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BRITISH ENACTMENTS IN FORCE IN NATIVE STATES :

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# BRITISH ENACTMENTS IN FORCE IN NATIVE STATES;

COMPILED BY

**J. M. MACPIERSON,**

OF THE INNER TEMPLE, BARRISTER-AT-LAW, AND SECRETARY TO THE GOVERNMENT OF INDIA,  
LEGISLATIVE DEPARTMENT,

---

## NORTHERN INDIA,

COMPRISING THE NATIVE STATES IN BENGAL, ASSAM, BURMA, THE  
NORTH-WESTERN PROVINCES AND THE PUNJAB, THE NATIVE  
STATES OF KASHMIR AND NEPAL, AND THE NATIVE STATES IN  
BALUCHISTAN.

**SECOND EDITION:**

CORRECTED UP TO THE 15TH DECEMBER, 1809.

REVISED AND CONTINUED

BY

A. WILLIAMS, LL.M., I.C.S.

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CALCVTTA  
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## PREFACE TO THE FIRST EDITION.

THIS, the Southern India (Madras and Mysore) Volume of the Lists of British Enactments in force in Native States, contains all the information I have been able to collect concerning the British Enactments in force in the States in political relation with the Madras Government, and in the State of Mysore.

2. The term "British Enactments," as used in this volume, covers, not merely the enactments made by Parliament or the Legislative Council of the Governor General (including subsidiary Rules and Notifications issued by executive authorities thereunder) in exercise of the general extra-territorial jurisdiction possessed by the British Legislature over certain classes of persons (chiefly British subjects) in all Native States in India, but also the enactments made by the Governor General in Council in exercise of the special jurisdiction acquired by him over all persons within the Civil and Military Station of Bangalore and the Bangalore Branch of the Madras Railway.

3. In order to mark the distinction between these two classes of enactments, all British enactments extending to the Native States dealt with in this volume have, besides being placed in different groups according to their local extent, been arranged under different heads, according as they belong to one or other of the classes above referred to. Enactments which expressly purport to be solely made by, or under the authority of, the British Legislature, Imperial or British-Indian, or appear, on the face of them, to have such a limited personal application that they might have been so made, have been arranged under one head and styled "British-Indian Enactments;" whilst enactments which expressly purport to be made, whether in whole or part, under the special jurisdiction, possessed by the Governor General in Council in the places above specified, or appear, on the face of them, to have such an extended personal application that they must have been made, in part at least, under that special jurisdiction, are placed in separate categories entitled "British-Bangalore Enactments" and "British-Bangalore Railway Enactments" respectively. Broadly speaking, the enactments styled "British-Indian Enactments" may be described as personal laws applicable only to certain classes of persons (chiefly British subjects), while the "British-Bangalore Enactments" and the "British-Bangalore Railway Enactments" may be looked upon as territorial laws applicable to all persons within the Civil and Military Station of Bangalore and the Bangalore Branch of the Madras Railway respectively.

The minor classification under each of these heads is identical, the Enactments being arranged, as far as possible, in separate lists, as they are of the nature of—

- (1) Principal Enactments, that is Enactments made under the immediate authority of the Legislature or the Executive Government, consisting of—

A.—*Enactments of the Legislature—*

- (a) Statutes,
- (b) Acts of the Governor General in Council,

B.—*Enactments of the Executive Government—*

- (a) Enactments of the British-Indian Legislatures applied,
- (b) Special Laws; or

- (2) Subordinate Enactments, that is, Enactments (Rules and Orders) made under authority conferred in this behalf by principal Enactments.

5. In addition to the enactments above described, there are the enactments which the various Native States to which this volume relates have made for their own territories. All such enactments are beyond the proper scope of this work, but some information concerning the more important of them—notably those in force in Mysore—will be found in the appendices to the various chapters.

6. In order to make this volume a complete handbook to all the British Enactments in force in the Native States with which it purports to deal the British Enactments extending *generally* to all Native States in India have been included (see Part I), as well as the enactments extending *locally* to these particular Native States.

7. These Lists are intended to be supplementary to Aitchison's Treaties. Accordingly references have been inserted at the commencement of each chapter to the portions of that work which relate to the Native State or place in a Native State with which the chapter deals.

8. In compiling this volume—

- (a) all Notifications and Rules of a temporary nature and Notifications conferring powers on officials and others by name have, as a rule, been omitted; and
- (hi) all principal enactments, save the provisions of Acts of the Indian Legislature, which are to be found in the Indian Statute-book, have, as a rule, been set out *in extemo*.

Lastly, it should be clearly understood that this volume is not authoritative, and that the Government of India is in no way responsible for its contents. It has been compiled by me, with the assistance of Mr. G. R. Ridge, of the Legislative Department office (to whom my thanks are due), from the official Gazettes, supplemented by information obtained, through the Foreign Department, from the Government of Madras and the Resident in Mysore. I have made it as complete and accurate as was possible with the materials at my disposal, and in the limited time which my official duties have permitted me to devote to the work, but I do not venture to suppose that it requires neither addition nor amendment, or that it is entirely free from errors. At the same time, it is hoped that the volume will be found to be a sufficiently

correct and exhaustive statement of British-made law in foree in the Native States under the Madras Government and in the State of Mysore, to make it of some practical use to Political Officers and others desirous of obtaining information on the subject.

CALCUTTA ; J. M. MACPHERSON.  
*The 1st December, 1888.*

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In his recent valuable work "The Protected Native States of India," Mr. Lee-Warner states (see page 366) that if the reader "refers to the official Gazettes of the Indian Government he will find many scores of pages devoted annually to the judicial notifications published by the political offices of the Empire. The law relating to the Native States fills thousands of pages/" The object of the work now being brought to completion has been to save the labour and trouble involved in referring to the official Gazettes for these notifications by supplying information in a classified form as to their contents. Though the work only professes to contain lists of the notifications in question, it will be found on examination that, except in the case of the two first volumes, which do not, as a rule, reproduce the subordinate enactments, the whole of each notification referred to in these volumes is set out *in extenso* either in the last column of the Lists or in the appendices, so that a reference to the Gazettes even for the purpose of ascertaining the exact words of a notification has been rendered unnecessary. Indeed, if used in conjunction with the "Codes" published by the Legislative Department, which contain the Statutes, Acts, and Regulations mentioned in the Lists, these volumes ought to form a fairly complete handbook to the British Enactments now in force in the Native States of India.

The subject of the relations between the British Government and the Native States of India has of late been brought before the public not only in Mr. Lee-Warner's work above mentioned, but also in Mr. Tupper's no less valuable work "Our Indian Protectorate." In both these volumes these relations have been treated of chiefly from a politico-historical point of view. In his earlier work, entitled "A Collection of Treaties, Engagements, and Sanads relating to India and neighbouring countries," of which a revised edition has recently been published, Sir Charles Aitchison dealt very fully and comprehensively with the same subject mainly from the standpoint of our contractual relations towards these States. In this and the previous volumes of this work an attempt has been made to approach this subject from what may be described as its legal or jurisdictional aspect, the object being to show the extent to which British-made law applies to these Native States, and, though these volumes are practically little more than compilations of information which is available to any one who chooses to study the Gazettes, they will perhaps help to throw light on what has hitherto been a somewhat confusing branch of the subject.

SIMLA; J. M. MACPHERSON.  
*The 1st January, 1896.*



## PREFACE TO THE SECOND EDITION.

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IN preparing for publication the second edition of this work one important alteration has been introduced which, it is hoped, will render it more useful for purposes of reference. In the first edition the Enactments were merely summarized and included in the lists, with the exception of certain special ones, which were reproduced *in extenso* in Appendices: in the present edition, however, all Enactments which have been issued by the Government of India have been reproduced *in extenso*, except in so far as they are to be found in the volumes of General Acts of the Governor-General in Council, or in one of the Provincial Codes. In such cases full references are given: and the chronological lists which formed the basis of the first edition are only retained in a simplified form to serve the purposes of a table or index. In its present form it is hoped that the work may be regarded as a not inadequate supplement to the General Acts of the Governor General in Council and the Provincial Codes.

2. A general nominal index has been added at the end of the sixth Volume (the Western India Volume) for facility of reference.

3. Mr. Macpherson, the Secretary to the Government of India in the Legislative Department, who compiled the first edition, has kindly permitted me to consult him in matters regarding the general scheme of the work, and I have to express my obligations to him for his advice. I have also had the assistance of Mr. Ridge of the Legislative Department Office, who has been most useful in helping to prepare the volumes for press.

SIMLA;

A. WILLIAMS.

*The 15th September, 1899.*



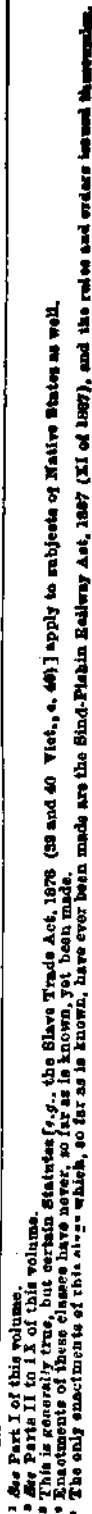
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*General Classification of the British Enactments which may be made for Native States in India.*



## STATEMENT No. 2.

### PARTICULAR CLASSIFICATION OF THE BRITISH ENACTMENTS ACTUALLY IN FORCE IN THE NATIVE STATES DEALT WITH IN THIS VOLUME.

I.—BRITISH ENACTMENTS IN FORCE GENERALLY IN ALL NATIVE STATES IN INDIA.

I.—BRITISH ENACTMENTS IN FORCE GENERALLY IN ALL NATIVE STATES IN INDIA.

*British-Indian Enactments —*

- (1) Statutes.
- (2) Acts of the Governor General in Council.
- (3) Rules and Orders—
  - (a) under Statutes in force generally in all Native States in India;
  - (b) under Acts of the Governor General in Council in force generally in all Native States in India.

II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN —

II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES DEALT WITH IN THIS VOLUME OR IN PLACES THEREIN.

1.—The Bengal Native States—

1.—The Bengal Native States<sup>1</sup>—

(1) THE STATES GENERALLY.

(1) THE STATES GENERALLY.

*British-Indian Enactment—*

Local Order under an Act in force generally in all Native States\*.

(2) COOCH BEHAR

(2) COOCH BEHAR.

*British-Indian Enactments—*

Local Order under an Act in force generally in all Native States.

(3) TRIBUTARY MAHALS OF OBISSA.

(3) THE TRIBUTARY MAHALS OF OBISSA.

*A.—British-Indian Enactments—*

Local Orders under Acts in force generally in all Native States.

*B.—British Orissa Tributary Mahals Enactments—*

Special Local Laws made by the Governor General in Council.

(4) TRIBUTARY MAHALS OF CHUTIA NAGPUR.

(4) THE TRIBUTARY MAHALS OF CHUTIA NAGPUR.

*A.—British-Indian Enactment—*

Local Order under an Act in force generally in all Native States.

*B.—British-Chutia Nagpur Tributary Mahals Enactment—*

Special Local Laws made by the Governor General in Council.

(5) BENGAL-NAGPUR RAILWAY.

(5) BENGAL-NAGPUR RAILWAY.

*British-Bengal-Nagpur Railway Enactments—*

1.—Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.

(b) Special Local Laws.

2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.

2.—Assam Native States—

2.—Assam Native States—

(1) THE STATES GENERALLY.

(1) THE STATES GENERALLY.

*British-Indian Enactment—*

Local Order under an Act in force generally in all Native States.

(2) KHABI HILLS.

(2) KHASI HILLS.

*British-Indian Enactment—*

Local Order under an Act in force generally in all Native States.

<sup>1</sup> The States of Hill Tippetah, Sikkim and Bhutan have been omitted from this statement, as there are no British Enactments in force locally in them when treated separately.

<sup>2</sup> The territories of the North Eastern-Frontier Tribes have been omitted, as there are no British Enactments in force locally in them when treated separately.

STATEMENT No. 2-continued.

|                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN—</p>                                                                                             | <p>II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES DEALT WITH IN THIS VOLUME OR IN PLACES THEREIN.— <i>continued.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>2.—Assam Native States—<i>continued.</i><br/>(3) MANIPUR .</p>                                                                              | <p>2.— Assam Native States—<i>continued.</i><br/>(3) MANIPUR.<br/>A.—<i>British-Indian Enactments—</i><br/>Local Rules and Orders under Acts in force generally in all Native States.<br/>B.— <i>British-Manipur Enactments—</i><br/>Local Laws made by the Governor General in Council—<br/>(a) Acts of the Governor General in Council locally applied.<br/>(b) Special Local Laws.</p>                                                                                                                                                                                                                                                                                               |
| <p>3.—Burma Native States.<br/>(1) EAST AND WEST KACHIN.<br/>(2) NAMWAN ASSIGNED TRACT.</p>                                                    | <p>3.—Burma Native States.<br/>(1) EAST AND WEST KACHIN,<br/><i>British-Indian Enactments—</i><br/>Local Rules and Orders under Acts in force generally in all Native States.<br/>(2) NAMWAN ASSIGNED TRACT.<br/><i>British-Namivan Assigned Tract Enactment—</i><br/>A Special Local Law made by the Governor General in Council.</p>                                                                                                                                                                                                                                                                                                                                                  |
| <p>4.—North-Western Provinces Native States.<br/>(1) RAMPUR AND GABHWAL OR TEHRI.<br/>(2) OUDH AND ROHILKHAND STATE RAILWAY.</p>               | <p>4.—North-Western Provinces Native States.<br/>(1) RAMPUR AND GABHWAL OR TEHRI.<br/><i>British-Indian Enactments—</i><br/>Local Rules and Orders under Acts in force generally in all Native States.<br/>(2) OUDH AND ROHILKHAND STATE RAILWAY.<br/><i>British-Oudh and Rohilkhand State Railway (Rampur State) Enactments—</i><br/>1.—Local Laws made by the Governor General in Council—<br/>(a) Acts of the Governor General in Council locally applied.<br/>(6) Special Local Laws.<br/>2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.</p>                                                                                              |
| <p>6.—Punjab Native States.<br/>(1) THE NATIVE STATES GENERALLY.<br/>(2) PATIALA.<br/>(3) THE SIBMUB STATE<br/>(4) KAPURTHALA AND CHAJIBA.</p> | <p>5.—Punjab Native States.<sup>1</sup><br/>(1) THE NATIVE STATES GENERALLY.<br/>A.—<i>British-Indian Enactments,</i><br/>Local Rules and Orders under Acts in force generally in all Native States.<br/>(2) PATIALA (CIS-SUTLEJ STATE) SEPARATELY.<br/><i>British-Indian Enactments—</i><br/>Local Orders under an Act in force generally in all Native States.<br/>(3) THE SIBMUB STATE —<br/><i>British-Indian Enactment—</i><br/>Local Order under an Act in force generally in all Native States.<br/>(4) KAPURTHALA AND CHAMBA (TRANS-SUTLEJ STATES) SEPARATELY.<br/><i>British-Indian Enactments—</i><br/>Local Orders under an Act in force generally in all Native States.</p> |

<sup>1</sup> The Delhi States, the Cis-Sutlej States (excepting Patiala), the Punjab Hill States (excepting Sirsagar), the Trans-Sutlej States (excepting Kapurthala and Chamba) the State of Bhawalpur and the territories of the tribes on the North-Western Frontier (save those in the Khaibar, the Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts and the territory of Kurram) have been omitted from this statement as there are no British Enactments in force locally in them when created originally.

STATEMENT NO, 2—*continued.***IL—BRITISH ENACTMENTS IN FORCE LOCALLY IN—****B.—Punjab Native States—*continued.***

(5) HEAD-WORKS OF THE BHAWALWAH-LODRAN CANAL.

(6) KASUMPTI.

(7) THE KHAIRAR PASS.

(8) DERA GHAZI KHAN AND DEBA ISMAIL KHAN FRONTIER TBACTS,

(3) THE TEABITOBY OF KURRAM.

(10) PANJAB NATIVE STATES RAILWAY GRNEBALLY.

(11) DELHI-AMBALLA-KALKA RAILWAY SEPABATELY.

**IL—BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES DEALT WITH IN THIS VOLUME OR IN PLACES THEREIN—*continued.*****6.—Punjab Native States—*continued.***

(5) HEAD-WORKS OF THE BHAWALWAH-LODRAN CANAL (BHAWALPUB).

*British-Bhawalwah-Lodran Canal Enactments—*

1.—Local Laws made by the Governor General in Council—

(a) Act of the Governor General in Council locally applied.

(b) Special Local Laws.

2.—Local Order under an Act of the Governor General in Council locally applied.

(6) KASUMPTI (KEONTHAL, HILL STATE).

*British- Kasumpti Enactments—*

1.—Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.

(b) Special Local Laws.

2.—Local Order, under an Act of the Governor General in Council locally applied.

(7) THE KHAIBAB PASS.

*A.—British-Indian Enactments—*

Local Order under an Act in force generally in all Native States\*

*B.—British-Khaibar Pass Enactments—*

Special Local Laws made by the Governor General in Council.

(8) DEBA GHAZI KHAN AND DEBA ISMAIL KHAN FBONTIEB TBACTS.

*A.—British-Indian Enactment—*

Local Order under an Act in force generally in all Native States.

