

# The Bengal Troops Transport and Travellers Assistance Regulation, 1806

UTTAR PRADESH

India

## The Bengal Troops Transport and Travellers Assistance Regulation, 1806

### Act 11 of 1806

- Published on 3 July 1806
- Commenced on 3 July 1806
- [This is the version of this document from 3 July 1806.]
- [Note: The original publication document is not available and this content could not be verified.]

The Bengal Troops Transport and Travellers Assistance Regulation, 1806(Bengal Regulation No. 11 of 1806)[Passed by the Governor-General in Council on the 3rd July, 1806]Short title given by Act V of 1897.A Regulation for facilitating the progress of detachments of troops through the Company's territories; for affording any requisite assistance to persons travelling through those territories [\* \* \*] [The last part of the title repealed by Act XII of 1891, Section 2(1).]

### 1. [ Preamble. [Section 1 repealed in its application to Oudh, by the Oudh Laws Act, 1876 (Act XVIII of 1876).]

- Whereas it is expedient to enact into a Regulation, for general information and observance, the rules which has been established by Government at different times (with such amendments as have been deemed necessary) for facilitating the progress of military detachments through the Company's provinces, for ascertaining and defraying any necessary expense incurred for that purpose, and for providing compensation when any material damage may be sustained in the cultivation of the country from the march or encampment of troops: and whereas it has also been judged proper to empower the local officers of police to afford such reasonable assistance as may be required by travellers [\* \* \*] proceeding through their respective jurisdictions, in procuring the means of prosecuting their journeys:[\* \* \* \* \*] [The part of the Preamble repealed by Act XII of 1891.]the following rule have been enacted, to be in force throughout the whole of the Provinces subject to the immediate government of the Presidency of Fort William (according as such rule may be applicable to the said Provinces respectively) from the date of their promulgation.]

## **2. Notice to be given to Collectors and Magistrates by officers commanding detachments.**

- Whenever a detachment of troops, or a single corps, shall be ordered to proceed, by land or by water, through any part of [the Company's territories] [Read 'Oudh' for the words 'the Company's territorial' vide Act XVIII of 1876 in so far as it applied to Oudh.] the commanding officer of such detachment or corps is required to give the earliest practicable notice to the [Collectors of the Revenue] [Read 'Deputy Commissioner' for the words 'Collectors of Revenue' by Act XVIII of 1876, in so far as it applied to Oudh.] of the zilas through which the troops are to pass, of the probable time of their arrival within such districts respectively; together with information of the probable period of their arrival at the particular places where supplies may be required and a specification of the supplies which will be wanted. The Commanding officer will likewise notify to the [Collectors] [Read 'Deputy Commissioner' for Collector', by Act XVIII of 1876 in Oudh.] the probable period of the arrival of the troops at the rivers or nalas intersecting their march, where boats or temporary bridges may be necessary for crossing the troops and the baggage attached to them.[\* \* \* \* \*] [In Oudh, the words 'the commanding officer will at the same time communicate to the Magistrates of the zilas through which the troops are to pass the probable time of the arrival of the troops within their respective jurisdiction' were repealed ibid. They have since been repealed every where by Act V of 1897.]

## **3.**

. First : Procedure of Collector on notice. - On receiving the notification mentioned in the foregoing section, the [Collector] [Read 'Deputy Commissioner' for Collector', by Act XVIII of 1876 in Oudh.] shall immediately issue the necessary orders to the landholders, farmers, tahsildars, or other persons incharge of the lands through which the troops are to pass, for providing the supplies required, and for making any requisite preparations of boats or temporary bridges, or otherwise for enabling the troops to cross such rivers or nalas as may interest their march, without any impediment or delay. The [Collector] [Read 'Deputy Commissioner' for Collector', by Act XVIII of 1876 in Oudh.] shall at the same time depute a creditable [\* \* \*] [The word 'Native' omitted, by the A.L.O. 1950.] officer to accompany the troops through his jurisdiction, for the purpose of aiding in procuring the necessary supplies and of facilitating the march of the troops. It shall also be the duty of such [\* \* \*] [The word 'Native' omitted, by the A.L.O. 1950.] officer to provide the troops with whatever bearers, coolies, boatmen, carts and bullocks may be indispensably necessary to enable the troops to prosecute their route. Police to assist in providing bearers, boatmen, carts and bullocks. - Should the experience any difficulty in the performance of his duty, he is at liberty to apply for assistance to the nearest police officer, who is directed to afford his aid in providing the number of persons and of carts and bullocks required. Second : Rates for supplies furnished to troops. - The supplies furnished under the foregoing clause (including earthen pots, firewood and every article of supply) shall be paid for by the person receiving the same at the current bazar prices of the place at which they may be provided; Commanding officers to inquire into the redress, complaint against persons under their command. - And all officers commanding detachments of troops or single corps marching through any part of [the Company's territories] [In Oudh, read 'Oudh' for 'the Company's territories', see Act XVIII of 1876.] are enjoined to make immediate inquiry into any complaint

