of any enactment for the time being in force in Panth Piploda, 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
Panth Pipoda Laws.

(2) All references in enactments in force in Panth Pipoda to the Gazette or to the local official Gazette shall be construed as referring to the Gazette of India.

THE SCHEDULE.

(See section 2.)

Enactments to be deemed in force in Panth Pipoda.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1818</td>
<td>III</td>
<td>Bengal Regulation, Acts of the Governor General in Council.</td>
<td>(1) The Preamble, the first two paragraphs of section 1 and section 2 shall be omitted.</td>
</tr>
<tr>
<td>1859</td>
<td>XVIII</td>
<td>The Judicial Officers' Protection Act, 1859.</td>
<td></td>
</tr>
<tr>
<td>1859</td>
<td>XXXIV</td>
<td>The State Prisoners Act, 1859.</td>
<td></td>
</tr>
<tr>
<td>1860</td>
<td>III</td>
<td>The State Prisoners Act, 1858.</td>
<td></td>
</tr>
<tr>
<td>1860</td>
<td>XIV</td>
<td>The Indian Penal Code.</td>
<td></td>
</tr>
</tbody>
</table>
| 1867 | III    | The Public Gambling Act, 1867. | (1) In section 1, for the second paragraph, the following shall be substituted:

"It shall apply only to those municipalities and notified areas within in Panth Pipoda to which it may be extended by the Governor-General in Council.

(2) In clause (b) of section 9, for the word “notified area,” the words “notified area” shall be substituted.

(3) In section 10, for the word “notified area” the words “notified area” shall be substituted.

1870 | VII    | The Court-fee Act, 1870. | |
| 1871 | I      | The Dilapidated Building Act, 1871. | |
| 1872 | I      | The Indian Evidence Act, 1872. | |
| 1872 | IX     | The Indian Contract Act, 1872. | |
| 1873 | X      | The Indian Oaths Act, 1873. | |
| 1874 | XIV    | The Scheduled Districts Act, 1874. | |
| 1875 | IX     | The Indian Majority Act, 1875. | |
| 1877 | I      | The Specific Relief Act, 1877. | |
| 1878 | XI     | The Indian Arms Act, 1878. | |
| 1880 | XIII   | The Vaccination Act, 1880. | |