*B.—British-Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts Enactments—*

1.—Local Laws made by the Governor General in Council—

(a) British Indian Enactments locally applied.

(b) Special Local Laws.

2.—Local Order under an Act of the Governor General in Council locally applied.

(9) THE TBBITOBY OF KUEBAM.

*British-Kurram Enactments—*

1.—Local Laws made by the Governor General in Council—

(a) Act of the Governor General in Council locally applied.

(b) Special Local Law.

2.—Local Order under an Act of the Governor General in Council locally applied.

(10) PANJAB NATIVE STATES RAILWAYS GRNEBALLY.

*British-Panjab Native States Railways Enactments—*

1.—Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.

(b) Special Local Laws.

2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.

(11) DELHI-UMBALLA-KALKA RAILWAY (KALWA AND PATIALA SECTIONS SEPABATELY).

*British-Delhi-Amballa-Kalka Railway Enactments—*

1.—Special Local Laws made by the Governor General in Council.

2.—Local Orders under an Act of the Governor General in Council locally applied.

STATEMENT NO. 2—*continued.*

IL—BBITIRH ENACT-  
MENTS IN TOBCE  
LOCALLY IN —

6.—Punjab Native  
States—*continued.*

(12) NORTH WESTERN  
RAILWAYS SEPARATELY.

(13) RAJPUTANA-MALWA  
RAILWAY SEPARATELY.

(14) SOUTHERN  
PUNJAB RAILWAY  
SEPARATELY.

3.—Jammu and  
Kashmir.

(1) THE JAMMU AND  
KASHMIR RAILWAY.

7.—Nepal . . .

8. - Baluchistan

II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES DEALT WITH IN THIS VOLUME OR IN PLACES THEREIN—*continued.*

5.—Punjab Native States—*continued.*

(12) NORTH WESTERN RAILWAY (PATIALA, NABHA AND KAPITBTHALA SECTIONS) SEPARATELY.

*British-North Western Railway (Punjab States) Enactments—*

- 1.—Special Local Laws made by the Governor General in Council,
- 2.—Local Orders under Acts of the Governor General in Council locally applied.

(13) RAJPUTANA-MALWA RAILWAY SEPARATELY—

(1) Rajputana State Railway (Nabha and Pataudi Sections).

*British-Rajputana State Railway (Punjab States) Enactments —*

L—Local Laws made by the Governor General in Council—

- (a) Act of the Governor General in Council locally applied.
- (b) Special Local Laws.

2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.

(2) Rewari-Ferozepore Railway (Dujana, Faridkot, Jhind, Patiala and Nabha Sections).

*British-Rewari-Ferozepore Railway (Punjab States) Enactments—*

1.—Local Laws made by the Governor General in Council—

- fa) Act of the Governor General in Council locally applied.
- (b) Special Local Laws.

2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.

(14) SOUTHERN PUNJAB RAILWAY SEPARATELY —

*British-Southern Punjab Railway (Bhawalpur) Enactment—*

Special Local Laws made by the Governor General in Council.

6.—Jammu and Kashmir.

A.—*British-Indian Enactments—*

Local Rules and Orders under Acts in force generally in all Native States.

B.—*British-Jammu and Kashmir Enactments—*

1—Local Laws made by the Governor General in Council for the purpose of cases in which the Governor General in Council has jurisdiction.

- (a) Acts of the Governor General in Council locally applied.
- (b) Special Local Laws.

(1) THE JAMMU AND KASHMIR RAILWAY.

*British-Jammu and Kashmir Railway Enactments—*

1.—Local Laws made by the Governor General in Council—

- (a) Acts of the Governor General in Council locally applied.
- (b) Special Local Laws.

2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.

7.—Nepal.

*British-Indian Enactment—*

Local Order under an Act in force generally in all Native States.

8.—Baluchistan.

STATEMENT NO. 2—*concluded.*

II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN —

5.—Punjab Native States—*concluded.*

(1) KALAT . . .

(2) BALUCHISTAN AGENCY TERRITORIES.

II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES DEALT WITH IN THIS VOLUME OR IN PLACES\* THEREIN—*concluded.*

5. Punjab Native States—*concluded.*

(1) KALAT.

*British-Indian Enactments—*

Local Rules and Orders.—

(a) under a Statute in force generally in all Native States.

(6) under Acts in force generally in all Native States.

(2) BALUCHISTAN AGENCY TERRITORIES.

A.—*British-Indian Enactments—*

1.—Act of the Governor General in Council,

2.—Local Rules and Orders—

(a) under a Statute in force generally in all Native States.

(b) under Acts in force generally in all Native States.

B.—*British-Baluchistan Agency Territories Enactments—*

1.—Local Laws made by the Governor General in Council—

(a) British-Indian Enactments locally applied.

(i) Acts of the Governor General in Council—

---) Bengal Regulations.

(iii) Regulations under 33 Vict. cap. 3.

(b) Special Local Laws.

2.—Local Rules and Orders under—

(a) British Indian Enactments locally applied.

(b) Special Local Laws.

PART I.-THE BRITISH ENACTMENTS IN FORCE GENERALLY  
*IN ALL NATIVE STATES IN INDIA.*





## ALL NATIVE STATES IN INDIA.

The British Enactments in force generally in all Native States in India consist of—

*British-Indian Enactments, namely,—*

1. Statutes.
2. Acts of the Governor General in Council,
3. Rules and Orders under—
  - (a) Statutes in force generally in all Native States in India;
  - (6) Acts of the Governor-General in Council in force geneially in all Native States in India.

## PART I.—ALL NATIVE STATES IN INDIA.

### *British-Indian Enactments.*

#### 1.—STATUTES.<sup>1</sup>

| Year.       | Reign.       | Chapter. | Subject.                                       | Extent of application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------|--------------|----------|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1772<br>-73 | 13 Geo. III. | 63       | East India Company Act, 1772. <sup>2</sup>     | Section 14 declares that the new Charter establishing a Supreme Court of Judicature at Calcutta shall extend to all British subjects who shall reside in the kingdoms or provinces of Bengal, Behar and Orissa, or any of them, under the protection of the East India Company; and empowers the Court so established to hear and determine all complaints against any of His Majesty's subjects for any crimes, misdemeanours or oppressions committed or to be committed; and also to entertain, hear and determine any suits or actions whatsoever against any of His Majesty's subjects in Bengal, Behar and Orissa, and any suit, action or complaint against any person who shall at the time such debt or cause of action or complaint shall have arisen, have been employed by, or shall have been, directly or indirectly, in the service of the Company, or any of His Majesty's subjects. |
| 1792<br>-98 | 33 Geo. III. | 62       | The East India Company Act, 1793. <sup>2</sup> | Section 67 declares all His Majesty's subjects, as well servants of the said United Company as others, to be amenable to all Courts of Justice, both in India and Great Britain, of competent jurisdiction to try offences committed in India for all acts, injuries, wrongs, oppressions, trespasses, misdemeanours, offences and crimes whatever by them or any of them done or to be done or committed in any of the lands or territories of any Native Prince or State, or against their persons or properties, or the persons or properties of any of their subjects or people, in the same manner as if the same had been done or committed within the territories directly subject to and under the British Government in India.                                                                                                                                                              |

<sup>1</sup> Many of the Statutes in this List only confer power on the Governor General in Council to make laws for British subjects in Native States instead of prescribing such laws themselves, but it is convenient to include them under this head.

<sup>2</sup> See Schedule I to the Short Titles Act, 2896 (59 & 60 Vict. c. 14).

## PART I.—ALL NATIVE STATES IN INDIA—cond.

*British-Indian Enactments,*

## 1.—STATUTES—Contd.

| Tear.       | Reign.             | Chapter. | Subject.                                        | EXtent of application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------|--------------------|----------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1796<br>-97 | 37 Geo. III.       | 142      | The East India Company Act, 1797. <sup>1</sup>  | Section 10 empowers the Supreme Court established by the new Charter at Madras and Bombay to hear and determine all and all manner of complaints against any of His Majesty's subjects for any crimes, misdemeanours and oppressions committed or to be committed; and also to hear and determine all suits and actions whatsoever against any of His Majesty's subjects arising * * * within any of the dominions of the Native Princes of India in alliance with the Governments of Madras and Bombay, respectively, or against persons who, at the time when such debt or cause of action shall have arisen, have been employed by or shall have been directly or indirectly, in the service of the United Company or any of His Majesty's subjects. |
| 1833        | 3 & 4 Will.<br>IV. | 85       | The Government of India Act, 1833. <sup>1</sup> | Section 73 empowers the Governor General in Council to make Articles of War for the Government of Native officers and soldiers in the Military service of His Majesty, and for the administration of justice by Courts-martial to be holden over such officers and soldiers; such articles to prevail and be in force wheresoever such officers and soldiers may be serving.                                                                                                                                                                                                                                                                                                                                                                            |
| 1861        | 24 & 25 Vict.      | 67       | Indian Councils Act.                            | Section 22 empowers the Governor General in Council to make laws and regulations for all servants of the Government of India within the dominions of Princes and States in alliance with Her Majesty.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 1865        | 28 Vict.           | 15       | The Indian High Courts Act, 1865. <sup>1</sup>  | Section 3 empowers <sup>2</sup> the Governor General in Council to authorise and empower High Courts to exercise jurisdiction in respect of Christian subjects of Her Majesty resident within the dominions of such of the Princes and States of India in alliance with Her Majesty as he may from time to time determine.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| "           | 28 Vict.           | 17       | The Government of India Act, 1865. <sup>1</sup> | Section 1 empowers the Governor General in Council to make laws and regulations for all British subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty, whether in the service of the Government of India or otherwise.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

<sup>1</sup> See Schedule I to the Short Titles Act, 1886 (59 & GO Vict., e. 14).<sup>2</sup> For orders issued by the Governor General in Council for the States dealt with in this volume in connection with this power see page 15, *infra*.

## PART I.—ALL NATIVE STATES IN INDIA.

### *British-Indian Enactments.*

#### I.—STATUTES.<sup>1</sup>

| Year.   | Reign.       | Chapter. | Subject.                                       | Extent of application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------|--------------|----------|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1772-73 | 13 Geo. III. | 63       | East India Company Act, 1772. <sup>2</sup>     | Section 14 declares that the new Charter establishing a Supreme Court of Judicature at Calcutta shall extend to all British subjects who shall reside in the kingdoms or provinces of Bengal, Behar and Orissa, or any of them, under the protection of the East India Company; and empowers the Court so established to hear and determine all complaints against any of His Majesty's subjects for any crimes, misdemeanours or oppressions committed or to be committed; and also to entertain, hear and determine any suits or actions whatsoever against any of His Majesty's subjects in Bengal, Behar and Orissa, and any suit, action or complaint against any person who shall at the time such debt or cause of action or complaint shall have arisen, have been employed by, or shall have been, directly or indirectly, in the service of the Company, or any of His Majesty's subjects. |
| 1792-93 | 33 Geo. III. | 62       | The East India Company Act, 1793. <sup>2</sup> | Section 67 declares all His Majesty's subjects, as well servants of the said United Company as others, to be amenable to all Courts of Justice, both in India and Great Britain, of competent jurisdiction to try offences committed in India for all acts, injuries, wrongs, oppressions, trespasses, misdemeanours, offences and crimes whatever by them or any of them done or to be done or committed in any of the lands or territories of any Native Prince or State, or against their persons or properties, or the persons or properties of any of their subjects or people, in the same manner as if the same had been done or committed within the territories directly subject to and under the British Government in India.                                                                                                                                                              |

<sup>1</sup> Many of the Statutes in this List only confer power on the Governor-General in Council to make laws for British subjects in Native states instead of prescribing such laws themselves, but it is convenient to include them under this head.

<sup>2</sup> See Schedule I to the Short Titles Act, 1896 (59 & 60 Vict., c. 14).

PART I.—ALL NATIVESTATES IN INDIA—*contd.**British-Indian Enactments.*I.—STATUTES—*contd.*

| Year.       | Reign.          | Chapter. | Subject.                                        | Extent of application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------|-----------------|----------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1796<br>-97 | 37 Geo. III.    | 142      | The East India Company Act, 1797. <sup>1</sup>  | Section 10 empowers the Supreme Court established by the new Charter at Madras and Bombay to hear and determine all and all manner of complaints against any of His Majesty's subjects for any crimes, misdemeanours and oppressions committed or to be committed; and also to hear and determine all suits and actions whatsoever against any of His Majesty's subjects arising * * * within any of the dominions of the Native Princes of India in alliance with the Governments of Madras and Bombay, respectively, or against persons who, at the time when such debt or cause of action shall have arisen, have been employed by or shall have been directly or indirectly, in the service of the United Company or any of His Majesty's subjects. |
| 1833        | 3 & 4 Will. IV. | 85       | The Government of India Act, 1833. <sup>1</sup> | Section 73 empowers the Governor General in Council to make Articles of War for the Government of Native officers and soldiers in the Military service of His Majesty, and for the administration of justice by Courts-martial to be holden over such officers and soldiers; such articles to prevail and be in force wheresoever such officers and soldiers may be serving.                                                                                                                                                                                                                                                                                                                                                                            |
| 1861        | 24 & 25 Vict.   | 67       | Indian Councils Act.                            | Section 22 empowers the Governor General in Council to make laws and regulations for all servants of the Government of India within the dominions of Princes and States in alliance with Her Majesty.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 1865        | 28 Vict.        | 16       | The Indian High Courts Act, 1865. <sup>1</sup>  | Section 3 empowers <sup>2</sup> the Governor General in Council to authorise and empower High Courts to exercise jurisdiction in respect of Christian subjects of Her Majesty resident within the dominions of such of the Princes and States of India in alliance with Her Majesty as he may from time to time determine.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| „           | 28 Vict.        | 17       | The Government of India Act, 1865. <sup>1</sup> | Section 1 empowers the Governor General in Council to make laws and regulations for all British subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty, whether in the service of the Government of India or otherwise.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

<sup>1</sup>See Schedule I to the Short Titles Act, 1896 (59 & 60 Vict., c. 14).<sup>2</sup>For orders issued by the Governor General in Council for the States dealt with in this volume in connection with this power See page 15, *infra*.

PART I.—ALL NATIVE STATES IN INDIA—*contd.**British-Indian Enactments.*1.—STATUTES—*Contd.*

| Tear. | Reign.        | Chapter. | Subject.                                                         | Extent of application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------|---------------|----------|------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1869  | 32 & 33 Vict  | 98       | The Indian Councils Act, 1869. <sup>1</sup>                      | Section 1 empowers the Governor General in Council to make laws and regulations for Native Indian subjects of Her Majesty without and beyond as well as within the Indian territories under the dominion of Her Majesty.                                                                                                                                                                                                                                                                                                                                           |
| 1876  | 39 & 40 Vict  | 46       | The Slave Trade Act, 1876. <sup>1</sup>                          | Provides <sup>3</sup> (section 1) for the punishment of offences against slave trade law committed by British' subjects and subjects of allied Native States in such places in Asia and Africa as Her Majesty may specify by Order ; <sup>8</sup> confers (section 3) certain powers on High Courts in India in regard to obtaining evidence in such allied Native States of the commission of such offences, and extends (section 4) the provisions of the Muscat Order in Council, 1867, to the subjects of allied Native States residing in Muscat territories. |
| 1879  | 42 & 43 Vict, | 41       | The Indian Guaranteed Railways Act, 1879. <sup>4</sup>           | Section 1, paragraph 3, and section 2 empower Guaranteed Railway Companies to make agreements with the Secretary of State as to the working of railways, which term is defined as meaning any Railway constructed before or after the passing of this Act and belonging to the Secretary of State for India in Council or situate in Her Majesty's territories in India, or in any territory in the East Indies belonging to any Native Prince or State in alliance with Her Majesty or to any European power.                                                     |
| 1841  | 46 & 45 Vict. | 68       | The Army Act (as amended for the time being by subsequent Acts), | Purports to apply generally to Her Majesty's Forces wherever serving, and particularly when serving in India, which term is defined to mean " British India together with any territories of any Native Prince or Chief under the suzerainty of Her Majesty, exercised through the Governor General of India or through any Governor or other officer subordinate to the Governor General of India." [See section 180 and section 190, clause (21), as amended by the Army (Annual) Act, 1890.]                                                                    |

<sup>1</sup> See Schedule I to the Short Titles Act, 1886 (59 & 60 Vict., c. 14).<sup>2</sup> Only so much of the sections of this Statute as appears to refer to Native States in India or the subjects of such States if here quoted.For order under the section see *Gazette of India*, 1887, Pt. I, p. 881.