which may be preferred to them by the persons furnishing such supplies or in their behalf, against any person or persons under their command, and to afford such redress to the complaints as the nature of the case may appear to require.

#### 4.

First : Certificate to be granted by commanding officer when troops are provided with boats, etc. - Whenever a detachment of troops or a single corps shall be provided with boats, temporary bridge or other accommodation by any landholder, farmer, tahsildar or other person, conformably to the orders of the [Collector] [Read 'Deputy Commissioner' for Collector', by Act XVII of 1876 in Outh.] of the zila, for the purpose of crossing the troops and their baggage over rivers or nalas, the commanding officer of such detachment or corps will grant a certificate to the person furnishing the same, specifying the number of boats and persons employed, the burden of each boat, and how long employed on the public service. In instances in which temporary bridges may be constructed for the above purpose, the certificate to be granted by the commanding officer is to specify generally, the dimensions of the bridges and the materials of which they may be composed. Second : Certificate to be sent to Collector with account. - The certificate mentioned in the foregoing clause shall be immediately transmitted to the [Collector] [In Outh, read 'Deputy Commissioner' for 'Collector' by Act XVII of 1876.] of the zila by the person receiving it, accompanied by a detailed account of the expense incurred for the purposes therein specified. Account to be sent by Collector to commanding officer - Endorsement by commanding officer. - The [Collector] [In Outh, read 'Deputy Commissioner' for 'Collector' by Act XVII of 1876.] shall without delay communicate the particulars of the account to the officer commanding the detachment or corps on whose account the expense may have been incurred, who shall certify generally thereon whether the services charged for in it were performed, or shall state such exceptions as he may have to offer to any of the charges. Third : Account and vouchers to be sent by Collector with his report to the Central Government. When the account above mentioned shall be returned to the [Collector] [In Outh, read 'Deputy Commissioner' for 'Collector' by Act XVII of 1876.], he shall certify whether the sums and rates charged in it are in his opinion reasonable and conformable to the usual rates of labour and hire in the zila; and shall transmit the account, with the vouchers and certificates relating to it, with any requisite observations thereupon, through the prescribed channel, to the [Central Government.] [The words Local Government were Substituted for them by Act V of 1897 and the words 'Central Government' has been Substituted for 'Local Government' by the A.L.O. 1937.] After the account shall have undergone the examination and report prescribed for all military contingent charges, the [Central Government] [The words Local Government were substituted for them by Act V of 1897 and the words 'Central Government' has been substituted for 'Local Government' by the A.L.O. 1937.] will pass such final order as may appear proper. Collector may pay charge if reasonable. - In the meantime the [Collector] [In Oudh, read 'Deputy Commissioner' for 'Collector' by Act XVIII of 1876.] is empowered in such cases to pay the amount of the charge, or such proportion of it as he may consider reasonable, to the landholder, farmer or other person entitled thereto; inserting the amount so disbursed by him at the foot of his treasury-account, in explanation of his treasury-balance, in the mode, prescribed for similar cases.

