

The Scheduled Districts Act, 1874

JHARKHAND

India

The Scheduled Districts Act, 1874

Act 14 of 1874

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The Scheduled Districts Act, 1874 Act No. 14 of 1874 [Received the G. G's Assent on the 8th December 1874] An Act to ascertain the enactments in force in various parts of British India, and for other purposes. Preamble Whereas various parts of British India have never been brought within, or have from time to time been removed from, the operation of the general Acts and Regulations and the jurisdiction of the ordinary Courts of Judicature; And whereas doubts have arisen in some cases as to which Acts or Regulations are in force in such parts, and in other cases as to what are the boundaries of such parts; And whereas among such parts are the territories specified in the first schedule hereto annexed, and it is expedient to provide readier means than now exist for ascertaining the enactments in force in such territories and the boundaries thereof, and for administering the law therein; And whereas it is expedient to declare that certain Acts are in force in a tract of land lying between the Railway Station at Satnand the eastern boundary of the Jabalpur Division; - It is hereby enacted as follows:-

1. Short title.

- This Act may be called "The Scheduled Districts Act, 1874" Local extent. - This Act extends in the first instance to the whole of British India other than the territories mentioned in the first schedule (here to) annexed, and it shall come into force in each of the Scheduled District on the issue of a notification under Section 3 relating to such District. Interpretation clause. - In this Act the term "Scheduled Districts" means the territories mentioned in the first schedule hereto annexed; and, from the date fixed in the resolution next hereinafter mentioned, it shall also include any other territory to which the Secretary of State for India, by resolution in Council, may declare the provisions of the thirty-third of Victoria, Chapter III, Section 1, to be applicable.

2. Repeal and enactments.

- The enactments mentioned in the second schedule hereto annexed shall be repealed.

3. Notification of enactments in force in Scheduled Districts.

- The Local Government, with the previous sanction of the Governor-General in Council, may from time to time, by notification in the Gazette of India, and also in the local Gazette (if any),-(a)declare what enactments are actually in force in any of the Scheduled Districts, or in any part of any such District;(b)declare of any enactment that it is not actually in force in any of the said Districts or in any part of any such District;(c)correct any mistake of fact in any notification issued under this section:Provided that a declaration once made under clause (a) or clause (b) of this section shall not be altered by any subsequent declaration other than a declaration under clause (c) of this section.

4. Effect of notification under Section 3.

- On the issue, under section 3, of a notification declaring what enactments are in force, or not in force, in any Scheduled District, the enactments so notified shall be deemed to be in force or not in force, according to the tenor of the notification in such District, and every such notification shall be binding on all Courts of law.

5. Power to extend enactments to Scheduled Districts.

- The Local Government, with the previous sanction of the Governor-General in Council, may, from time to time, by notification in the Gazette of India, and also in the local Gazette (if any), extend to any of the Scheduled Districts, or to any part of any such district, any enactment which is in force in any part of British India at the date of such extension.

5A. [Modification of enactments in their application to Scheduled Districts. [Inserted by Act 12 of 1891.]

- In declaring an enactment in force in Scheduled District or part thereof under Section 3 of this Act, or in extending an enactment to a Scheduled District or part thereof under Section 5 of this Act, the Local Government, with the previous sanction of the Governor-General in Council, may declare the operation of the enactment to be subject to such restrictions and modifications as that Government thinks fit.]

6. Appointment of officers and regulation of their procedure.

- The Local Government may from time to time-(a)appoint officers to administer civil and criminal justice, and to superintend the settlement and collection of the public revenue and all matters relating to rent, and otherwise to conduct the administration within the Scheduled Districts,(b)regulate the procedure of the officers so appointed; but not so as to restrict the operation of any enactment for the time being in force in any of the said Districts,(c)direct by what authority any jurisdiction, powers, or duties incident to the operation of any enactment for the time being in force in such District shall be exercised or performed.