Cf. the Oudh and Rohilkhand Railway Purchase Act, 1888 (51 &amp; 52 Vict., c. 5), a, 4,

PART I.—ALL NATIVE STATES IN INDIA—*contd.**British-Indian Enactments,*1.—STATUTES—*contd.*

| Year. | Reign.        | Chapter. | Subject.                                | Extent of application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------|---------------|----------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1884  | 47 & 48 Vict. | 88       | Indian Marine Service                   | Empowers the Governor General in Council to make laws for all persons employed or serving in, or belonging to, Her Majesty's Indian Marine Service, provided that no such law shall apply to any offence unless the vessel to which the offender belongs is at the time of the commission of the offence on the High Seas between the Capo of Good Hope on the west and the Straits of Magellan on the east, or on territorial waters between those limits.                                                                                                                                                                                                                      |
| 1889  | 52 Vict.      | 10       | Commissioners for Oaths Act.            | Section 3 (1) admits of an oath or affidavit required for the purpose of any Court or matter in England, etc., being taken or made in any place out of England, before any person having authority to administer an oath in that place. Section 6 (2) authorises every British Ambassador, Envoy, Minister, Charge d'Affaires, and Secretary of Embassy or Legation exercising his functions in any foreign country, and every British Consul-General, Acting Consul, Pro-Consul, Consular Agent exercising his functions in any foreign place, to administer any oath and take any affidavit and also do any notarial act which any notary public can do in the United Kingdom. |
| "     | 52 & 53 Vict. | 52       | <sup>1</sup> Official Secrets Act, 1889 | Applies to all acts made offences by the Act when committed by British officers or subjects beyond as well as within Her Majesty's dominions. [See section 6 (!).]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| "     | "             | 63       | Interpretation Act, 1889                | Defines the expression "India" as meaning British India together with any territories of any Native Prince or Chief under the suzerainty of Her Majesty, exercised through the Governor General in India or through any Governor or other officer subordinate to the Governor General of India. [Section 18 (5).]                                                                                                                                                                                                                                                                                                                                                                |
| 1890  | 53 & 54 Vict. | 37       | Foreign Jurisdiction Act, 1890.         | Section 15 applies to all subjects of Princes and States in India, the provisions of any Orders in Council made in pursuance of the Act and extending to persons enjoying Her Majesty's protection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

<sup>1</sup> Has practically been superseded so far as India is concerned by the Official Secrets Act, 1889 (XV of 1889), see page 12, *infra*.



## PART I.—ALL NATIVE STATES IN INDIA—contd.

*British-Indian Enactments.*1.—STATUTES—*conoid*.

| Year. | Reign.   | Chapter. | Subject.                       | Extent of application.                                                                                                                                                                                                                                                                                                                          |
|-------|----------|----------|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1893  | 56 Vict. | 6        | Regimental Debts Act,<br>1893. | Applies (section 25) to India <sup>1</sup> subject to certain modifications and subject to the proviso that it shall not apply, save so far as may be prescribed, to any Native of India within the meaning of Indian Military Law, and (section 50) to all persons subject to Military Law, whether within or without Her Majesty's dominions. |

<sup>1</sup> For meaning of this word see the last entry but one on page 7.

## PART I.—ALL NATIVE STATES IN INDIA-contd.

*British-Indian Enactments.*

## 2.-ACTS OF THE GOVERNOR GENERAL IN COUNCIL,

The general powers of the Council of the Governor General to legislate for persons beyond the limits of British India rest on the following Statutes, namely, the Indian Councils Act, 1861 (24 and 25 Vict., c. 67), s. 22 ; the Government of India Act, 1865 (28 Vict., c. 17), s. 1; and the Indian Councils Act, 1869 (32 and 33 Vict., c. 98), s. 1. Under them the Council may make Laws and Regulations for—

- (a) Servants of the Government in allied Native States (24 and 25 Vict., c. 67, s. 22);
- (b) European British subjects in allied Native States (28 Vict., c. 17, s. 1) ; and
- (c) Native Indian subjects anywhere (82 and 33 Vict., c. 98, s. 1).

In addition to these general powers the Governor General in Council is invested with special power—

- (a) under the Statute 3 and 4 Will. IV., c. 85, s. 73 (saved by 24 and 25 Vict., c. 67, s. 22), to make Articles of War for Her Majesty's Indian Army wheresoever serving ; and
- (b) under the Statute 47 and 48 Vict., c. 38, Indian Marine Service Act, 1884, to make laws for all persons employed or serving in or belonging to Her Majesty's Indian Marine Service whose vessels are within the limits of " Indian Waters," as defined in the Statute.

(In addition to enactments made under the above powers, certain other Acts of the Governor General in Council which have special reference to Native States generally, but which do not contain provisions having actual operation in such States, have been included in the list annexed for facility of reference. Enactments of this class have been printed in italics.)

| Year, | No. | Subject.                                                                                                                                                                         | Extent of application.                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1860  | XLV | Penal Code ( <i>as amended by Acts XXVII of 1870, XIX of 1872, VIII of 1882, X of 1886, 1 and IV of 1889, X of 1891, III of 1894, III of 1895, VI of 1896, and IV of 1898</i> ). | Applies generally to persons liable by any law passed by the Governor General in Council to be tried for an offence committed beyond the limits of British India, and to any Native Indian subject of Her Majesty in any place without and beyond British India, and to any other British subject and to any servant of the Queen, whether a British subject or not, within the territories of any Native Prince or Chief in India [see sections 3 and 4). |
| 1869  | IV  | Divorce <sup>1</sup> . . . .                                                                                                                                                     | Applies generally to British subjects within the dominions of Princes and States in India in alliance with Her Majesty (see section 2).                                                                                                                                                                                                                                                                                                                    |
| "     | V   | Indian Articles of War ( <i>as amended by Act XII of 1894</i> ). <sup>2</sup>                                                                                                    | Purports to apply generally to officers, soldiers and followers of Her Majesty's Indian Forces in all parts of the world, and therefore in Native States in India (see articles 90, 99, 171, 174).                                                                                                                                                                                                                                                         |
| "     | XX  | Volunteers <i>as amended by Act X of 1896</i> .                                                                                                                                  | Applies generally to British subjects within the dominions of Native Princes and States in alliance with Her Majesty (see section 2).                                                                                                                                                                                                                                                                                                                      |

<sup>1</sup> See in connection with the application of this Act to British subjects in Native States *Thomson v. Thomson*, I. L. R. 10 Bom. 422.

<sup>2</sup> For power to make these Articles see 3 and 4 Will. IV., c. 85. in Lilt I, *supra*, p. 5.

PART I.—ALL NATIVE STATES IN INDIA—*contd.**British-Indian Enactments.*2-ACTS or THE GOVERNOR GENERAL IN COUNCIL—*contd.*

| Year. | No. | Subject.                                                                     | Extent of application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------|-----|------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1871  | V   | <i>Prisoners (as amended by Act VII of 1894).</i>                            | Section 16 empowers officers in charge of prisons in British India to give effect to sentences, orders and warrants of British Courts without British India and, with previous sanction of Courts or tribunals of Native Princes or States under the suzerainty of Her Majesty,<br><br>Section 19 provides for the reception detention or imprisonment in any place in British India of persons sentenced to imprisonment or transportation for certain offences with' in the territories of Native Princes or States under the suzerainty of Her Majesty, by tribunals of which the presiding Judge or one of the Judges is an officer of the British Government authorised to act as such Judge by the Native Prince or State or by the Governor General in Council, |
| 1872  | XV  | <i>Christian Marriage (as amended by Acts II of 1891 and II of 1892).</i>    | Applies generally to Christian subjects of Her Majesty within the territories of Native Princes and States in alliance with Her Majesty (see section 1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 1878  | X   | <i>Oaths . . . .</i>                                                         | Applies generally to subjects of Her Majesty within the territories of Native Princes and States in alliance with Her Majesty (see section 1),                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 1874  | II  | <i>Administrator General (as amended by Acts IX of 1881 and II of 1890 .</i> | Applies generally to British subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty (see section 1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| "     | III | <i>Married Women's Property.</i>                                             | Applies generally to subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty (see section 2).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| "     | IX  | <i>European Vagrancy . . . .</i>                                             | Extends generally to the dominions of Princes and States in India in alliance with Her Majesty (see section 1). <sup>2</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 1875  | IX  | <i>Majority . . . .</i>                                                      | Applies generally to subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty (see section 1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 1877  | XI  | <i>Military Lunatics . . . .</i>                                             | Applies generally to subjects of Her Majesty within the dominions of Native Princes and States in India in alliance with Her Majesty (see section 1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 1879  | XXI | <i>Foreign Jurisdiction and Extradition (as amended by Act V of 1896).</i>   | Extends generally to—<br>(1) all Native Indian subjects of Her Majesty beyond the limits of British India; and<br>(2) all European-British subjects within the dominions of Princes and States in India in alliance with Her Majesty;<br>(see section 1).<br><br>The amending Act also empowers Political Agents to issue warrants of arrest for deserters from the Imperial Service Troops.                                                                                                                                                                                                                                                                                                                                                                           |

<sup>1</sup> For Rules and Orders issued under these Acts, see pages 10, 17 and 18, respectively, *infra*.<sup>2</sup> NOTE.—Sections 4 to 16 (inclusive), 10, 20, 24 and 20 do not come into force in any of the dominions of the Princes and States in India in alliance with Her Majesty not situate within the limits of any Presidency, Lieutenant-Governorship or Chief Commissionership in British India until such day or respective days as the Governor General in Council by notification in the *Gazette of India* appoints in this behalf. With reference to this provision, sections 9 (inclusive) and sections 19, 20, 24 and 29 were declared to come into force in the dominions of Princes and States in alliance with Her Majesty situate within the limits of the Panjab by Notification No. 900, dated the 22nd February, 1901.

## PART I. - ALL NATIVE STATES IN INDIA—contd.

*British-Indian Enactments.*

## 2.-ACTS OF THE GOVERNOR GENERAL IN COUNCIL—contd.

| Year. | No. | Subject.                                                     | Extent of application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------|-----|--------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1882  | XIV | <i>Civil Procedure Code (as amended by Act VII of 1888).</i> | <p>Section 90 provides for the service of summons of British-Indian Courts in foreign territory.</p> <p>Section 229 provides for the execution in British India of decrees of Courts established or continued by the Governor General in Council in the territories of any Foreign Prince or State,</p> <p>Section 229A provides for the transmission of decreet of British Indian Courts for execution by any Court established or continued by the Governor General in Council in the territories of any Foreign Prince or State to which the section has by Notification<sup>1</sup> in the Gazette of India been declared to apply.</p> <p>Section 229B provides for the execution in British India of the decrees of Civil and Revenue Courts of any Native Prince or State in alliance with Her Majesty, on the publication of a Notification<sup>1</sup> to that effect in the Gazette of India.</p> <p>Section 387 provides for the issue of commissions to examine witnesses not residing within British India.</p> <p>Section 391 declares that the provisions in the Code regarding the execution and return of commissions shall apply to commissions issued by Foreign Courts*</p> <p>Chapter XXVIII [sections 431 to 434] deals with suits by, or against, any Sovereign Prince or Ruling Chief whether insubordinate alliance with the British Government or otherwise) or any Ambassador or Envoy of a Foreign State,</p> <p>Section 461 excepts a Sovereign Prince or Ruling Chief suing or being sued in the name of his State, by direction of the Governor General in Council or a local Government, from the provisions of Chapter XXXI (suits by or against minors or persons of unsound mind).</p> <p>Section 650 A provides for the service in British India of summons issued by Courts beyond the limits of British India which have either been established or continued by the Governor General in Council, or to which the provisions of the section have been declared by Notification<sup>1</sup> in the Gazette of India to apply.</p> |
| 1883  | XXI | <i>Indian Emigration (as amended by Act I of 1896).</i>      | Applies, when notified, <sup>1</sup> in the case of a Native of India departing out of British India under an agreement made with or on behalf of Her Majesty's Government to labour for hire in any country beyond the sea.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

<sup>1</sup> Set Notifications in General Appendix, *infra*, pp. 430 to 438.

## PART I.—ALL NATIVE STATES IN INDIA—contd.

## British-Indian Enactments.

## 2. ACTS OF THE GOVERNOR GENERAL IN COUNCIL—Contd.

| Year. | No.  | Subject.                                                                   | Extent of application.                                                                                                                                                                                                                                                                                                                                                          |
|-------|------|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1885  | XIII | Telegraphs . . . .                                                         | Applies generally to subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty (see section 1).                                                                                                                                                                                                                                  |
| 1886  | II   | <sup>1</sup> Indian Income-tax Act, 1886. <sup>1</sup>                     | Applies generally within the dominions of Princes and States in India in alliance with Her Majesty to British subjects in those dominions who are in the service of the Government of India, or of a local authority established in the exercise of the powers of the Governor General in Council in that behalf (see section 1).                                               |
| "     | VI   | Births, Deaths and Marriages Registration (as amended by Act XVI of 1890). | Applies generally to British subjects in the dominions of Princes and States in India in alliance with Her Majesty (see section 2).                                                                                                                                                                                                                                             |
| 1887  | X    | Native Passenger Ships .                                                   | Applies generally—<br>(a) to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty ;<br>(b) to all Native Indian subjects of Her Majesty without and beyond British India; and<br>(c) subject to certain exceptions, to vessels carrying more than thirty passengers, being Natives of Asia or Africa ; (see section 2). |
| "     | XIV  | Indian Marine (as amended by Acts XVII of 1888 and I of 1890).             | Applies generally to persons employed or serving in or belonging to the Indian Marine whose vessels are within the limits of Indian waters, as defined by the Indian Marine Service Act, 1884 (47 & 48 Vict., c. 38).                                                                                                                                                           |
| 1888  | IV   | Reserve Forces . . .                                                       | Purports to subject persons belonging to Indian Reserve Forces to military law in the same manner, and to the same extent, as persons belonging to Her Majesty's Indian Forces [i.e., when serving in Native States as well as elsewhere, see entries opposite the Army Act (44 & 45 Vict., c. 58) and Act V of 1869, <i>supra</i> , pp. 6 and 9 respectively.]                 |
| 1889  | VII  | Succession Certificates .                                                  | Admits as valid succession certificates granted or extended to residents within Foreign States by British representative* accredited thereto, subject to certain conditions (section 17).                                                                                                                                                                                       |
| "     | XV   | Official Secrets . . .                                                     | Applies—<br>(a) to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty [see section 1 (2) (a)] ; and<br>(b) to all Native Indian subjects of Her Majesty without and beyond British India [see section 1 (2) (5)].                                                                                                     |
| 1890  | I    | Revenue Recovery . .                                                       | Section 8 provides for the recovery in British India of certain public demands arising in local areas beyond British India when this Act has been applied thereto?                                                                                                                                                                                                              |

<sup>1</sup> This short title was (given by the Indian Short Titles Act, 1897 (XIV of 1897), printed, General Acts, Vol. VI, Ed. 1898, p. 881. For Rules and Orders issued under this Act, see p. 20, *infra*.  
As to application of this Act to those areas, see Notification No. 1415-I., dated 3rd April, 1890, printed, *infra*, p. 441.

## PART I.—ALL NATIVE STATES IN INDIA—contd.

*British-Indian Enactments.*

## 2.-ACTS OF THE GOVERNOR GENERAL IN COUNCIL—concl'd.

| Year. | No. | Subject.                                              | Extent of application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------|-----|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1890  | IX  | Railways as amended by Acts X of 1895 and IX of 1896. | Applies to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty, and to all Native subjects of Her Majesty without and beyond British India and those dominions, see section 1 (2).                                                                                                                                                                                                                                                                     |
| 1891  | XII | Repealing and Amending Act.                           | So far as it repeals or amends the Acts generally applicable to Native States in India.                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 1893  | V   | Capital Sentences . . .                               | Sections 1 to 3 provide, under certain circumstances, for the execution by the Superintendents or Keepers of Jails in British India of capital sentences passed by British Courts <sup>1</sup> exercising in, or with respect to, territory beyond the limits of British India jurisdiction which the Governor General in Council has in such territory, and declares that the tribunals mentioned in section 19 of the Prisoners' Act, 1871, shall be deemed to be British Courts for the purposes of the Act, |
| 1895  | XIV | Pilgrim Ships . . .                                   | Applies generally—<br>(a) to all subjects of Her Majesty within the dominions of Princes or States in India under the suzerainty of Her Majesty; and<br>(b) to all Native Indian subjects of Her Majesty without and beyond British India.                                                                                                                                                                                                                                                                      |
| 1897  | X   | General Clauses . . .                                 | Applies in certain cases to all Acts passed after the 3rd January, 1868, in others to all Acts made after the 14th January, 1867, and in others to all Acts made after the Act came into force and therefore to such Acts when they apply to Native States.                                                                                                                                                                                                                                                     |
| 1898  | V   | Criminal Procedure <sup>2</sup> . . .                 | Sections 188 and 189 provide for the trial in British India of European British subjects committing offences in the dominions of Princes or States in India in alliance with Her Majesty, and of Native Indian subjects committing offences anywhere.<br><br>Chapter XL provides for the issue of commissions for the examination of witnesses residing in the dominions of Princes or States in alliance with Her Majesty.                                                                                     |
| 1898  | VI  | Indian Post Office . . .                              | Applies generally to—<br>(a) all Native Indian subjects of Her Majesty in any place without and beyond British India ;<br>(b) all other British subjects within the territories of any Native Prince or Chief in India ; and<br>(c) all servants of the Queen, whether British subjects or not, within the territories of any Native Prince or Chief in India.                                                                                                                                                  |

<sup>1</sup> Ag to the Notification empowering such Courts to send their warrants to Superintendents or Keepers of Jails in British India (or the execution of capital sentences passed by them, see General Appendix, *infra*, p. 439).