2 sec. 1, 87 Reg. 6 of 1879. 5.2 (Rev. 1880).
<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
</table>
| 1880 | XIII   | The Vaccination Act, 1880—cond. | (3) For section 4 the following section shall be substituted, namely:—
|      |        |             | "4. The Local Government may, by notification in the Gazette of India, extend the Act to any area specified in the notification, other than a municipality, and such area shall thereupon be deemed to be a notified area."
|      |        |             | (4) In section 5, for the words "any local area in a cantonment" the words "a notified area" shall be substituted.
|      |        |             | (5) For section 20 the following section shall be substituted, namely:—
|      |        |             | "20. When this Act has been applied to any notified area, the Local Government may make such rules." |
| 1882 | IV     | The Transfer of Property Act, 1882 | |
| 1887 | IX     | The Provincial Small Cause Courts Act, 1887 | For section 16 the following section shall be substituted, namely:—
|      |        |             | "16. If a suit is instituted in any other Court having jurisdiction within the local limits of the jurisdiction of a Court of Small Causes which, in the opinion of the Judge who tries the same (whose opinion shall be final), ought to have been instituted in the Court of Small Causes, no costs shall be allowed to a successful plaintiff and a successful defendant shall be allowed his costs including such pleader's fees as the Court may direct." |
| 1897 | X      | The General Clauses Act, 1897 | |
| 1898 | III    | The Lepers Act, 1898 | (1) Sub-section (3) of section 1 shall be omitted.
|      |        |             | (2) After section 19 the following section shall be inserted, namely:—
|      |        |             | "19. When a Magistrate has issued an order in Form G or Form H for the detention of a leper, and the Local Government is satisfied that it is to the interests of the leper that he be detained in an asylum established in an Indian State in Central India in which arrangements can be made for his detention and for his inspection by the members of the Board as required by section 14 or by a Board similarly constituted, the Local Government may direct that he shall be detained in such asylum in accordance with such order."
<p>| 1899 | V      | The Code of Criminal Procedure, 1898 | |
| 1898 | VI     | The Indian Post Office Act, 1898 | |</p>
<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Short title</th>
<th>Modifications and restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1890</td>
<td>II</td>
<td>The Indian Stamp Act, 1890</td>
<td>(1) Sections 57, 58 and 69 shall be omitted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(2) In sub-section (2) of section 66, the words and figures &quot;other than a Court mentioned in section 57&quot; shall be omitted.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(3) In sub-section (2) of section 66, the words and figures &quot;as if it had been referred under section 57&quot; shall be omitted.</td>
</tr>
<tr>
<td>1903</td>
<td>V</td>
<td>The Code of Civil Procedure, 1903</td>
<td>Sections 20 and 31 and the Second Schedule shall be omitted.</td>
</tr>
<tr>
<td>1908</td>
<td>IX</td>
<td>The Indian Limitation Act, 1908</td>
<td></td>
</tr>
<tr>
<td>1908</td>
<td>XVI</td>
<td>The Indian Registration Act, 1908</td>
<td></td>
</tr>
<tr>
<td>1909</td>
<td>IV</td>
<td>The Whipping Act, 1906</td>
<td></td>
</tr>
<tr>
<td>1912</td>
<td>IV</td>
<td>The Indian Legacy Act, 1912</td>
<td>Sections 14, 15 and 67 shall be subject to the provision that, if a race is not in India, the Maharaja of Judge, as the case may be, may make him over to the Chief or judge of the State with his consent and, in the case of an order under section 67, with the consent of the person whose application the institution was instituted.</td>
</tr>
<tr>
<td>1918</td>
<td>K</td>
<td>The Usurious Loans Act, 1918</td>
<td>In sub-section (2) of section 1, the words &quot;except the Scheduled Districts&quot; shall be omitted.</td>
</tr>
<tr>
<td>1920</td>
<td>V</td>
<td>The Provincial Insolvency Act, 1920</td>
<td></td>
</tr>
</tbody>
</table>

[1912 II The Cooperative Societies Act, 1912]
REGULATION No. II OF 1929.

[Received the assent of the Governor-General on the 17th July, 1929; and published in the Gazette of India on the 20th July, 1929.]

A Regulation to validate certain proceedings taken by the Chief Commissioner of the Andaman and Nicobar Islands, purporting to act as a High Court in the exercise of civil matrimonial jurisdiction.

WHEREAS it is expedient to validate certain proceedings taken by the Chief Commissioner of the Andaman and Nicobar Islands, purporting to act as a High Court in the exercise of civil matrimonial jurisdiction; It is hereby enacted as follows:

1. This Regulation may be called the Validation (Matrimonial Jurisdiction) Regulation, 1929.

2. The Chief Commissioner of the Andaman and Nicobar Islands shall be deemed to have had the powers of a High Court under the Indian Divorce Act, for the purposes of the validation of certain proceedings taken by the Chief Commissioner of the Andaman and Nicobar Islands.

Price 1 anna or 1½d.

REGULATION NO. 1 OF 1930.

[Received the assent of the Governor General on the 17th February, 1930; and published in the Gazette of India on the 22nd February, 1930.]

A Regulation further to amend the Andaman and Nicobar Islands Regulation, 1876.

WHEREAS it is expedient further to amend the Andaman and Nicobar Islands Regulation, 1876; It is hereby enacted as follows:

1. This Regulation may be called the Andaman and Nicobar Islands (Amendment) Regulation, 1930.

2. In clause (a) of section 32 of the Andaman and Nicobar Islands Regulation, 1876, for the words and figures "license III of 1876, under section 10" the words, brackets and figures "permit under section 6 of the Andaman and Nicobar Islands (Land tenure) Regulation, 1926" shall be substituted.

Price 1 anna or 1½d.

MGFC-L-IX 5-21:30-500.
REGULATION NO. II OF 1930.