## 5.

First: Procedure for landholders, etc. sustaining injury from march or encampment. - Whenever a proprietor, farmer, tenant or manager of land through which any detachment or corp. of [the Company's] [In Oudh, read 'Deputy Commissioner' for 'Collector' by Act XVIII of 1876.] troops may march or on which they may be encamped, shall consider himself entitled to compensation for any injury sustained from the march or encampment of the troops, he shall immediately furnish the commanding officer of such troops with as accurate a statement as can be prepared of the nature and extent of the injury sustained; when the commanding officer is required to certify generally thereon whether or not the damage represented to have been sustained has been actually committed, together with his opinion respecting the justice and extent of the claim. Second: Certificate with statement of claim to be presented to Collector within ten days. - If the proprietor, farmer, tenant or manager, after receiving such certificate, shall consider himself entitled to compensation, he will be at liberty to present the statement of his claim, with the commanding officer's certificate thereon, to the [Collector] [For Oudh, read 'Deputy Commissioner' for 'Collector', see Act XVIII of 1876.] of the zila (either in person or by his vakil) within ten days from the date of the certificate; but no claim of his description shall be received by the [Collector] [For Oudh, read 'Deputy Commissioner' for 'Collector', see Act XVIII of 1876.] after the expiration of that period, unless the person preferring it shall assign good and satisfactory reason for the delay. The [Collector] [For Oudh, read 'Deputy Commissioner' for 'Collector', see Act XVIII of 1876.], on receiving a statement of damage and the Commanding officer's certificate thereon within the prescribed period, or afterwards if sufficient reason be assigned for the delay, shall forthwith adopt such measures as may appear requisite to ascertain whether or not the claim be well founded; and shall report his proceedings to the [Commissioner] [Substituted for 'Board of Revenue' by section 2 and Schedule of U.P. Act XII of 1922.], accompanied by his opinion on the merits of the claim, for the consideration and orders of [the Central Government] [Substituted for 'Government' by the A.L.O. 1937.]. It is however declared that no claim will be received unless accompanied by the prescribed certificate of the commanding officer of the troops by whom the damage may be stated to have been committed; excepting in instances in which the claimant can show good and sufficient cause for not having obtained such certificate. In such cases, if the [Collector] [For Oudh, read 'Deputy Commissioner' for 'Collector', see Act XVIII of 1876.] shall be satisfied with the cause assigned by the claimant for not having obtained the prescribed certificate, he shall transmit the petition and statement of the claimant to the officer commanding the troops by whom the damage may be stated to have been committed, and shall wait his reply thereto previously to determining whether or not the claim be entitled to investigation.

## 6. Procedure by Magistrate on receiving notice mentioned in Section 2.

- Immediately on receiving the notification mentioned in section 2, the [Magistrate] [For Oudh, read 'Deputy Commissioner' for 'Magistrates', see Act XVIII of 1876.] shall transmit order to the several police-darogahs, or other local officers of the police through whose jurisdiction the troops are to pass, to afford every assistance in their power to facilitate the march of the troops through their respective jurisdiction; and to cooperate, as far as necessary, with the person deputed [on the part of the Collector] [For Oudh, read 'by the Deputy Commissioner' for 'on the part of the Collector' see

ibid.] in procuring the requisite supplies, as well as in adjusting any disputes which may arise respecting the prices of the articles furnished, and in preventing any alarm to the inhabitants of the country.[7. Report to Commander-in-Chief by officers commanding troops on march. - Officers commanding detachments of troops or single corps, on their march through any part of [the Company's territories] [For Oudh, Section 1 repealed, see Act XVIII of 1876, Schedule II.] are already required, by the general orders issued under date the 1st of February, 1878, to report to the Commander-in-Chief in what manner the troops have been supplied in passing through the district lying in their route. In like manner the Collectors are directed to report to the [Commissioner] [For Oudh, read 'Deputy Commissioner' for 'Magistrates', see Act XVIII of 1876.][\* \* \*] [The words and the Magistrates to report to the Nizamut Adalat for the information of the Government in-Council repealed by Act V of 1897.] any complaints which may be made to them of the misbehaviour of the troops, when such complaints shall appear to be well founded and of sufficient importance to require communication to [the Central Government] [Substituted For 'Government' by the A.L.O. 1937].]

**8.**

[Police to assist travellers in prosecuting their route]. - Repealed by U.P. Act XII of 1922.

**9.**

[Wearing of uniforms etc.] - Repealed by Act XVI of 1874.

**10.**

[Trial of military guards by martial law.] - Repealed by Act XII of 1876.

**11. and 12.**

[Rules for promulgating Regulations.] - Repealed by Act XVI of 1874.

**13. to 19.**

[Rules for supplying military guards or detachments] - Repealed by Act XII of 1876.

**20.**

[Repealing clause.] - Repealed by Bengal Regulation II of 1811.