<sup>2</sup> NOTE.—By section 8 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), the law relating to offences and original procedure for the time being in force in British India has generally been extended (subject, as to procedure, to such modifications as the Governor General in Council from time to time directs) to European British subjects in the dominions of Princes and States in India in alliance with Her Majesty, and to Native Indian subjects every where.

PART I.—ALL NATIVE STATES IN INDIA—*contd.**British-Indian Enactments.*

## 3. RULES AND ORDERS—

(a) under Statutes in force generally in all Native States.

| Statute                                         | Section. | Subject of Notification.                                                                      | Reference.                                                                      |
|-------------------------------------------------|----------|-----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Indian High Courts Act, 1865 (28 Vict., c. 15). | 3        | Jurisdiction of High Courts in British India over European British subjects in Native States. | No. 178-J., dated the 28th September, 1874.<br>[Printed, <i>infra</i> , p. 15.] |

(b) under Acts of the Governor General in Council in force generally in all Native States.

| Acts.                                                         | Section. | Subject of Notification.                                                                                                                                                                    | Reference.                                                                                                                       |
|---------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (Act XV of 1872).         | 84       | Fees leviable by Marriage Registrars and rules for the disposal thereof.                                                                                                                    | No. 1586-E., dated the 29th August, 1892.<br>[Printed, <i>infra</i> , p. 16.]                                                    |
| Administrator General's Act, 1874 (II of 1874).               | 3        | Presidencies within which Native States shall be included for purposes of the Act.                                                                                                          | No. 101-J., dated the 19th July, 1878.<br>[Printed, <i>infra</i> , p. 17.]                                                       |
| Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879). | 4 & 5    | Officers by whom the powers and duties of a District Judge under the Administrator-General's Act, 1874 (II of 1874), shall be exercised.                                                    | No. 3542-I., dated the 27th August, 1891.<br>[Printed, <i>infra</i> , p. 20.]                                                    |
| Ditto . . . .                                                 | 6        | High Courts to which Justices of the Peace shall commit European British subjects in Native States for trial.                                                                               | No. 2616-I., dated the 9th August, 1890.<br>[Printed, <i>infra</i> , p. 15.]                                                     |
| Ditto . . . .                                                 | 11       | Arrest and surrender of persons in Native States accused of offences under the Criminal Tribes Act, 1871 (XXVII of 1871).                                                                   | No. 3361-I.A., dated the 23rd December, 1898.<br>[Printed, <i>infra</i> , p. 20.]                                                |
| Ditto . . . .                                                 | 18 & 18  | Rules for the issue of warrants by Political Agents and treatment of prisoners.                                                                                                             | No. 31-J., dated the 12th March, 1875, as amended by No. 87-J., dated the 16th August, 1876.<br>[Printed, <i>infra</i> , p. 17.] |
| Ditto . . . .                                                 | "        | Territory in Native States under the direct administration of the British Government in which the Code of Criminal Procedure is in force excluded from operation of preceding Notification. | No. 149-J., dated the 8th October, 1875.<br>[Printed, <i>infra</i> , p. 20.]                                                     |
| <sup>1</sup> Indian Income-tax Act, 1886 (II of 1886).        | 40       | Appointment of Collectors for Income-tax purposes.                                                                                                                                          | No. 4135-I., dated the 16th September, 1887.<br>[Printed, <i>infra</i> , p. 21.]                                                 |

<sup>1</sup> This short title was given by the Indian Short Titles Act, 1887 (XIV of 1897). printed, General Acts, Vol. VI, Ed. 1898, p. 331.

PART I.—ALL NATIVE STATES IN INDIA—*contd.*

## BRITISH-INDIAN ENACTMENTS.

**<sup>1</sup>Rules and Orders under Statutes or Acts of the Governor General in Council in force generally in all Native States in India.**

Jurisdiction of High Courts over European British subjects in Native States.

No. 178-J., dated the 23rd September, 1874.—With reference to Notification No. 1208,<sup>2</sup> of this date, in the Home Department, the Governor General in Council is pleased, in the exercise of the powers conferred by the 28th Vict., cap. 15, section 3, to make the following orders :—

Original and appellate criminal jurisdiction over European British subjects of Her Majesty, being Christians, resident in the Native States, territories, and Chief ships below named, shall, until the Governor General in Council otherwise orders, be exercised by the High Courts of Judicature established at Fort William, Madras, Bombay, and in the North-Western Provinces, respectively, as follows<sup>3</sup> :—

## BY THE HIGH COURT AT FORT WILLIAM IN—

|                                |                                     |
|--------------------------------|-------------------------------------|
| Manipur.                       | Sik kirn.                           |
| Cooch Behar.                   | Bhutan.                             |
| The States in the Khasi Hills. | Hill Tipperah.                      |
| The Cuttack Tributary Mehals.  | Nepal.                              |
| The Tributary Mehals of        | The territories of Chiefs or Tribes |
| Chutia Nagpur.                 | adjoining the Bengal Frontier.      |
| *                              | *                                   |

## IV.—BY THE HIGH COURT OF THE NORTH-WESTERN PROVINCES IN—

|          |   |         |   |
|----------|---|---------|---|
| *        | * | *       | * |
| Garhwal. |   | Rampur. |   |
| *        | * | *       | * |

[See *Gazette of India*, 1874, Pt. I, p. 485.]

No. 2616-I., dated the 6th August, 1890.—In exercise of the powers conferred by section 6 of Act XXI of 1879, the Governor General in Council is pleased to direct that a Justice of the Peace in any Native State, territory or Chiefship specified in Foreign Department Notification No. 178-J., dated the 23rd September,

<sup>1</sup> It is somewhat doubtful whether there are any Rules and Orders which are in force generally in all Native States without exception, but all the Rules and Orders entered in this part were either intended to have such general force, or are so very widely in force as to make it convenient to include them here.

<sup>2</sup> Under this Notification certain districts in British India were placed under the several High Courts in British India for the purposes of jurisdiction over European British subjects.

<sup>3</sup> Owing to the great length of the list of Native States appended to this Notification, only the portions relating to the States in the Central Province, and in the Central India Agency have been set out.



## PAET I.—ALL NATIVE STATES IN INDIA—contd.

**British-Indian Enactments—Bales and Orders under Statutes or Acts—contd.****Jurisdiction of High Courts over European British subjects in Native States—conow**

1874, shall commit for trial to the High Court which, under that Notification, has original and appellate criminal jurisdiction in pursuance of the Statute 28 and Z& Vict., cap. 15, section 3, over European British subjects (being Christians) resident in such State, territory or Chiefship.

2. Foreign Department Notification No. 17 9-J., dated the 23rd September, 1874, is hereby cancelled.

[See *Gazette of India*, 1890, Pt. I, p. 612.]

**Fees leviable by Marriage Registrars and Rules for the disposal thereof.**

No. 1586-E., dated the 29th August, 1898.—In exercise of the powers conferred by section 84 of the Indian Christian Marriage Act (XV of 1872), the Governor General in Council is pleased, so far as regards Christian subjects of Her Majesty within the territories of Native Princes or States in India for the time being in alliance with Her Majesty (excepting the Native States which are situate within or border on the presidencies of Fort St. George and Bombay, but including the territories of His Highness the Maharaja of Mysore and those administered by the Agent to the Governor General in Baluchistan as such Agent), to fix the following scale of fees to be charged under the Act, and to make the following rules in regard to the disposal of such fees:—

*I.—Scale of Fees.*

|                                                                                                                                                                                                                                                                                                | Rs. | A. | P. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|----|
| 1. For receiving each notice of marriage . . . . .                                                                                                                                                                                                                                             | 1   | 0  | 0  |
| 2. For publishing each notice of marriage . . . . .                                                                                                                                                                                                                                            | 2   | 0  | 0  |
| 3. For the issuing of each certificate of marriage by a Marriage Registrar . . . . .                                                                                                                                                                                                           | 6   | 0  | 0  |
| 4. For registering each marriage by a Marriage Registrar . . . . .                                                                                                                                                                                                                             | 3   | 0  | 0  |
| 6. For entering each protest against, or prohibition of, the issue of a marriage certificate by a Marriage Registrar . . . . .                                                                                                                                                                 |     |    |    |
| 6. For searching marriage register-books, or certificates or duplicates or copies thereof for a period of not more than one year, or, in the case of a search of the register-books or certificates prescribed under sections 37, 61 and 62, for a period of not more than two years . . . . . | 10  | 0  | 0  |
| 7. For every additional year . . . . .                                                                                                                                                                                                                                                         |     |    |    |
| 8. For granting a copy of any entry in marriage register-books or certificates or duplicates or copies thereof under sections 63 and 79. . . . .                                                                                                                                               | 100 |    |    |

*II.—Rules.*

0 4 0

I.—Fees levied by Marriage Registrars, being Government servants, must, until further notice, be paid into the Government Treasury, and shall be credited to provincial services or in such other manner as may be directed by the Government of India. Marriage Registrars who are not Government servants are permitted to retain for their own use any fees which they may receive under the first part of this Notification.

II.—The fees chargeable under the first part of this Notification shall not be levied when the parties concerned are officers or others in the Military or Naval services of Her Majesty.

III.—Marriage Registrars are authorised to remit any portion, not exceeding three-fourths, of the fees in cases in which they may consider the parties unable to pay such fees in full.

**PART I.—ALL NATIVE STATES IN INDIA—contd.**

**British-Indian Enactments—3.-(b) Rules and Orders under Acts—contd.**

**Fees leviable by Marriage Registrars and Rules for the disposal thereof—OOTU>ZCL**

2. The following Notifications are hereby cancelled :—

- (1) No. 2220, dated the 16th October, 1873, published at page 902 of Part I of the *Gazette of India* for 1878.
- (2) No. 2823-1., dated the 8th July, 1891, published at page 416 of Part I of the *Gazette of India* for 1891.
- (3) No. 4496-1., dated the 9th November, 1891, published at page 631 of Part I of the *Gazette of India* for 1891.
- (4) No. 383-1., dated the 26th January, 1892, published at page 70 of Part I of the *Gazette of India* for 1892.

[See *Gazette of India*, 1802, Pt. I, p. 564.]

Orders as to Presidencies within which Native States should be included for purposes of the Administrator General's Act.

<sup>1</sup>No. 101-J., dated the 19th July, 1878.—In exercise of the power conferred by section 3 of Act II of 1874 (the Administrator General's Act), the Governor General in Council is pleased to direct that the dominions of Princes and States in India in alliance with Her Majesty shall, for the purposes of the said Act, be included in the Presidencies of Beugal, Madras and Bombay, respectively, as follows<sup>1</sup> :—

IN THE PRESIDENCY OF BENGAL.

Cooch Behar.  
Hill Tipperah.  
Manipur.  
The States in the Jaintia and Khasi Hills.  
The Tributary Mahals of Chutia Nagpur.  
The Tributary Mahals of Cuttack.  
Rampur.  
Tehri (Garhwal).  
Baghal.  
Baghat.  
Bhawalpore.  
Balsan.  
Bashahr.  
Bhajji.  
Bija.  
Chamba.  
Darkuti.  
Dhami.  
Dujana.  
Faridkot.  
Hindur (Nalagar).

Jhind.  
Jabbal.  
Jammu and Kashmir.  
Kahlur (Bilaspur).  
Kalsia.  
Kapurthala.  
Keonthal.  
Kumharsein.  
Kunhiar.  
Kuthur.  
Loharu.  
Mailog.  
Maleir Kotla.  
Mundi.  
Manghul,  
Nabha.  
Patau di.  
Patiala.  
Sau gri.  
Sirmur (Nahtm).  
Suket.  
Taroeht.

\* \* \* \*

[See *Gazette of India*, 1878, Pfc. I, p. 438.]

**Rules for the issue of warrants by Political Agents and treatment of prisoners.**

No. 31-J., dated the 12th March, 1875.—In exercise of the powers conferred on him by sections 13 and 15 of Act XI of 1875,<sup>2</sup> and of all other powers enabling

<sup>1</sup> Owing to the great length of the list of Native States appended to this Notification, only the portions relating to Native States dealt with in this volume have been set out.

<sup>2</sup> See now Act XXI of 1879, sections 2, 13 and 18, printed, *Gemral Acts*, Vol. 111, Ed. 1893, p. 258.

## PART I.—ALL NATIVE STATES IN INDIA—contd.

**British-Indian Enactments—3.-(b) Rules and Orders under Acts—contd.****Bulea for the Issue of warrants by Political Agents and treatment of prisoners -contd.**

him in this behalf,<sup>1</sup> the Governor General in Council is pleased to make the following rules :~

1. The Political Agent shall not issue a warrant, under section 11 of the Act, in any case which is provided for by Treaty, if the Native State expressly desired to abide by the procedure of the Treaty, nor in any case in which application for surrender is made under section 14 to the Governor General in Council or any local Government.

2. The Political Agent shall not issue a warrant under section 11, except on a request preferred to him in writing by, or by the authority of, the person for the time being administering the executive government of the Native State at which he is the British representative, and on the understanding that the provisions of Act XI of 1872 and of these rules are to apply to the case.

3. If the accused be a British subject, the Political Agent shall, before issuing such a warrant, consider whether he ought not to certify the case as one for trial in British India, and he shall, instead of issuing a warrant, so certify the case, if he is satisfied that the interests of justice and the convenience of witnesses can be better served by the trial being held in British India than in the Native State.

4. The Political Agent shall in all cases, before issuing a warrant under section 11, satisfy himself, by preliminary enquiry, that there is a *prima facie* case against the accused, and that the charge is not prompted by political motives.

<sup>2</sup>5. If the person surrendered under the warrant of a Political Agent, issued under section 11, be not a British subject; or, if such person being a British subject, the Courts of the State, either by custom or by the express recognition of the Governor General in Council, try Native British subjects surrendered to them by extradition, and the Political Agent, after hearing the statement, if any, of the accused and making such further enquiry as he may deem necessary, is still satisfied that there is a *prima facie* case against the accused, and that the charge is not prompted by political motives, the Political Agent shall make over the accused to be tried by the ordinary Courts of the State in which the offence was committed : provided that the Courts of the State have, by custom or recognition as aforesaid, power to inflict the punishment which may be inflicted under the Indian Penal Code<sup>4</sup> for the offence with which the accused person is charged.

6. If the accused person be a British subject, but the Courts of the State do not by custom or recognition as aforesaid, try Native British subjects, the Political Agent shall dispose of the case himself.

7. If the punishment which may be awarded by the Indian Penal Code,\* for any offence for which the accused person has been surrendered as above be more than the Courts of the State by custom or recognition as aforesaid inflict, the Political Agent may try the case himself if he thinks it advisable to do so.

8. Notwithstanding anything in the three preceding rules, the Political Agent shall try any such case himself, or make it over for trial to the ordinary Courts of

<sup>1</sup> In spite of this reference to " other powers," these rules have been classified as a British-Indian enactment, because they appear, in so far as they extend to Native territory, to be of the nature of instructions to Political Agents, i.e., British subjects.

<sup>2</sup> See now Act X X I of 1879, printed, General Acts, Vol. I. i, Ed. 1898, p. 288.

<sup>3</sup> Rule 5 was substituted for the original rule by Notification No. 87-J., dated the 16th August, 1876, see *Gezette of India*, 1876, Pt. I, p. 440.

<sup>4</sup> Printed, General Acts, Vol. I, Ed. 1898, p. 240.

PART I.—ALL NATIVE STATES IN INDIA—*contd.***British-Indian Enactments—3-(b) Rules and Orders under Acts—*contd.*****Rules for the issue of warrants by Political Agents and treatment of prisoners—*contd.***

the State, if he be generally or specially instructed by the Governor General in Council so to do.

9. In cases made over for trial by the Courts of a Native State under Rules 5 and 7, the Political Agent shall satisfy himself that the accused receives a fair trial, and that the punishment inflicted in the case of his conviction is not excessive or barbarous; and, if he is not BO satisfied, he shall demand the restoration of the prisoner to his custody, pending the orders of Government.

10. A return of all persons made over for trial by the Courts of a Native State under rules 5 and 7 shall be submitted half-yearly by the Political Agent to the Government of India or the Government of Madras or Bombay, as the case may be, in the following form :—

*Half-yearly Return under Rule 9<sup>1</sup> of the Rules under the Extradition Act (XI of 1872)\* of persons made over by the Political Agent at for trial by the Courts of Native States under Rules 6 and 7, for the period ending*

| Number. | Name of person. | Nationality. | Offence with which charged. | Where arrested. | Date of surrender. | Native State to which surrendered for trial. | Reasons for surrender. | Nature of sentence passed, with date of sentence. | REMARKS. |
|---------|-----------------|--------------|-----------------------------|-----------------|--------------------|----------------------------------------------|------------------------|---------------------------------------------------|----------|
|         |                 |              |                             |                 |                    |                                              |                        |                                                   |          |

11. Persons arrested in British territory on a warrant issued by a Political Agent under section 11, and persons arrested on a warrant issued under section 14, shall be treated, as far as possible, in the same way as persons under trial for a similar offence would be treated under the Code of Criminal Procedure [Act X of 1872]<sup>2</sup> or under the procedure in force in the Presidency-towns if the arrests take place within any Presidency-town.