7. Continuance of existing rules and officers.

- All rules here-to-fore prescribed by the Governor-General in Council or the Local Government for the guidance of officer appointed within any of the Scheduled Districts for all or any of the purposes mentioned in Section 6 and in force at the time of the passing of this Act, shall continue to be in force unless and until the Governor General in Council or the Local Government, as the case may be, otherwise directs. All existing officers so appointed previous to the date on which this Act comes into force in such District shall be deemed to have been appointed hereunder.

8. Settlement of questions as to boundary.

- Whenever any question arises as to the line of boundary between any of the Scheduled Districts and other territory, such officer as the Local Government or (where the said District and the other territory are not subject to the same Local Government) as the Governor-General in Council from time to time appoints may consider and determine such line of boundary; and the order made thereon by such officer, if confirmed by the Government which appointed him, shall be conclusive in all Courts of Justice.

9. Place of imprisonment or transportation.

- Any person liable to be imprisoned or to be transported beyond sea, under any order or sentence passed by any officer appointed under Section 6, may (subject to such rules as the Governor General in Council may, from time to time, prescribe in this behalf) be imprisoned in such jail, or transported to such place, as the Local Government directs.

10. Extension to Satna & trip of Acts relating to public gambling, pandhari-tax, and salt.

- [Acts No. III of 1867] ['and No. XXV of 1869' repealed by Act 12 of 1891.] are hereby declared to be in force in the tract of land ceded to the British Government in the year 1863, and lying between the Railway Station at Satna and the eastern boundary of the Jabalpur District.

11. Saving of Criminal jurisdiction over European British subjects.

- Nothing contained in this Act or in any notification issued under the powers hereby conferred shall be deemed-(a) to affect the criminal jurisdiction of any Court over European British subjects, or (b) to affect any law other than laws contained in Acts or Regulations, or in rules made in exercise of powers conferred by such Acts or Regulations. The First Schedule (See section 1)

Part I – Scheduled Districts, Madras

Part II – Scheduled Districts, Bombay

Part III – Scheduled Districts, Bengal

[I. -The Jalpaigori and Darjeeling Districts] [Substituted by Act 12 of 1891.]II -The Hill Tracts of ChittagongIII. -The Santhal ParganasIV. -The Chutia Nagpur Division][V. -The Mahal of Angul] [Substituted by Act 12 of 1891.]

Part IV – Scheduled Districts, North-Western Provinces

Part V – Scheduled Districts, Punjab

Part VI – Scheduled Districts, Central Provinces

Part VII – The Chief Commissionership of Coorg Part VIII

The Chief Commissionership of the Andaman and Nicobar Islands.

Part IX – The Chief Commissionership of Ajmer and Merwara

Part X – The Chief Commissionership of Assam.

Part XI – The Hill Tracts of Arakan

Part XII – The Pargana of Manpur

Part XIII – [Repealed by Act XII of 1891, Schedule 1]

The Second Schedule(See Section 2)

Number
and year Title.
XI of 1846

- An Act for the exemption of certain Territory in the Province of Chanderi and the Zillah Ahmednuggur from the operation of the General Regulations.
- XXXVII of 1855 An Act to remove from the operation of the General Laws and Regulations certain Districts inhabited by Sonthals and others, and to place the same under the superintendence of an officer to be specially appointed for that purpose.
- X of 1857 An Act to amend Act XXXVII. of 1855.
- XXII of 1860 An Act to remove certain tracts on the Eastern border of the Chittagong District from the jurisdiction of the tribunals established under the General Regulations and Acts.
- XIV of 1861. An Act to remove certain tracts of Country in the Rohilkhand Division from the jurisdiction of the tribunals established under the General Regulations and Acts.
- XIX of 1864 An Act to remove certain tracts of Country in the District of Mizapore from the jurisdiction of the local Courts.
- IV of 1868 An Act to exempt certain villages in the Bombay presidency from the operation of the Regulations and Acts in force in that presidency.
- XXII of 1869 An Act to remove the Garo Hills from the jurisdiction of the tribunals established under the General Regulations and Acts and for other purposes.
- Bengal Act
- IV of 1863 An Act to remove certain tracts on the Eastern border of the Chittagong District from the jurisdiction of the tribunals established under the General Regulations and Acts.