

The Bengal Sati Regulation, 1829

UTTAR PRADESH

India

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Act 17 of 1829

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The Bengal Sati Regulation, 1829(Bengal Regulation No. 17 of 1829)[Passed by the Governor-General-in-Council on the 4th December, 1829]A Regulation for declaring the practice of sati, or of burning or burying alive the widows of Hindus illegal, and punishable by the Criminal Courts.

1.

The practice of sati, or of burning or burying alive the widows of Hindus is revolting to the feelings of human nature; it is nowhere enjoined by the religion of the Hindus as an imperative duty; on the contrary, a life of purity and retirement on the part of the widow is more especially and preferably inculcated and by a vast majority of that people throughout India the practice is not kept up nor observed: in some extensive District it does not exist; in those in which it has been most frequent it is notorious that, in many instances, acts of atrocity have been perpetrated which have been shocking to the Hindu themselves, and in their eyes unlawful and wicked. The measures hitherto adopted to discourage and prevent such acts have failed of success, and the Governor-General-in-Council is deeply impressed with the conviction that the abuses in question cannot be effectually put an end to without abolishing the practice altogether. Actuated by these considerations, the Governor-General-in-Council, without intending to depart from one of the first and most important principles of the system of Government in India, that all classes of the people be secure in the observance of their religious usages, so long as that system can be adhered to without violation of the paramount dictates of justice and humanity, has deemed it right to establish the following rules, which are hereby enacted immediately subject to the Presidency of Fort William.

2. Sati declared illegal and punishable.

- The practice of sati, or burning or burying alive the widows of Hindus, is hereby declared illegal, and punishable by the Criminal Court.

3.

First : Zamindars, etc. responsible for immediate communication to police of intended sacrifice. - All zamindars, taluqdars or other proprietors of land, whether malguzari or lakhiraj, all sadr farmers and under-renters of land of every description, all dependent taluqdars, all naibs and other local agents, all others employed in the collection of the revenue and rents of lands on the part of Government or the Court of Wards, and all mandals or other headmen of villages, are hereby declared especially accountable for the immediate communications to the officers of the nearest police-station of any intended sacrifice of the nature described in the foregoing section; and any zamindar or other description of persons above-noticed, to whom such responsibility is declared to attach, who may be convicted of wilfully neglecting or delaying to furnish the information above required, shall be liable to be fined by the Magistrate or Joint Magistrate in any sum not exceeding two hundred rupees, and in default of payment to be confined for any period of imprisonment not exceeding six months.

Second : Police how to act on receiving intelligence of intended sacrifice. - Immediately on receiving intelligence that the sacrifice declared illegal by this Regulation is likely to occur, the police-darogah shall either appear in person to the spot, or depute his muharrir or jamadar, accompanied by one or more barkandazes and it shall be the duty of the police-officers to announce to the persons assembled for the performance of the ceremony that it is illegal, and to endeavour to prevail on them to disperse, explaining to them that, in the event of their persisting in it, they will involve themselves in a crime, and become subject to punishment by the Criminal Courts. Should the parties assembled proceed in defiance of these remonstrances to carry the ceremony into effect, it shall be the duty of the police officer to use all lawful means in their power to prevent the sacrifice from taking place, and to apprehend the principal persons aiding and abetting in the performance of it; and, in the event of the police officers being unable to apprehend them, they shall endeavour to ascertain their names and places of abode, and shall immediately communicate the whole of the particulars to the Magistrate or Joint Magistrate for his order.

Third : How to act when intelligence of sacrifice does not reach them until after it has taken place. - Should intelligence of a sacrifice declared illegal by this Regulation not reach the police-officers until after it shall have actually taken place, or should be sacrifice have been carried into effect before their arrival at the spot, they will nevertheless institute a full inquiry into the circumstances of the case, in like manner as on all other occasions of unnatural death, and report them for the information and orders of the Magistrate or Joint Magistrate to whom they may be subordinate.

4. and 5.

[Procedure and Powers of Magistrates and Courts.] - Repealed by Act XVII of 1862.