12. The persons sentenced to imprisonment by the Political Agent shall, if British subjects, be conveyed to the most convenient jail in British territory, there to be dealt with as though the conviction had taken place in a Court of British India: provided always that no appeal shall thereby be given other than is allowed by any rule for regulating appeals from the decision of the Political Agent.

13. Nothing in Rules 5 to 10, inclusive, which refer to cases under section 13 of the said Act, shall be deemed to apply to Political Agents immediately under the authority of the Governor in Council of the Presidency of Port St. George or the Governor in Council of the Presidency of Bombay.

[See *Gazette of India*, 1875, Pt. I, p. 128.]

<sup>1</sup> Sio<sub>9</sub> read "Rule 10."

<sup>2</sup> Repealed. See now Act XXI of 1879.

<sup>3</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed, General Acts, Vol. VI, Ed. 1898, p. 880.

## PART I.—ALL NATIVE STATES IN INDIA—*contd.*

### British-Indian Enactments—3.-(b) Rules and Orders under Acts—*contd.*

Rules for the issue of warrants by Political Agents and treatment of prisoners—*concl'd.*

No. 149-J., dated the 8th October, 1875.—The Governor General in Council is pleased to order that the Notification of this Department (i.e., the *Foreign Department*), No 31-J., dated the 12th March, 1875, publishing certain rules under Act XI of 1872 (The Foreign Jurisdiction and Extradition Act, 1872),<sup>1</sup> shall not apply to Native territory under the direct administration of the British Government, in which the Code of Criminal Procedure (Act X of 1872) is in force.

[See *Gazette of India*, 1875, Pt. I, p. 584.]

Exercise of powers of a District Judge under the Administrator General's Act in Native States.

No. 3542-7., dated the 27th August, 1891.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to declare that the powers and duties which are conferred and imposed on a District Judge by section 64 of the Administrator-General's Act (11 of 1874), as amended by section 13 of Act II of 1890, shall in the dominions of Princes and States in India in alliance with Her Majesty, be respectively conferred upon and discharged by the following officers ;—

- (a) In any dominion in or for which a District Court has been established or continued by the Governor General in Council, the Judge of that Court: provided that when more than one officer exercises the powers of a District Judge in any such dominion, it shall be competent for the officer who exercises in that dominion the powers of a High Court to determine by whom the aforesaid powers and duties shall be exercised in any particular case or within any specified area in that dominion ; and
- (f) In all other cases, the Political Agent (as defined in section 3 of the first-mentioned Act).

[See *Gazette of India*, 1891, Pt. I, p. 510.]

Arrest and surrender of persons accused in Native States of offences against the Criminal Tribes Act, 1871 (XXVII of 1871).

No. 3361-I.A., dated the 93rd December, 1898.—In exercise of the powers conferred by section 11 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), the Governor General in Council is pleased to declare that a Political Agent may issue a warrant for the arrest and surrender of any person accused of having done in any State against the law of such State an act which would, if done in any part of British India where the Criminal Tribes Act, 1871 (XXVII of 1871),<sup>3</sup> is for the time being in force, have constituted an offence against any of the provisions of the latter Act.

[See *Gazette of India*, 1898, Pt. I, p. 1196.]

<sup>1</sup> Repealed. See now Act XXI of 1879, printed, General Acta, Vol. III, Ed. 1898, p. 288.

<sup>2</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed, General Acta, Vol VI, Ed. 1898, p. 330.

<sup>3</sup> Printed, N.-W. P. and Oudh Code, Ed. 1898, p. 167.

**PART I.—ALL NATIVE STATES IN INDIA—conld.**

**British-Indian Enactments—3-(b) Rules and Orders under Acts—conclld**

**Appointment of Collectors for Income-tax purposes.**

<sup>1</sup> No. 4135-I., dated the 16th September, 1887.—In exercise of the powers conferred by section 40 of Act II of 1886<sup>2</sup> (The Income tax Act, 1886), the Governor General in Council is pleased to invest each of the Political Officers named below with the powers of a Collector under the said Act for the purpose of granting ceititicatea in respect of interest on Government Securities in Forms B, C and D, prescribed in Rule 9 of the Notification issued by the Government of India in the Department of Finance and Commerce, No. 693,' dated the 6th February, 1886, when such securities are held by persons residing outside of British India :—

- (1) The Resident in Nepal.
- (2) The Resident in Kashmir.

\* \* \* \* \*

- (23) The First Assistant to the Agent to the Governor General in Baluchistan.

<sup>4</sup>(21) The Political Agent, Quetta.

<sup>4</sup>(25) The Political Agent, Zhob.

<sup>\*4</sup>(20) The Political Agent, Kalat and Bolan Pass.

<sup>4</sup>(27) The Political Agent in South-Easter Baluchistan.

<sup>4</sup>(28) The Political Agent, <sup>5</sup>[Sinjawi] and Railway District.

\* \* \* \* \*

[See *Gazette of India*, 1887, Pt. I, p. 465]

<sup>1</sup> Only so much of this Notification **has** been printed here as refers to States dealt with in this Volume.

<sup>2</sup> This short title was given by the Indian Short Titles Aot, 1897 (XIV of 1897), printed, General Acts, Vol. VI, Ed. 1808, p. 331.

<sup>3</sup> See now Notification No. 2763, dated the 6th June, 1890, in *Gazette of India*, 1890, Pt. I, p. 409.

<sup>4</sup> As amended by Notification No. 1479-E., dated the 17th July, 1890, *Gazette of India*, 1890, Pt. I, p. 630.

<sup>5</sup> The word "Sinjawi" was substituted for the word "Loralail" by Notification No. 191-E., dated the 22nd January, 1895, see *Gazette of India*, 1895, Pt. I, p. 34.



CHAPTER I.—THE BENGAL NATIVE STATES GENERALLY.

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PART II.—THE BRITISH ENACTMENTS IN FORCE LOCALLY IN THE  
NATIVE STATES UNDER THE POLITICAL CONTROL OF THE  
LIEUTENANT-GOVERNOR OF BENGAL.

CHAPTER I.—THE BENGAL NATIVE STATES GENERALLY.

CHAPTER II.—THE STATES OF (1) Cooch Behar,  
(2) Hill Tipperah,  
(3) Sikkim, and  
(4) Bhutan.

CHAPTER III.—THE TRIBUTARY MAHALS OF ORISSA.

CHAPTER IV.—THE TRIBUTARY MAHALS OF CHUTIA NAGPUR.

CHAPTER V.—RAILWAY UNDER BRITISH JURISDICTION—

The Bengal Nagpur Railway { Gangpur.  
Khursawan.  
Seraikilla.  
Moharbhaj.



## CHAPTER I.—THE BENGAL NATIVE STATES GENERALLY,

CHAPTER I.  
THE BENGAL NATIVE STATES GENERALLY.

The only British Enactment, so far as is known, in force locally in these States generally is the following :—

*British-Indian Enactment, namely :—*

## LOCAL ORDER UNDER AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                              | Section. | Subject of Notification.                                                                                                                                                                        | Reference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (XV of 1872). | 86       | Delegating to the Lieutenant-Governor of Bengal the powers and functions given to the Governor General in Council by sections 6, 8 and 9 of the Act as regards Native States under his control. | No. 3741-I.B., dated the 1st October, 1897.—In exercise of the power conferred by section 86 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor General in Council is pleased to delegate to the Lieutenant-Governors of Bengal, the North-Western Provinces, the Punjab and Burma, and the Chief Commissioners of the Central Provinces and Assam, the powers and functions given to the Governor General in Council by sections 6, 8 and 9 of the said Act as regards the Native States respectively under their political control.<br>[See Gazette of India, 1897, Pt. I, p. 87 8.] |

CHAPTER II.—THE STATES OF (1) COOCH BEHĀR; (2) HILL TIPPERAH;  
(3) SIKKIM; AND (4) BHUTAN.

CHAPTER II.

THE STATES OF (1) COOCH BEHAR; (2) HILL TIPPERAH; (3) SIKKIM; AND  
(4) BHUTAN.

(1) COOCH BEHAR.

[For the relations of the British Government with this State, *Bee Aitchison's Treaties*, Vol. I, Part I, pages 99—105. The Commissioner of Rajshahi for the time being exercises the powers of a Political Agent under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, 1879, for this State.]

The only British Enactments, so far as is known, in force locally in this State treated separately are the following :—

*British-Indian Enactments, namely ;—*

LOCAL ORDERS TJNDEE AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                                          | Section. | Subject of Notification.                                                                                                        | Reference.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879). | 6        | Appointing a Justice of the Peace for the State of Cooch Behar and denoting the High Court to which he should commit for trial. | No. 1219-I., dated the 14th April, 1896.—In exercise of the powers conferred by section 6 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), the Governor General in Council is pleased to appoint Mr. D. R. Lyall, C.S.I., Superintendent of the Cooch Behar State, being a European-British subject, to be a Justice of the Peace within the State of Cooch Behar.<br>The Governor General in Council is further pleased to direct, in partial modification of the Notification of the Government of India in the Foreign Department, <sup>1</sup> No. 2616-I., dated the 6th August, 1890, that the Court of Session at Rangpur shall be the Court to which the said Justice of the Peace shall commit for trial when he makes a commitment to a Court of Session.<br>[See <i>Gazette of India</i> , 1896, Pt. I, p. 275.] |
| Ditto . . .                                                   | 6        | Appointing the present Superintendent of the State to be a Justice of the Peace for the State.                                  | No. 1829-I. B., dated the 30th June, 1899.—In exercise of the powers conferred by section 6 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), the Governor General in Council is pleased to appoint Captain J. R. C. Colvin, Superintendent of the Cooch Behar State, being a European-British subject, to be a Justice of the Peace within the State of Cooch Behar.<br>[See <i>Gazette of India</i> , 1899, Pt. I, p. 618.]                                                                                                                                                                                                                                                                                                                                                                                          |

<sup>1</sup> See also Chapter I of this Part.

<sup>2</sup> Captain J. R. C. Colvin is now the Superintendent of the States and this para. of the Notification is therefore now obsolete.

<sup>3</sup> Printed, *supra*, p. 16.

## CHAPTEB II.—(1) COOCH BEHAR; (2) HILL TIPPERAH; (3) SIKKIM—*contd.*

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### SUPPLEMENTARY NOTES.

**I.—Delegation of functions with respect to suits against the Maharaja.**—By Notification No. 1869-1., dated the 29th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 438, sub-section (4), of the Code of Civil Procedure, to exercise, with respect to His Highness the Maharaja of Cooch Behar, the functions assigned by sub-sections (1), (2) and (3) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. I, p. 187.)

**II.—Execution of Cooch Behar decrees in British India.**—By Notification No. 53-J., dated the 7th March, 1879 (see *Gazette of India*, 1879, Part I, page 149 and *infra*, p. 438), it was declared, under section 434 of the then Code of Civil Procedure (Act X of 1877), that decrees of the Civil and Revenue Courts of Cooch Behar might be executed in British India as if they had been made by the Courts of British India. In a recent case reported in Indian Law Reports, 14 Cal., p. 546, Norris, J., pointed out that this Notification is now of no use, inasmuch as there is no representative of Her Majesty or the Government of India residing in Cooch Behar, and consequently certified copies of judicial records of the State cannot be received in evidence in the Courts of British India under the provisions of section 86 of the Indian Evidence Act, 1872.<sup>1</sup> This defect has now, however, been removed by section 8 of Act I I I of 1891, which amends section 86 of the Evidence Act in such a way as to enable the Commissioner of Rajshahi and other Political Officers similarly situated to grant the certificate required by the section.

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#### (2) HILL TIPPERAH

[For the relations of the British Government with this State, see Aitchison's Treaties, Vol. I, Part I, pages 107—110. The District Magistrate of Tipperah is ex-officio Political Agent for this State.]

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There are no British Enactments, so far as is known, in force locally in this State treated separately, but see Chapter I as to the British enactment in force in the State in common with other Bengal Native States.

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### NOTES.

**I.—Delegation of functions with respect to suits against the Maharaja.**—By Notification No. 1369-1., dated the 29th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 433, sub-section (4), of the Code of Civil Procedure, to exercise, with respect to His Highness the Maharaja of Hill Tipperah, the functions assigned by sub-sections (1), (2) and (3) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. I, p. 187.)

#### (3) SIKKIM.

[For the relations of the British Government with this State, see Aitchison's Treaties, Vol. I, Part I, pages 151—171. See also the Convention between the British and Chinese Governments, dated the 17th March, 1890, securing to the British Government direct and exclusive control over the internal administration and foreign relations of this State.]

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There are no British Enactments, so far as is known, in force locally in this State treated separately, but see Chapter I as to the British Enactment in force in this State in common with other Bengal Native States.

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<sup>1</sup> See now 8. 229B of Act XIV of 1882, as amended by Act V I I of 1888, 1. 39.

<sup>2</sup> Printed, General Acts Vol. II, Ed. 1898, p. 822...

## CHAPTER II.—(3) SIKKIM; (4) BHUTAN.

## NOTES.

**I.—Delegation of functions with respect to suits against the Maharaja.**—By Notification No. 1369-1., dated the 29th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 433, sub-section (4), of the Code of Civil Procedure, to exercise, with respect to His Highness the Maharaja of Sikkim, the functions assigned by sub-sections (1), (2) and (3) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. I, p. 187.)

**II.—Treaty provisions as to jurisdiction over British subjects in Sikkim.**—Under Article IX of a Treaty, dated the 28th day of March, 1861, between the British and Sikkim Governments it was agreed that if any merchant, traveller or trader, being a European-British subject, should commit any offence contrary to the laws of Sikkim, such person should be punished by the representative of the British Government resident at Darjiling, and that the Sikkim Government would at once deliver such offender over to the British authorities for this purpose, and would on no account detain such offender in Sikkim on any pretext or pretence whatsoever. Further, that all other British subjects residing in Sikkim should be liable to the laws of Sikkim, but such a person should on no account be punished with loss of limb, or maiming or torture, and that every case of punishment of a British subject should be at once reported to Darjiling. (See Aitchison's Treaties, Vol. I, No. LVI, p. 167.)

**III.—Extradition.**—By Article VI of the same Treaty, the Sikkim Government undertook to deliver up all fugitive offenders on demand, and agreed that, should any delay occur on the part of the Government of Sikkim in complying with the demand of the British Government for the surrender of a fugitive offender, the British Police might follow the person whose surrender was demanded into any part of the Sikkim territory, and would, on showing a warrant duly signed by the British Agent, receive every assistance and protection in the prosecution of their object from the Sikkim officers. (See *ib.*, p. 166.)

## (4) BHUTAN.

[For the relations of the British Government with this State, see Aitchison's Treaties, Vol. I, Part I, pages 173—181.]

The Commissioner, Rajshahi Division, has been appointed to exercise the powers of a Political Agent under Act XXI of 1879 for this State, and to give over to be tried by the ordinary Courts of the State any person arrested and forwarded in accordance with section 12 of the Act. See Notification No. 186-E., dated the 23rd January, 1896. *Gazette of India*, 1896, Pt. I, p. 48.

There are no British Enactments, so far as is known, in force locally in this State treated separately, but see Chapter I as to the British Enactment in force in this State in common with other Bengal Native States.

## NOTES.

**I.—Delegation of functions with respect to suits against the Deb Raja.**—By Notification No. 1369-1., dated the 29th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 433, sub-section (4), of the Code of Civil Procedure, to exercise, with respect to the Deb Raja of Bhutan, the functions assigned by sub-sections (2), (2) and (3) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. I, p. 187.)

**II.—Extradition, etc.**—Articles VI and VII of a Treaty, dated the 11th November, 1865, between the British Government and this State, provide for the extradition of offenders to and from British India and Bhutan; and by Article IX of the same Treaty it is stipulated that, Bhutanese subjects residing in British territories shall have equal justice with British subjects, and British subjects residing in Bhutan shall have equal justice with the subjects of the Bhutan Government. (See Aitchison's Treaties, Vol. I, No. LX, pages 164 and 165.)

## CHAPTEE III.—THE TRIBUTARY MAHALS OF ORISSA.

### CHAPTER III.

#### THE TRIBUTARY MAHALS OF ORISSA :

Comprising the following seventeen Mahals<sup>1</sup> :—

|                                      |                 |                        |
|--------------------------------------|-----------------|------------------------|
| 1. Moharbunj.                        | 7. Hindol.      | 18. Ranpur.            |
| 2. Keonjhar.                         | 8. Narsinghpur. | 14. Athgarh.           |
| 3. Nilgiri.                          | 9. Tigaria.     | 15. Pal Lahara.        |
| 4. Dhenkanal.                        | 10. Baramba.    | 16. Boad. <sup>5</sup> |
| 6. Daspalla and Joremo. <sup>2</sup> | 11. Khanpara.   | 17. Athmalik.          |
| 6. Taleher.                          | 12. Nayagarh.   |                        |

[For the relations of the British Government with these Mahals, which are under the political supervision of the Commissioner of Cuttack as Superintendent, and the Magistrates of Balasore, Midnapore, Puri, and Cuttack as Assistant Superintendents, see Aitchison's Treaties, Vol. I, Part I, pages 117—120, and the judgments delivered by certain Judges of the Calcutta High Court in the cases reported in Indian Law Reports, 7 Cal., 523, and 8 Cal., 985.<sup>4</sup> In the latfr case a majority of a Full Bench ruled that, notwithstanding the fact that these Mahals had formed the subject of certain legislative enactments<sup>6</sup> made by the British Government, the Mahal of Moharbunj was not a part of British India.<sup>0</sup> As there does not appear to be any material distinction between Moharbunj and the other Tributary Mahals in regard to its relations with the Government, it is apprehended that the Full Bench decision in the case of that Mahal practically settles the status of the other Mahals also.

