

The Bengal Eastern Frontiers, Regulation 1873

HARYANA

India

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Act 5 of 1873

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The Bengal Eastern Frontiers, Regulation 1873 Act 5 of 1873 Published in the Gazette of India, dated the 19th August, 1873, page 733 and in the Calcutta Gazette, dated the 27th August, 1873 page 1000. A Regulation for the peace and Government of certain Districts in the Eastern Frontier of Bengal. Whereas the Secretary of State for India in Council has by Resolution in Council declared the provisions of Act 33, Vict cap. 3, section 1, to be [applicable] [From 1st January, 1878, see Gazette of India, 1872 Part 1, p. 1157.] to the Districts of Kamrup, Darang, Naugong, Sibsagar, Lakhmipur, [Garo Hills] [The Regulation was repealed so far as it applies to the Garo Hill District, by the Repealing and Amending Act. 1897.], Khasi and Jaintia Hills, Naga Hills, Cachar [* * *] [The words 'and Chitagong Hills' were repealed by the Repealing and Amending Act, 1903, section 4 and Part VII of the Third Schedule.]. And whereas the Lieutenant Governor of Bengal has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same, for the peace and Government of the said districts; And whereas the Governor General in Council has taken such draft and reasons into consideration and has approved of such draft, and the same has received the Governor General's assent:- The following Regulation is now published in the Gazette of India and will be published in the Calcutta Gazette and will thereupon have the force of law, under the thirty-third of Victoria, chapter 3:-

1.

This Regulation shall extend to the districts named in the preamble and shall come into force on the first of November, 1873.

2.

It shall be lawful for the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government of [West Bengal] [Substituted for the word 'Bengal' by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1941, section 3(2).], [- - -] [The words 'with the previous sanction of the Governor-General-in-Council' omitted by the Government

of India (Adaptation of Indian Laws) Order, 1937, Schedule XI.] to prescribe, and from time to time to alter, by notification in the [Official Gazette] [Substituted for the words 'Calcutta Gazette' by the Government of India (Adaptation of Indian Laws) Order, 1937.] a line to be called "the Inner Line" in each or any of the above-named districts. The [State] government may by notification in the [Official Gazette] [Substituted for the words 'Calcutta Gazette' by the Government of India (Adaptation of Indian Laws) Order, 1937.] prohibit all [citizens of the India or any class of such citizens] [Substituted for the words 'British subject or any class of British subjects' by the Adaptation of Laws Order, 1950.] or any persons residing in or passing through such districts from going beyond such line without a pass under the hand and seal of the chief executive officer of such district, or of such other officer as he may authorise to grant such pass; and the [State] Government may from time to time cancel or vary such prohibition.

3.

Any [-] person so prohibited, who after "The Inner Line" has been prescribed and notified in accordance with section 2 of the this Regulation goes beyond such line without a pass, shall be liable on conviction before a Magistrate [to imprisonment of either description which may extend to one year, or to a fine not exceeding one thousand rupees or both] [Substituted for the words 'to a fine not exceeding Rs. 100 for a first offence and to a fine not exceeding Rs. 500 or to simple imprisonment which may extend to three months or both, for each subsequent offence' by Regulation 5 of 1925, sections 2 and 3.].

4.

The [State] Government may from time to time prescribe by notification in the [Official Gazette] [Substituted for the words 'Calcutta Gazette' by the Government of India (Adaptation of Indian Laws) Order, 1937.] a form of pass for each district and may in such form fix such restrictions or conditions as the [State] Government may deem fit, and may require the payment of such dues and fees for such passed as to the [State] Government may deem proper. Any holder of such a pass shall, on breach of any such restriction or condition be liable on conviction [to imprisonment of either description which may extend to one year or to a fine not exceeding one thousand rupees, or both] [Substituted for the words 'to a fine not exceeding Rs. 100 for a first offence and to a fine not exceeding Rs. 500 or to simple imprisonment which may extend to three months or both, for each subsequent offence' by Regulation 5 of 1925, sections 2 and 3.].

5.

(1) Any rubber, wax, ivory or other jungle product [or any book, diary, manuscript, map, picture, photograph, film, curio or article of religious or scientific interest] [Re-numbered sub-section (1) of section 5 by Regulation of 1925, section 4(1).] found in the possession of any person convicted of an offence under this Regulation, may be confiscated to Government by an order to be passed at the time of conviction by the Magistrate. (2) [If the Magistrate has reason to believe that any article which is found in 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 the article was not acquired, written, made or taken as aforesaid, order that such article be confiscated to Government] [Inserted by Regulation 5 of 1925, section 4(2).].

6.

The chief executive officer of any district comprised in any notification as aforesaid may, subject to the approval of the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government, authorize, by a written instrument under his hand, any public servant to arrest and bring before him with the least practicable delay - Firstly - Any person prohibited from crossing - "The Inner Line" prescribed for such district, if such person shall be found beyond the line, and when asked to produce his pass shall refuse or be unable so to do; Secondly - Any person to whom pass may have been granted, and who has committed any infraction of its conditions.

7.

It shall not be lawful for any [- -] [The words 'British subject or other' omitted by Adaptation of Laws Order, 1950.] person, not being a native of the districts comprised in the preamble of this Regulation, to acquire any interest in land or the product of land beyond the said "Inner Line" without the sanction of the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Orders 1950.] Government or such officer as the [State] Government shall appoint in this behalf. Any interest so acquired may be dealt with as the [State] Government or its said officer shall direct. The [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Orders, 1950.] Government may also by notification in the [Official Gazette] [Substituted for the words 'Calcutta Gazette' by the Adaptation of Laws Order, 1950.], extend the prohibition contained in this section to any class of persons, natives of the said districts, and may from time to time in the like manner cancel or vary such extension.[8 to 10. Killing or capturing elephants. [Omitted by Regulation 1 of 1880.]- Omitted].

11.

Offences against this Regulation may be tried by Magistrates of the first or second class, and shall be bailable.