[Received the assent of the Governor General on the 29th April, 1930; and published in the Gazette of India on the 3rd May, 1930.]

A Regulation to amend the Arakan Hill District Laws Regulation, 1916.

WHEREAS it is expedient to amend the Arakan Hill District Laws Regulation, 1916; It is hereby enacted as follows:—

1. This Regulation may be called the Arakan Hill District Laws (Amendment) Regulation, 1930.

2. In the long title of, in the preamble to, and in sub-section (2) of section 1 of the Arakan Hill District Laws Regulation, 1916 (hereinafter referred to as the said Regulation), for the words "Hill District of Arakan" the words "Arakan Hill Tracts" shall be substituted.

3. In sub-section (1) of section 1 of the said Regulation, for the word "District" the word "Tracts" shall be substituted.

4. After section 1 of the said Regulation, the following sections shall be inserted, namely:—

"1A. In this Regulation, unless there is anything repugnant in the subject or context,—

(I) 'Superintendent' means the Superintendent of the Arakan Hill Tracts;
(2) 'the Tracts' means the Arakan Hill Tracts.

1B. The Local Government shall appoint an officer who shall be known as the 'Superintendent of the Tracts of the Arakan Hill Tracts' to the charge of the general administration of the Tracts.'"

5. In sections 2, 3 and 10 of, and in the heading to Schedule I to, the said Regulation, for the words "Hill District of Arakan", wherever they occur, the words "Tracts" shall be substituted.

6. In

Price 1 anna qr 1½d.]
6. In sub-section (3) of section 2 of the said Regulation, the word "Lower" shall be omitted.

7. In sections 12 and 13 of the said Regulation, for the words "Deputy Commissioner", wherever they occur, the word "Superintendent" shall be substituted.

8. After section 14 of the said Regulation the following section shall be inserted, namely:

"14A: In any enactment for the time being in force in the Tracts the expression 'Deputy Commissioner' shall, subject to the provisions of any enactment passed after this section comes into force and to any conditions and restrictions which the Local Government may prescribe, be construed in respect of any function of the Deputy Commissioner under the said enactment as referring to the Superintendent."
REGULATION No. III OF 1930.

[Received the assent of the Governor General on the 21st May, 1930; and published in the Gazette of India on the 24th May, 1930.]

A Regulation further to amend the Andaman and Nicobar Islands Regulation, 1876.

WHEREAS it is expedient further to amend the Andaman and Nicobar Islands Regulation, 1876; It is hereby enacted as follows:—

1. This Regulation may be called the Andaman and Nicobar Islands (Second Amendment) Regulation, 1930.

2. In sub-section (1) of section 19A of the Andaman and Nicobar Islands Regulation, 1876, for the words "said islands" the word "Andamans" shall be substituted.
REGULATION No. IV OF 1930.

[Received the assent of the Governor General on the 21st June, 1930; and published in the Gazette of India on the 28th June, 1930.]

A Regulation further to amend the Chin Hills Regulation, 1896.

WHEREAS it is expedient further to amend the Chin Hills Regulation, 1896; It is hereby enacted as follows:

1. This Regulation may be called the Chin Hills (Amendment) Regulation, 1930.

2. In section 4 of the Chin Hills Regulation, 1896,—

(a) in sub-section (3), after the words "the Financial Commissioner" the words "of the Excise Commissioner" shall be inserted; and

(b) in sub-section (4), the figures "33" shall be omitted.

Price 1 anna or 1¼d.

MGOO—L—IX.83—25 7 30—500.
A Regulation to amend the Manpur Laws Regulation, 1926.

WHEREAS it is expedient to amend the Manpur Laws Regulation, 1926; it is hereby enacted as follows:

1. This Regulation may be called the Manpur Laws (Amendment) Regulation, 1930.

2. In the Schedule to the Manpur Laws Regulation, 1926 (hereinafter referred to as the said Regulation), after the entry relating to the Indian Contract Act, 1872, the following entry shall be inserted, namely:

   "1872 | XV | The Indian Christian Marriage Act, 1872."