With regard to the extent of the civil and criminal jurisdiction exercised by the British Government in these Mahals, no formal enactments defining the powers of British officers therein have ever, so far as is known, been published. The following extract from the judgment of Mitter, J. (I. L. R., 8 Cal., 997), will show however what powers were actually exercised by our officers<sup>7</sup> in 1882 :—

"In these Mahals the administration of civil justice, excepting in cases provided for by Regulation XI of 1816 and Acts XXI of 1845 and XX of 1850, has been left entirely in the hands of the Native Rajas, who have no criminal jurisdiction except in petty cases.

<sup>1</sup> Two other Mahals (Angul and Banki) were annexed by Government for the misconduct of their Chieft. They were constituted one Scheduled District under Acts XIV and XV of 1874, but from the 1st April, 1882, the mahal of Banki was separated off and annexed to the regulation district of Cuttack—See the Banki Laws Act, 1881 (XXV of 1881). The Mahal of Angul with the Khandmals of Boad. see the third note *infra*, form the district of Angul and are dealt with in the Angul District Regulation, 1894 (I of 1894).

<sup>2</sup> These are two distinct and separate Mahals, but are held by one Chief.

<sup>3</sup> The Khandmals of Boadare in a somewhat different position from the rest of that Mahal, in as much as they have been under sole British administration for many years. See the first note *supra*.

<sup>4</sup> Followed in I. L. R., 9 Cal., p. 288, where it was held that the Court had no power, either by way of appeal or revision, to interfere with a sentence passed by the Superintendent of the Tributary Mahals whea exercising jurisdiction over Moharbunj, a place not situated within the limits of British India.

<sup>5</sup> See the following enactments:—

Bengal Regulation IV of 1804 [Criminal Law, Cuttack] (repealed by Act V I I of 1868), Bengal Regulation X I I of 1805, ss. 36 and 37 [Revenue Law, Cuttack], Bengal Regulation X I I of 1805, s. 13 [Police, Cuttack], Bengal Bculation X I V of 1805, s. 11 [Civil Suits, Cuttack 1 (repealed by Act X I I of 1876); Bengal Regulation XI of 1816 [Succession, Tributary Estates, Cuttack], Act X X I of 1845 [Meriah sacrifices] (repealed by Act X V I of 1874), and Act XX of 1850 [Boundaries, Tributary Mahals, Cuttack], which the majority of the High Court held to relate only to the exercise of such authority as would properly and naturally be exercised by a paramount power (*per* Pontifical, I. L. R., 8 Cal., 990).

<sup>6</sup> See also I. L. R., 16 Cal., p. 667.

<sup>7</sup> This is believed to be a correct statement of their present powers, save that by more recent orders issued in 1884 and 1886, (1) the Commissioner of Orissa as Superintendent, and the Magistrates of Balasore, Midnapore, Puri and Cuttack as Assistant Superintendents have been directed ordinarily to exercise their criminal jurisdiction within the Mahals; and (2) the Assistant Superintendent of Balasore has been invested with the powers of a Sessions Judge for the trial of cases committed from the State of Nilgiri and Moharbunj.

CHAPTER III.—THE TRIBUTARY MAHALS OF ORISSA—*contd.*

The administration of criminal justice is, with that exception, in the hands of the officers under the British Government. Special rules of procedure were framed in 1839 by the then Superintendent of the Tributary Mahals, though they were not formally sanctioned by the Government, yet the officers entrusted with the administration of criminal justice in these mahals were directed to follow the spirit of these rules as closely as possible.

"The recent orders of Government regarding the powers to be exercised by these officers are thus succinctly recited in the judgment of Cunningham, J., in the case already referred to (page 531).<sup>1</sup> On the 12th December, 1870, the Secretary of the Bengal Government addressed the Magistrate as *ex-officio* Assistant Superintendent, Tributary Mahals, informing him that, as *ex-officio* Assistant Superintendent of the Tributary Mahals, he was empowered to take up for trial all offences committed within the Tributary Mahals not punishable with death, and to pass sentences not exceeding seven years, submitting his proceedings, in each case, to the Superintendent. Trials thus conducted were to be, as far as possible, in accordance with the Criminal Procedure Code.

"In 1872 the Government of India vested the Superintendent of the Tributary Mahals with the powers exercised by a Sessions Judge in Regulation Districts, and with power to hear appeals from sentences passed by any subordinate officer in Tributary Mahal cases.

"On the 30th April, 1873, the Government of Bengal addressed the Superintendent of the Tributary Mahals, in answer to a letter submitting a tabular statement of the powers then exercised by officers in the Tributary States of Orissa, and the powers which, in the opinion of the Superintendent, ought to be exercised in accordance with the spirit of the new Criminal Procedure Code, authorised the Superintendent to exercise the powers of Magistrate of a District and of a Sessions Judge under section 15 of the Act, and gave him power to hear appeals from sentences under section 36. The Magistrates and *ex-officio* Assistant Superintendents of the Tributary States were invested with the powers of a Magistrate of the first class under sections 36 and 37 of the Code."

The Superintendent of these mahals exercises the powers of a Political Agent under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, X XI of 1879. [ See Notification No. 1363-1., dated the 26th March, 1891, in *Gazette of India*, 1891, Pt. I, p. 171.]

The District Officer, Angul, has been appointed *ex-officio* an Assistant Superintendent of these Mahals, see Notification No. 516, dated the 13th February, 189-1, *Gazette of India*, 1894, Pt. I, p. 111.

The British Enactments in force locally in these Mahals consist of :—

A.—*British-Indian Enactments.*

Local Orders made under Acts in force generally in all Native States.

B.—*British-Orissa Tributary Mahals Enactments.*

Special Local Laws made by the Governor General in Council.

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<sup>1</sup> Set 7 I. L. R., Cal. 523, quoted above.

CHAPTER III.-THE TRIBUTARY MAHALS OF ORISSA—*contd.***A.—British-Indian Enactment!.**LOCAL ORDERS UNDER ACTS IN FORCE GENERALLY IN ALL NATIVE STATES.<sup>1</sup>

| Apt.                                                          | Section.       | Subject of Notification.                                                                                                                                                                                                       | Reference.                                                                     |
|---------------------------------------------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (XV of 1872).             | <b>8</b>       | Appointing the Christian Missionary in charge of the Moharbunj Settlement to be a Marriage Registrar for the Moharbunj State.                                                                                                  | No. 930-I., dated the 28th February, 1889.<br>[Printed, <i>infra</i> , p. 32.] |
| Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879). | <b>4 and 5</b> | Investing the Magistrate of Balasore, as <i>ex-officio</i> Assistant to the Superintendent of the Tributary Mahals of Orissa, with the powers of a Sessions Judge for the trial of cases committed from the State of Keonjhar. | No. 3539-I., dated the 26th August, 1891.<br>[Printed, <i>infra</i> , p. 32.]  |

<sup>1</sup> See also Chapter 1 of this Part.

## CHAPTER III. - THE TRIBUTARY MAHALS OF ORISSA—contd.

*B.—British-Orissa Tributary Mahals Enactments.*

## SPECIAL LOCAL LAWS.

| When made. | Subject of Notification.                                                                                                                                                                                                                                                                                                                 | Notification.                               | Reference.                     |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------|
| 1892       | Arranging for the administration of criminal justice in certain cases by British officers within these Mahals, except in proceedings against —<br>(a) European-British subjects,<br>(b) persons jointly charged with European-British subjects, and<br>(c) proceedings pending at the date of this notification.                         | No. 3431-I., dated the 5th September, 1892. | Printed, <i>infra</i> , p. 32. |
| 1894       | Authorizing the Deputy Commissioner of Angul as <i>ex-officio</i> Assistant Superintendent of the Tributary Mahals of Orissa to exercise, in respect of cases arising in the Athalik State, the powers conferred by clauses (1) and (2) of Foreign Department Notification No. 3431-I., dated the 5th September, 1892, on such officers. | No. 701-P., dated the 20th February, 1894.  | Printed, <i>infra</i> , p. 33. |



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CHAPTER III.—THE TRIBUTARY MAHALS OF ORISSA—*contd.*

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## A.—BRITISH-INDIAN ENACTMENTS-<sup>1</sup>

### Local Orders under Acts in force generally in all Native States.

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#### Appointing a Marriage Registrar under the Indian Christian Marriage Act, 1872.

No. 930-1., dated the 28th February, 1889.—In exercise of the powers conferred by section 8 of the Indian Christian Marriage Act, XV of 1872, the Governor General in Council is pleased to appoint the Christian Missionary in charge of the Moharbunj Settlement, for the time being, to be a Marriage Registrar in respect of the Moharbunj State,

[See *Gazette of India*, 1889, Pt. I, p. 132.]

#### Powers of a Sessions Judge for the Keonjhar State.

No. 3539-7., dated the 26th August, 1891.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to invest the Magistrate of Balasore, for the time being, in his capacity of *ex-officio* Assistant to the Superintendent of the Tributary Mahals of Orissa, with the powers of a Sessions Judge for the trial of cases committed from the State of Keonjhar.

[See *Gazette of India*, 1891, Pt. I, p. 510.]

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## B.—BRITISH-ORISSA TRIBUTARY MAHALS ENACTMENTS.

### Special Local Laws.

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#### Administration of Criminal Justice

No. 3431-1., dated the 5th September, 1892.—Whereas the Governor General in Council has in certain cases criminal jurisdiction within the Tributary Mahals of Orissa : In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders with respect to such cases :—

- (1) Every Assistant Superintendent and *ex-officio* Assistant Superintendent of the Tributary Mahals of Orissa for the time being may exercise the powers of a District Magistrate and of a Court of Session as described in the Code of Criminal Procedure, 1882.<sup>2</sup>

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<sup>1</sup> See also notification printed, *supra*, Chapter I of this Part.

<sup>2</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed. General Acts, Vol. VI, Ed. 1898, p. 880.

CHAPTER III.—THE TRIBUTARY MAHALS OF ORISSA—contd.

B.—British-Orissa Tributary Mahals Enactments—Special Local  
Laws —*contd.*

Administration of Criminal Justice—*conoid*.

- (2) The Superintendent of the said Mahals for the time being shall exercise the powers of a Court of Session and High Court, as described in the said Code, in respect of all offences over which magisterial jurisdiction is exercised by any Assistant Superintendent or *ex-officio* Assistant Superintendent of the Mahals: Provided that no Assistant Superintendent or *ex-officio* Assistant Superintendent shall commit an accused person for trial to the Superintendent acting as a Court of Session.
- (3) The Superintendent for the time being shall exercise the powers of a High Court, as described in the said Code, in respect of all offences over which the jurisdiction of a Court of Session is exercised by an Assistant Superintendent or *ex-officio* Assistant Superintendent.
- (4) In exercise of the jurisdiction of a Court of Session conferred on him by these orders, an Assistant Superintendent or *ex-officio* Assistant Superintendent may take cognizance of any offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the Code of Criminal Procedure, 1882,<sup>1</sup> for the trial of warrant-cases by Magistrates.
- (5) A trial before an Assistant Superintendent or *ex-officio* Assistant Superintendent in the exercise of the jurisdiction of a Court of Session conferred on him by these orders may be without jury or the aid of assessors,
- (6) These orders apply to all proceedings, except—
  - (a) proceedings against European-British subjects, or persons jointly charged with European-British subjects; and
  - (b) proceedings pending at the date of this notification, which should be carried on as if this notification had not been issued.

[See *Gazette of India*, 1892, Pt. I, p. 370.]

**District Magistrate, Court of Session and High Court for the Athmalik State.**

No. 70J-P., dated The 20th February, 1894.—The Deputy Commissioner of Angul, who has been appointed by the Notification of the Foreign Department<sup>2</sup> No. 546-1., dated the 13th February, 1894, to be *ex-officio* an Assistant Superintendent of the Tributary Mahals, Orissa, is hereby authorised to exercise, in respect of cases arising in the Athmalik State, the powers conferred on *ex-officio* Assistant Superintendents by clauses (1) and (4) of the Foreign Department Notification No. 3431-1., dated the 5th September, 1892.

[See *Calcutta Gazette*, 1894, Pt. I, p. 194.]

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed, General Acts, Vol. VI, Ed. 1898, p. 380.

<sup>2</sup> See *Gazette of India*, 189-1, Pt. I, p. 111.

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**CHAPTER III.—THE TRIBUTARY MAHALS OF ORISSA—contd.**

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**SUPPLEMENTARY NOTE.**

**Delegation of functions with respect to suits against the Chiefs of the Tributary Mahals of Orissa.**—By Notification No. 1369-1., dated the 26th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 483, sub-section (4), of the Code of Civil Procedure, to exercise, with respect to these Chiefs, the functions assigned by sub-sections (i), (S) and (3) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. - See *Gazette of India*, 1889, Pt. I, p. 187.

**N. I. VOL.****D**

## CHAPTER IV.—THE TRIBUTARY MAHALS OF CHUTIA NAGPUR.

CHAPTER IV.  
THE TRIBUTARY MAHALS OF CHUTIA NAGPUR :

Comprising the following mahals of :—

- |              |             |                                 |
|--------------|-------------|---------------------------------|
| 1. Sarguja.  | 4. Gangpur. | 7. Chang Bhakar,                |
| 2. Oodeypur. | 5. Korea.   | 8. Saraikilla.                  |
| 3. Jashpur.  | 6. Bonai.   | 9. Kharsowan in Singh-<br>bhum. |

[ For the relations of the British Government with these mahals, which are under the political supervision of the Commissioner of Chutia Nagpur, assisted by the Deputy Commissioner of Singhbhum— see Aitchison's Treaties, Vol. I, Part I, p. 135-138.

With regard to the extent of the civil jurisdiction exercised by the British Government in these mahals, no formal enactments defining the powers of British officers therein have ever, so far as is known, been published; but the criminal jurisdiction of such officers has been recognised by the High Court of Calcutta in a case decided in 1882, which, as being unreported, is set out for convenience of reference in Note IV appended to this chapter. Generally speaking, the criminal powers of the Chiefs are limited to minor offences, more serious cases being committed for trial to the Superintendent, who was invested in 1872 and 1873 by executive orders with similar powers under the Code of Criminal Procedure to those conferred on the Superintendent of the Orissa Tributary Mahals in those years. This jurisdiction has recently been provided for by special notifications, see No. 640-I.B., dated the 8th March, 1899, and No. 2690-1. B., dated the 16th September, 1899, printed, *infra*, p. 38 and p. 39, respectively. (See also the extract from Mitter, J.'s judgment in the Moharbutj case, printed on pages 28 and 29, *supra*.)

In civil matters the Chiefs would seem to have full jurisdiction, subject only to a general right of appeal to the Superintendent.

The Commissioner of Chutia Nagpur exercises in regard to these mahals the powers of a Political Agent under Chapter IV of the Foreign Jurisdiction and Extradition Act, 1879 I X X I of 1879), see Notification No. 4796-1., dated the 7th December, 1891, *Gazette of India*, 1891, Pt. I, p. 681.]

The British Enactments in force in these Mahals consist of:—

A,—British-Indian Enactment.

Local Order under an Act in force generally in all Native\* States.

B.—British-Chutia Nagpur Tributary Mahals Enactments.

Special Local Laws made by the Governor General in Council.

<sup>1</sup> Tho estate of the Raja of Singhbhum, afterwards styled the Raja of Porahat, was confiscated for rebellion in 1857. The tract known as the Kolhan was at one time part of the Singhbhum Raja's territories, but it has for many years been administered by the British Government, and has been dealt with by notifications under the Scheduled Districts Act, 1874., as part of the Singhbhum district of the Chutia Nagpur Division, which is Scheduled District. For laws in force in the Kolhan see Part IV of the Appendix to the Bengal Code, Vol. I.

CHAPTER IV.-THE TRIBUTARY MAHALS OF CHUTIA NAGPUR—*contd.**A.—British-Indian Enactment<sup>1</sup>*

LOCAL ORDER UNDER AN ACT IN IORCB GENERALLY IN ALL NATITB STATES.

| Act,                                                           | Section. | Subject of Notification.                                                                                                                                          | Reference.                                                               |
|----------------------------------------------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <b>Indian</b> In come-tax Act, 1886 (II of 1886), <sup>2</sup> | 40       | Investing the Commissioner of Chutia Nagpur, as Political Officer in charge of the Tributary States, Chutia Nagpur, with the powers of a Collector under the Act. | <i>Dated the 8th November, 1887.</i><br>[Printed, <i>infra</i> , p. 88.] |

<sup>1</sup> See also Chapter I of this Part.<sup>2</sup> This short title was given by the Indian Short Titles Act, 1897 (XXV of 1897), printed, General Acts, Vol. VI, Ed. 1698, p. 831.