3. The entry inserted by section 2 in the Schedule to the said Regulation shall, notwithstanding anything contained in the said Regulation, be deemed to have been, from the commencement of the said Regulation, included in the said Schedule.
REGULATION No. VI of 1930.

[Received the assent of the Governor General on the 10th August, 1930; and published in the Gazette of India on the 16th August, 1930.]

A Regulation to amend the Panth Piploda Laws Regulation, 1929.

HEREAS it is expedient to amend the Panth Piploda Laws Regulation, 1929; It is hereby enacted as follows:

1. This Regulation may be called the Panth Piploda Laws (Amendment) Regulation, 1930.

2. In the Schedule to the Panth Piploda Laws Regulation, 1929 (hereinafter referred to as the said Regulation), after the entry relating to the Indian Contract Act, 1872, the following entry shall be inserted, namely:

   XV The Indian Christian Marriage Act, 1872.

3. The entry inserted by section 2 in the Schedule to the said Regulation shall, notwithstanding anything contained in the said Regulation, be deemed to have been, from the commencement of the said Regulation, included in the said Schedule.

Price 1 anna or 1½d.
REGULATION NO. VII OF 1930.

[Received the assent of the Governor General on the 6th October, 1930; and published in the Gazette of India on the 11th October, 1930.]

A Regulation further to amend the Coorg Courts Regulation, 1901.

WHEREAS it is expedient further to amend the Coorg Courts Regulation, 1901; it is hereby enacted as follows:—

1. This Regulation may be called the Coorg Courts (Amendment) Regulation, 1930.

2. In section 3 of the Coorg Courts Regulation, 1901 (hereinafter referred to as the said Regulation), after the words “Judicial Commissioner” the words “and the Additional Judicial Commissioner, if any,” shall be inserted.

3. After section 6 of the said Regulation, the following section shall be inserted, namely:

“6A. (1) The Court of the Judicial Commissioner shall consist of the Judicial Commissioner and the Additional Judicial Commissioner, if any.

(2) Save as otherwise provided by this Regulation and subject to such orders as the Judicial Commissioner may make as regards the distribution of business between himself and the Additional Judicial Commissioner, the jurisdiction of the Court of the Judicial Commissioner may be exercised by the Judicial Commissioner or by the Additional Judicial Commissioner.”

4. In section 9 and sub-section (1) of section 16 of the said Regulation, for the words “Judicial Commissioner” wherever they occur, the words “Court of the Judicial Commissioner” shall be substituted.

5. For sub-sections (2) and (3) of section 16 of the said Regulation, the following sub-section shall be substituted, namely:

“(2) When an appeal or an application for revision is preferred to the Court of the Judicial Commissioner

[Price 1 anna or 1½d.]
 commissioner in respect of any decree or order which was
passed by the Judicial Commissioner or the Addi-
tional Judicial Commissioner, in another capacity,
or in which the Judicial Commissioner or the
Additional Judicial Commissioner is personally
interested, such appeal or application shall be
disposed of by the Additional Judicial Commissi-
oner or the Judicial Commissioner, respectively,
unless all parties to the appeal or application
request that it should be disposed of by the officer
who passed the decree or order in respect of which
the appeal or application has been preferred, or
who is so interested, in which case the appeal or
application shall be disposed of in accordance with
such request.''

6. (1) Section 16 of the said Regulation shall be numbered
as sub-section (1) of section 16.

(2) In the said sub-section, as so numbered, after the
words "Judicial Commissioner" the words "as constituted
under sub-section (1) of section 6A " shall be inserted.

(3) To the said section, as so amended, the following sub-
section shall be added, namely:

"(2) The provisions of sub-section (2) of section 6A and
of sub-section (2) of section 15 shall, so far as may
be, apply to the Court of the Judicial Commis-
sioner in respect of its criminal jurisdiction.''

7. In section 19 of the said Regulation,—

(a) after the words "Judicial Commissioner" the words
"or Additional Judicial Commissioner" shall be
inserted; and

(b) the word "his" shall be omitted.