## CHAPTER IV.-THE TRIBUTARY MAHALS OF CHUTIA NAGPUR-contd.

*B.—British-Chutia Nagpur Tributary Mahals Enactments.*

## SPECIAL LOCAL LAWS.

| When made. | Subject of Notification.                                                                                                                  | Notification.                                                                                 | Reference.                                        |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|---------------------------------------------------|
| 1899       | Providing for criminal administration except in cases where European British subjects or persons jointly charged with them are concerned. | No. 640-I. B., dated the 8th March, 1899, and No. 2690-I. B., dated the 16th September, 1899. | Printed, <i>infra</i> , pp. 38 & 39 respectively. |

## CHAPTER II.—THE TRIBUTARY MAHALS OF CHUTIA NAGPUR —contd.

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### A.—BRITISH-INDIAN ENACTMENTS.<sup>1</sup>

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#### Local Order under an Act in force generally in all Native States.

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Appointment of a Collector for purposes of the Indian Income-tax Act, 1880.

*The 8th November, 1887.*—In exercise of the powers conferred by section 40 of Act II of 1886 (the Income-tax Act, 1886), the Lieutenant-Governor invests the Commissioner of Chutia Nagpur, in his capacity as Political Officer in charge of the Tributary States, Chutia Nagpur, with the powers of a Collector under the said Act for the purpose of granting certificates, in respect of interest on Government securities, in Forms B, C and D, prescribed in Rule 9 of the Notification issued by the Government of India in the Department of Finance and Commerce, No. 593, dated the 5th February, 1886,<sup>3</sup> when such securities are held by persons residing outside of British India.

[See *Calcutta Gazette*, 1887, Pt. I, p. 928.]

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### B.— BRITISH-CHUTIA NAGPUR TRIBUTARY MAHALS ENACTMENTS.

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#### Special Local Laws.

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Administration of Criminal Justice.

*No. 640-1. B., dated the 8th March, 1899.*—Whereas the Governor General in Council has in certain cases criminal jurisdiction within the Tributary and Political States of Chutia Nagpur : In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders with respect to such cases :—

- (1) The Deputy Commissioners of Lohardaga, Palamau and Singhbhum, respectively, shall, subject to the general or special orders of the Commissioner of Chutia Nagpur, exercise, when employed in respect of such cases occurring within the limits of any of the said States, the powers of a District Magistrate, as defined in the Code of Criminal Procedure, 1898 (Act V of 1898).

They shall also, respectively, exercise the powers of an Assistant Sessions Judge, as defined in the said Code, in respect of such cases occurring within the limits of any of the said States which the Commissioner, as Sessions Judge, may

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<sup>1</sup> See also Chapter I of this Part.

<sup>2</sup> See now Notification No. 2763, dated the 8th June, 1890, in *Gazette of India*, 1890, Pt. I, p. 409.

## CHAPTER IV.—THE TRIBUTARY MAHALS OP CHUTIA NAGPUR —*contd.*

### B.—British-Chutia Nagpur Tributary Mahals Enactments—Special Local Laws—*contd.*

#### Administration of Criminal Justice -*contd.*

by general or special order, make over to them for trial as such Assistant Sessions Judges :

Provided that no case shall be so made over for trial to any such Deputy Commissioner in the capacity of Assistant Sessions Judge which he may, in the exercise of the powers of a District Magistrate, himself have committed to the Sessions.

- (2) The Commissioner of Chutia Nagpur for the time being shall, in respect of all such cases arising within the limits of any of the said States, exercise the powers of a Sessions Judge as described in the said Code.
- (3) The Government of Bengal shall exercise the powers of a High Court, as described in the said Code, in respect of all offences over which jurisdiction is exercised by the Commissioner or any such Deputy Commissioner.
- (4) In exercise of the jurisdiction of a Court of Session conferred on him by these orders, the Commissioner, and in exercise of the jurisdiction of an Assistant Sessions Judge in respect of any case which he is directed by the Commissioner to try, any Deputy Commissioner, may take cognizance of any offence as a Court of Original Criminal Jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the Code of Criminal Procedure, 1898, for the trial of warrant cases by a Magistrate.
- (5) A trial before the Commissioner as Sessions Judge or before a Deputy Commissioner as Assistant Sessions Judge in the exercise of the jurisdiction conferred by these orders may be without Jury or the aid of Assessors, and may, subject to the orders of the Lieutenant-Governor of Bengal, be held in such place as the Court may, in its discretion, fix for the purpose.
- (6) These orders apply to all proceedings, except—
  - (a) proceedings against European-British subjects, or persons charged jointly with European-British subjects, and
  - (b) proceedings pending at the date of this notification, which should be carried on as if this notification had not been issued.

[See *Gazette of India*, 1899, Pt. I, p. 142.]

No. 2690-1. JB., dated the 16th September, 1899.—In continuation of the Notification of the Government of India in the Foreign Department, No. 640-1. B., dated the 8th March, 1899, and in exercise of the jurisdiction and of the powers referred to therein, the Governor General in Council is pleased to declare that British officers in the exercise of any jurisdiction delegated to them within the Tributary and Political States of Chutia Nagpur, or in advising the Chiefs, are to be guided by the law of British India relating to offences and criminal procedure in so far as it is applicable and (in cases where Chiefs and their subjects are concerned) so far as it is not inconsistent with any local law or custom or any order of the Lieutenant-Governor of Bengal in force for the time being.

[See *Gazette of India*, 1899, Pt. I, p. 846.]



## CHAPTER IV.—THE TRIBUTARY MAHALS OF CHUTIA NAGPUR—concl'd.

### SUPPLEMENTARY NOTES.

**I.—Delegation of functions with respect to suits against the Chiefs of the Tributary Mahals Of Chutia Nagpur.**—By Notification No. 1369-1., dated the 29th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 433, sub-section (4), of the Code of Civil Procedure, to exercise, with respect to these Chiefs, the functions assigned by sub-sections (i), (2) and (3) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. I, p. 187.)

**II.**—Regulation XIII of 1833 and Act XX of 1854.—It may be noted that neither Bengal Regulation XIII of 1833 [*Zilas of Ramgarh, Jungle Mahals and Midnapore*] (repealed by Act XII of 1876), nor Act XX of 1854, which amended that Regulation, covered these tributary mahals. So that in this case we have not the legal anomaly, which exists in the case of the Orissa Tributary Mahals, of legislation for territory declared to be beyond the limits of British India (see page 28, *supra*).

**III.**—Railway lands.—Jurisdiction over the lands occupied by the Bengal-Nagpur Railway in the eastern parts of the Mahal of Gangpur and in the Mahals of Seraikilla and Kharso-wan has been acquired by the British Government. (See Chapter V, *infra*, pp. 41 to 47.) Jurisdiction has also been acquired over the lands occupied by this Railway in the Hingir Taluu of the Mahal of Gangpur and in the western parts of that mahal between the Sambalpur Road and Goviadpur Railway Stations, see Notification No. 1237-I., dated the 13th April, 1893, in *Gazette of India*, 1893, Pt. I, p. 203, printed, *infra*, p. 45.

**IV.**—High Court decision (referred to *supra*, p. 85).

### "HIGH COURT OF JUDICATURE AT TORTWILLIAM IN BENGAL.

" *The 15th September, 1882.*

" CRIMINAL JURISDICTION,

*Present:*

|                                    |   |                                      |
|------------------------------------|---|--------------------------------------|
| " The Hon'ble W. F. MCDONELL, V.C. | . | } Two of the Judges<br>of the Court. |
| " " J. O'KINEALY,                  | . |                                      |

" META KIASIA , Appellant.

" This is an appeal from a conviction and sentence passed by Mr. Hewitt, Commissioner of Chutia Nagpur, as Political Agent of the Chutia Nagpur Tributary Mahals. The offence was committed in Gangpur, a tributary mahal attached to that division. The prisoner appears to have been tried in Lohardugga. It appears that the successive Political officers have, since 1817, exercised a similar jurisdiction, and that they were not subject either to the appellate or revisional jurisdiction of the Sudder Nizamut Adawlut. The only question now before us is whether we have any power to interfere with the decision of that officer. In criminal appeal No. 166 of 1882,<sup>1</sup> a Division Bench of this Court decided that, in cases like the present case, the High Court had not, either under the Letters Patent or the Procedure Codes, any power to interfere with the decisions of officers other than Sessions Judges and other specified officers. In this opinion we concur, and the appeal must be rejected on the ground that we have no power to interfere. Whether the jurisdiction has been exercised in accordance with law or not is not a question now before this Court,

W. F. MCDONELL.  
J. O'KINEALY."

<sup>1</sup> See I. L. R., 9 Cab, p. 288.

## CHAPTER V.-RAILWAY UNDER BRITISH JURISDICTION.

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### CHAPTER V. RAILWAY UNDER BRITISH JURISDICTION.

#### THE BENGAL NAGPUR RAILWAY.<sup>1</sup>

[Comprising the section<sup>2</sup> passing through the eastern and western parts of the Feudatory State of Gangpur and the Feudatory State of Saraikilla and Kharsowan.]

The British Enactments in force locally in these sections of the Bengal Nagpur Railway consist of—

*British-Bengal Nagpur Railway Enactments, namely—*

1. Local Laws made by the Governor General in Council—
  - (a) Acts of the Governor General in Council locally applied.
  - (b) Special Local Laws.
2. Local Rules and Orders under Acts of the Governor General in Council locally applied.

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<sup>1</sup> A small portion of the Northern section of the Eastern Bengal State Railway passes through a corner of the Native State of Cooch Behar, but, so far as is known, no jurisdiction has been acquired by the British Government over this portion of the line.

<sup>2</sup> For information as to the sections of this Railway which pass through Bamra, Khairagarh, Nandgaon, Raigarh, and Sakti Feudatory States of the Central Provinces, and the Kewah State in Central India, see the Central India volume.

## CHAPTER V.-RAILWAT UNDER BRITISH JURISDICTION—contd.

*British-Bengal Nagpur Railway Enactment.*

## I.-(a) ACTS OF THE GOVERNOR IN COUNCIL LOCALLY APPLIED.

| Act.                                       | Extent of application.                                          | Reference.                                                                       |
|--------------------------------------------|-----------------------------------------------------------------|----------------------------------------------------------------------------------|
| Revenue Recovery Act, 1890 (I of 1890).    | The whole Act . . . .                                           | No. 1415-1., dated the 30th April, 1890.<br>[Printed, <i>infra</i> , p. 441.]    |
| Indian Railways Act, 1890 (IX of 1890).    | Ditto, so far as suitable and amended by subsequent enactments. | No. 3063-I.B., dated the 13th August, 1897.<br>[Printed, <i>infra</i> , p. 134.] |
| Epidemic Diseases Act, 1897 (III of 1897). | The whole Act . . . .                                           | No. 443-LA., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 413.]  |

**CHAPTER V.—RAILWAY UNDER BRITISH JURISDICTION—*contd.****British-Bengal Nagpur Railway Enactments.***1.-(b) SPECIAL LOCAL LAWS.**

| When made. | Subject of Notification.                                                                                                                                                                                                                                                          | Reference.                                                                                                                            |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| 1890       | Recovery of revenue-arrears accruing in British India.                                                                                                                                                                                                                            | No.1415-I., dated the 30th April, 1890.<br>[Printed, <i>infra</i> , p. 441.]                                                          |
| 1891       | Printing and publication of newspapers and other printed works.                                                                                                                                                                                                                   | No. 2651-I., dated the 25th June, 1891.<br>[Printed, <i>infra</i> , p. 442.]                                                          |
| 1893       | Declaring laws in force and the Courts to exercise jurisdiction and providing for Police administration, in lands occupied by the Railway in the Hingir Taluq and the western parts of the Feudatory State of Gangpur, between the Sambalpur Road and Govindpur Railway Stations. | No. 1237-I., dated the 13th April, 1893, as amended by No. 962-LB., dated the 14th April, 1898.<br>[Printed, <i>infra</i> , p. 45.]   |
| "          | Empowering British Courts beyond British India to send their warrants for the execution of capital sentences to jails in British India.                                                                                                                                           | No. 1431-I., dated the 27th April, 1893.<br>[Printed, <i>infra</i> , p. 439.]                                                         |
| 1897       | Declaring laws in force and the Courts to exercise jurisdiction in the eastern parts of the Feudatory State of Gangpur and the States of Saraikilla, Khar-sowan and Moharbhanj.                                                                                                   | No. 881-1. B., dated the 6th March, 1897, at amended by No. 962-L.B., dated the 14th April, 1898.<br>[Printed, <i>infra</i> , p. 46.] |

CHAPTER V—RAILWAY UNDER BRITISH JURISDICTION—*contd.**British-Bengal Nagpur Railway Enactments.*

## 2. LOCAL RULES AND ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                          | Section.      | Subject of Notification,                                                                                                                                                                                                       | Reference.                                                                            |
|-----------------------------------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| Police Act, 1888 (III of 1888).               | 3 (1) and (2) | Forming the lands occupied by this Railway, into a General Police District, directing the enrolment of a Police force and appointing the Chief Commissioner, Central Provinces to be the Local Government for Police purposes. | No. 99-P., dated the 18th Feb*<br>ruary, 1898.<br>[Printed, <i>infra</i> , p. 47.]    |
| Indian Railways Act,<br>1890 (IX of 1890).    | 16            | Sanctioning the use of motive power and rolling stock.                                                                                                                                                                         | No. 3063-I.B., dated the 13th<br>August, 1897.<br>[Printed, <i>infra</i> , p. 134.]   |
| Ditto . . .                                   | 47            | Adopting the rules in force in British India—<br><br>(1) for working open lines of railway ; and<br><br>(2) for working railways under construction.                                                                           | Ditto.                                                                                |
| Ditto . . .                                   | 135           | Declaring that Railway Administrations shall pay certain taxes in aid of the funds of local authorities.                                                                                                                       | Ditto                                                                                 |
| Ditto . . .                                   | 84 and 85     | Adopting the rules in force in British India under those sections.                                                                                                                                                             | Ditto.                                                                                |
| Ditto . . .                                   | 144           | Delegating certain powers and functions to the Government of Bengal.                                                                                                                                                           | Ditto.                                                                                |
| Ditto . . .                                   | „             | Declaring the Government of Bengal to be the Local Government for the purposes of the Railways Act.                                                                                                                            | Ditto.                                                                                |
| Epidemic Diseases Act,<br>1897 (III of 1897). | 2 (9)         | Delegating to Local Governments the powers conferred by section 2 (2) (b).                                                                                                                                                     | No. 444-1.A., dated the 4th Feb-<br>ruary, 1897.<br>[Printed, <i>infra</i> , p. 443.] |

## BRITISH-BENGAL NAGPUR RAILWAY ENACTMENTS.

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### 1.(a) Notifications applying Acts of the Governor General in Council,

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Revenue Recovery Act, 1890 (I of 1890).

No. 1415-I., dated the 30th April, 1890, printed, *infra*, p. 441.

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Indian Railways Act, 1890 (IX of 1890).

No. 3063-1. B., dated the 13th August, 1897, printed, *infra*, p. 134.

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Epidemic Diseases Act, 1897 (III of 1897).

No. 443-1.A., dated the 4th February, 1897, printed, *infra*, p. 443.

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### 1.(b) Special Local Laws.

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Recovery of Revenue Arrears accruing in British India.

No. 1415-1., dated the 20th April, 1890, printed, *infra*, p. 441.

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Printing and publication of newspapers and other printed works.

No. 2651-1., dated the 21st June, 1891, printed, *infra*, p. 442.

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**Declaration as to laws in force and administration of justice in lands occupied by the Railway in the  
Hingir Taluq and Western parts of Gangpur.**

- |                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(a) The Feudatory States of Khair-agarh, Nandgaon, Sakti, Hai garh, and Barara.</p> <p>(b) The part of the Feudatory State of Gangpur comprised in the Hingir taluk.</p> <p>(c) The western parts of the said Feudatory State of Gangpur between the Sambalpur Road and Govindpur railway stations.</p> <p>(d) The Meuoah State.</p> | <p style="text-align: right;">No. 1237-I., dated the 13th April, 1893.—</p> <p>Whereas the Governor General in Council has full jurisdiction within those portions of land which are or hereafter may be occupied by the Bengal Nagpur Railway (including land occupied as stations, for out-buildings, and for other purposes connected with the Railway), and which lie within the territories named in the margin :</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

In exercise of this jurisdiction and of the powers conferred by Sections 4 and 6 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other

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As to this State, see the Central India Volume.

## CHAPTER V—RAILWAY UNDER, BRITISH JURISDICTION—contd.

### British-Bengal Nagpur Railway Enactments-1.(b) Special Local Laws—contd.

Declaration as to laws in force and administration of Justice in lands occupied by the Railway In the Hingir Taluq and Western parts of Gangpur—contd.

powers enabling him in this behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the aforesaid portions of land :—

|         |   |   |   |   |                  |
|---------|---|---|---|---|------------------|
| I.*     | * | * | * | * | * * <sup>1</sup> |
| I I . * | * | * | * | * | * * <sup>1</sup> |

III. (1) All laws for the time being in force in the Sambalpur district of the Central Provinces shall be in force in the portions of the aforesaid land which lie within the *Feudatory States of Raigarh and Bamra*, the part of the Feudatory State of Gangpur comprised in the Hingir taluk, and the western parts of the said Feudatory State of Gangpur between the Sambalpur Road and Gobindpur railway stations.

(2) All Courts having for the time being jurisdiction within the Sambalpur district of the Central Provinces shall exercise the same jurisdiction within these portions of the aforesaid land.

|       |   |   |   |   |   |                |
|-------|---|---|---|---|---|----------------|
| *     | * | * | * | * | * | * <sup>2</sup> |
| I V . | * | * | * | * | * | * <sup>1</sup> |

V. The Notification by the Government of India in the Foreign Department, No. 3146-1., dated the 29th July, 1891, is hereby cancelled.

[See *Gazette of India*, 1893, Pt. I, p. 202.]

**Execution In British India of Warrants of Capital** Sentences of British Courts beyond British India, No. 1431-1., dated the 27th April, 1893, printed, *infra*, p. 439.

Declaration of laws in force and administration of Justice in lands occupied by the Railway In the eastern parts of Gangpur State and in the States of Seraikilla, Kharsowan and Moharbhhanj.

No. 881-I.B., dated the 5th March, 1897.—Whereas the Governor General in

(a) The eastern parts of the feudatory State of Gangpur and the States of Seraikilla and Kharsowan.

(6) The State of Moharbhhanj.

teritories named in the margin :

Council has full jurisdiction within the lands which are or hereafter may be occupied by the Bengal Nagpur Railway (including land occupied as stations, for out-buildings, and for other purposes connected with the Railway), and which lie within the territories named in the margin :

In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879) and of all other powers enabling him in this behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the aforesaid lands;

I. (1) All laws for the time being in force in the Kolhan in the Singhbhum district of the Bengal Presidency shall be in force in such of the

<sup>1</sup> Paragraphs I, II and IV have been omitted, as they relate to the lands occupied by this Railway in States in the Central Provinces and the Central India Agency, as to which, see the Central India Volume.

<sup>2</sup> CI. (3) of paragraph I I I regarding the administration of the police was cancelled by Notification No. 962-1. B., dated the 14th April, 1898, see *Gazette of India*, 1898, Pt. I, p. 381.

CHAPTER V.—RAILWAY UNDER BRITISH JURISDICTION—*contd.***British-Bengal Nagpur Railway Enactments—I.-(b) Special Local  
LaWS—*contd.***

Declaration of laws in force and administration of justice in lands occupied by the Railway in the eastern parts of Gangpur State and in the States of Seraikilla, Kharsowan and Moharbhaj—*contd.*

said lands as lie within the eastern parts of the feudatory State of Gangpur and the States of Seraikilla and Kharsowan.

- (2) All Courts having for the time being jurisdiction within the Kolhau in the Singhbhum district of the Bengal Presidency shall exercise the same jurisdiction within the said lands.

\* \* \* \* \*

I I . (1) All laws for the time being in force in the Balasore district of the Bengal Presidency shall be in force in such of the said lands as lie within the State of Moharbhaj.

- (2) All Courts having for the time being jurisdiction within the Balasore district of the Bengal Presidency shall exercise the same jurisdiction within the said lands.

\* \* \* \* \*

I I I . The Notification by the Government of India in the Foreign Department, No. 1033-1., dated the 28th March, 1890, is hereby cancelled.

[See *Gazette of India*, 1897, Pt. I, p. 177.]

**2.-(A) Local Rules and Orders under Acts locally applied.**

Orders under the Indian Railways Act, 1890, sanctioning the use of motive power, delegating to the Local Government certain powers and functions under the Act and adopting British Indian Rules.

No. 3063-I.B., dated the 13th August, 1897, printed, *infra*, p. 131.

Delegation of powers under s. 2 (b) (2) of the Epidemic Diseases Act, 1897.

No. 444-1. J., dated the 4th February, 1897, printed, *infra*, p. 413.

Formation of a General Police District and enrolment of a Police force therein.

No. 99-P., dated the 18th February, 1899.—In exercise of the power conferred by section 2, sub-sections (1) and (2), of the Police Act, I I I of 1888, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to create a general Police District embracing all the lands for the time being occupied by the Bengal Nagpur Railway (including the lands occupied by stations and out-buildings, and for other Railway purposes), and to direct the enrolment under the Police Act, 1861, of a police force for service therein.

The Governor General in Council is also pleased to appoint the Chief Commissioner of the Central Provinces to discharge within the General Police District aforesaid the functions of the Local Government under the Police Act, 1861, the Code of Criminal Procedure, 1882, and any other enactment relating to police for the time being in force in the lands aforesaid or in any part thereof.

[See *Gazette of India*, 1898, Pt. I, p. 142.]

<sup>1</sup> Cl. 3 of paragraphs I and II regarding the administration of Police were cancelled by Notification No. 962-I.B., dated the 14th April, 1898, see *Gazette of India*, 1898, Pt. I, p. 381.

<sup>2</sup> These Acts are in force in these lands in virtue of Notifications No. 1237-1., dated the 13th April 1893, and No. 881-I.B., dated the 6th March, 1897, printed, *supra*, pp. 46 & 46.

<sup>3</sup> See the Code of Criminal Procedure, 1898 (Act V of 1898) which is the Code now in force in these lands. It is printed in the General Acts, Vol. VI, Ed. 1898, p. 880.



PART III.—THE BRITISH ENACTMENTS IN FORCE LOCALLY  
IN THE NATIVE STATES UNDER THE POLITICAL CON-  
TROL OF THE CHIEF COMMISSIONER OF ASSAM.

CHAPTER I.—THE ASSAM NATIVE STATES GENERALLY.

CHAPTER II.—THE KHASI HILLS.

CHAPTER III.—MANIPUR.

CHAPTER IV.—TRIBES ON THE NORTH-EASTERN FRONTIER.

## CHAPTER I—THE ASSAM NATIVE STATES GENERALLY.

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### CHAPTER I. THE ASSAM NATIVE STATES GENERALLY.

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The only British Enactment, so far as is known, in force locally in these States is the following, namely :—

#### *British-Indian Inactment.*

LOCAL OUDER UNDIB AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                              | Section. | Subject of Notification.                                                                                                                                                                | Referenco,                                                                      |
|---------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (XV of 1872). | 86       | Delegating to the Chief Commissioner, Assam, the powers and functions given to the Governor General in Council by ss. 6, 8 and 9 of the Act as regards Native States under his control. | No. 3711-I.B., dated the 1st October, 1897.<br>[Printed, <i>supra</i> , p. 24.] |

## CHAPTER II.-THE KHASI HILLS.

CHAPTER II.  
THE KHASI HILLS:

Comprising twenty-five States, of which the principal are—

|                 |              |
|-----------------|--------------|
| Cherra Poonjee, | Nustang,     |
| <b>Khyrim,</b>  | Lungiee, and |
| Nuspung.        |              |

[For the relations of the British Government with these Hill States, *see* Aitchison's Treaties, Vol. I, Part II, pages 221—228. The States are under the control of the Deputy Commissioner, Khasi and Jaintia Hills District.]

The only British Enactment, so far as is known, in force locally in these States treated separately is the following :—

*British-Indian Enactment.*

LOCAL ORDER UNDER AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.<sup>1</sup>

| Act.                                              | Section. | Subject of Notification.                                                                                                                                                                                                                                                                              | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (XV of 1872). | 66 & 86  | Delegating to the Chief Commissioner of Assam powers to appoint Marriage Registrars for, and to license persons to grant certificates of, marriage, between Native Christians; and appointing the Secretary to the Chief Commissioner to receive the certificates mentioned in section 54 of the Act. | No. 1332-E., <sup>2</sup> dated the 29th June, 1888.—In exercise of the powers conferred by section 86 of the Indian Christian Marriage Act, XV of 1872, the Governor General in Council is pleased to declare that the powers given to the Governor General in Council by sections 8 and 9 of that Act to appoint Marriage Registrars for, and to license persons to grant certificates of, marriage between Native Christians in the Native States situated in the Khasi Hills, are hereby delegated to, and may be exercised by, the Chief Commissioner of Assam for the time being. And in exercise of the powers conferred by section 56 of the said Act, the Governor General in Council is pleased to appoint the Secretary to the Chief Commissioner of Assam, for the time being, as the officer to whom Marriage Registrars in Native States situated in the Khasi Hills shall send the certificates mentioned in section 54 of the aforesaid Act.<br>See <i>Gazette of India</i> , 1888, Pt. I, "p. 294.] |

<sup>1</sup> See also Chapter I of this Part.

<sup>2</sup> As to the first paragraph of this Notification, *Cf.* Notification No. 3741-I.B., dated the 1st October, 1897, printed at p. 24, *supra*.

CHAPTER II.—THE KHASI HILLS—*concl'd.*

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## SUPPLEMENTARY NOTE.

**Jurisdiction Of Chiefs.**—By Article II of a General Form of Agreement (*see* Aitchison's Treaties, Vol I, Part II, No. LXXV, page 231) which every Chief is required to enter into, **at** the time of his election, the jurisdiction of the Chiefs is limited to civil cases and criminal **cases** not of a heinous kind, in which their subjects alone are concerned. All heinous cases and **all** civil and criminal cases in which persons, who are not the subjects of the State within the limits of which the case arose, are concerned, are to be referred for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or any other officer appointed by him for that purpose. By an agreement subsequently entered into in 1883 by a large number of the Chiefs, it has been arranged that suits for divorce and other matrimonial causes arising between Native Christians who are subjects of the Chiefs and have been married in accordance with the Indian Christian Marriage Act, XV of 1872, shall be tried by a Special Court, consisting of the Deputy Commissioner and the Chiefs<sup>1</sup> whose subjects are concerned.

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<sup>1</sup> In the case of one State, Sheila, the Wahadaii hare agreed to abide by the decision of the Deputy Commissioner sitting alone.

CHAPTER III.-MANIPUR.

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## CHAPTER III.

## MANIPUR.

[For the relations of the British Government with this State, see Aitchison's *Treaties*, Vol. I, Part I I, pages 807—314, and for the sanad granted to the Chief selected by Government after the suppression of the rebellion in 1891, see *Gazette of India*, 1891, Pt. I, p. 544.]

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The British Enactments in force locally in Manipur consist of—

*A.—British-Indian Enactments,*

**Local** Rules and Orders under Acts in force generally in all Native **States**.

*B.—British-Manipur Enactments.*

Local Laws made by the Governor General in Council.

(a) Acts of the Governor General in Council locally applied.

(b) Special Local Laws.

## CHAPTER III.—MANIPUR—contd.

## A.—British-Indian Enactments.

LOCAL RULES AND ORDERS UNDER ACTS IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                                          | Section. | Subject of Notification.                                                                                                                                                                     | References.                                                                     |
|---------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (XV of 1872).             | 86       | Delegating to the Chief Commissioner, Assam, the powers and functions given to the Governor General in Council by sections 6, 8 and 9 of the Act as regards Native States under his control. | No. 3741-I.B., dated the 1st October, 1897.<br>[Printed, <i>supra</i> , p. 24.] |
| Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879). | 4 and 5  | Providing for the conduct of criminal proceedings against British subjects other than (a) European-British subjects, and (b) persons jointly charged with European-British subjects.         | No. 412-R., dated the 3rd March, 1891.<br>[Printed, <i>infra</i> , p. 55.]      |
| Ditto                                                         | 6        | Appointing the Political Agent, Manipur, to be a Justice of the Peace within the State of Manipur.                                                                                           | No. 411-E., dated the 3rd March, 1891.<br>[Printed, <i>infra</i> , p. 55.]      |

## B.—British-Manipuri Enactments.

(a) ACTS OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED FOR THE PURPOSES OF CASES IN WHICH BRITISH SUBJECTS ARE DEFENDANTS,

| Act.                                                  | Extent of Application.                                                      | References.                                                                |
|-------------------------------------------------------|-----------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Indian Succession Act, 1865 (X of 1865).              | The whole Act so far as applicable and as amended by subsequent enactments. | No. 413-E., dated the 3rd March, 1891.<br>[Printed, <i>infra</i> , p. 56.] |
| Indian Evidence Act, 1872 (I of 1872).                | Ditto                                                                       | Ditto.                                                                     |
| Indian Contract Act, 1872 (IX of 1872).               | Ditto                                                                       | Ditto.                                                                     |
| Indian Limitation Act, 1877 (XV of 1877).             | Ditto                                                                       | Ditto.                                                                     |
| Probate and Administration Act, 1881 (V of 1881).     | Ditto                                                                       | Ditto.                                                                     |
| Civil Procedure Code, (Act XIV of 1852).              | Ditto                                                                       | Ditto.                                                                     |
| Provincial Small Cause Courts Act, 1867 (IX of 1867). | Ditto                                                                       | Ditto.                                                                     |
| Debtors Act, 1868 (VI of 1868)                        | Ditto                                                                       | Ditto.                                                                     |
| Succession Certificates Act, 1889 (VII of 1889).      | Ditto                                                                       | Ditto.                                                                     |

## CHAPTER III.-MANIPUR—contd.

## B.—British-Manipur Enactments.

## (b) SPECIAL LOCAL LAWS.

| When made.    | Subject of Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Notification.                                                                                                                                                                                          | Reference.                                                                              |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1889 . . .    | Notifying the Court of the Political Agent, Manipur, as having been established or continued by the Governor General in Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | No. 1361-I., dated the 29th March, 1889.                                                                                                                                                               | Printed, <i>infra</i> , p. 430.                                                         |
| 1889 and 1890 | Providing for—<br>(1) execution of decrees—<br>(a) of British-Indian Courts by the Court of the Political Agent, Manipur;<br>(b) of the Court of the Political Agent, Manipur, by Courts established or continued by the Governor General in Council in other Native States, and <i>vice versa</i> ;<br>(c) of certain Courts in Mysore and Bombay Native States by the Court of the Political Agent, Manipur;<br><br>(2) service of summonses—<br>(a) of British-Indian Civil and Revenue Courts by the Court of the Political Agent, Manipur;<br>(b) of the Court of the Political Agent, Manipur, by Courts established or continued by the Governor General in Council in other Native States, and <i>vice versa</i> ;<br>(c) of certain Courts in Hyderabad, Mysore, Central India, and Bombay Native States, by the Court of the Political Agent, Manipur. | Nos. 1362-I. to 1364-I., dated the 29th March, 1889, and No. 2183-I., dated the 2nd July, 1890.<br><br>Nos. 1366-I. to 1368-I., dated the 29th March, 1889, and No. 2182-I., dated the 2nd July, 1890. | Printed, <i>infra</i> , pp. 432 to 434.<br><br>Printed, <i>infra</i> , pp. 436 and 437. |
| 1891 . . .    | Providing for the administration of civil justice in cases in which British subjects are defendants and applying certain Acts relating thereto.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | No. 413-E., dated the 3rd March, 1891.                                                                                                                                                                 | Printed, <i>infra</i> , p. 86.                                                          |
| 1893 . . .    | Empowering British Courts beyond British India to send their warrants for the execution of capital sentences to jails in British India.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | No. 1431-I., dated the 27th April, 1893.                                                                                                                                                               | Printed, <i>infra</i> , p. 439.                                                         |

## A.—BRITISH-INDIAN ENACTMENTS.

### Local Rules and Orders under Acts in force generally in all Native States.

DBLEGATION OF FUNCTIONS UNDER SECTION 86 OF THE INDIAN CHRISTIAN MARRIAGE ACT, 1872.

*No. 3741-I.B., dated the 1st October, 1897, printed, supra, p. 24.*

#### **Appointment of Political Agent, Manipur, to be a Justice of the Peace.**

*No. 411-E., dated the 3rd March, 1891.*—In exercise of the power conferred by section 6 of the Foreign Jurisdiction and Extradition Act, X X I of 1879, the Governor General in Council is pleased to appoint the officer for the time being holding the office of Political Agent, Manipur, being an European-British subject, to be a Justice of the Peace within the State of Manipur.

Foreign Department Notification No. 123-J., dated the 6th October, 1876, is hereby cancelled.

[See *Gazette of India*, 1891, Pt. I, p. 122.]

#### **Criminal proceedings against non-European-British subjects.**

*No. 418-E., dated the 3rd March, 1891.*—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, X X I of 1870, the Governor General in Council is pleased to make the following orders in respect of criminal proceedings within the limits of the State of Manipur against British subjects other than (a) European-British subjects, and (b) persons jointly charged with European-British subjects:—

- (1) The Political Agent, Manipur, for the time being shall exercise within the limits of the State of Manipur the powers of a District Magistrate and a Court of Session as described in the Code of Criminal Procedure, X of 1881, 1882.<sup>1</sup>
- (2) The Chief Commissioner of Assam for the time being shall exercise the powers of a Court of Session and a High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by the Political Agent, Manipur, provided that the Political Agent shall not commit any accused person for trial to the Chief Commissioner acting as a Court of Session.
- (3) The Chief Commissioner of Assam for the time being shall exercise the powers of a High Court as described in the said Code in respect of all offences over which the jurisdiction of a Court of Session is exercised by the Political Agent, Manipur.

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<sup>1</sup>—See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed General Acts, Vol. VI. Ed. 1898, p. 380.



### CHAPTER III.—MANIPUR—*contd.*

#### A.—British-Indian Enactments- Local Rules and Orders under Acts—*concl'd.*

Criminal proceedings against non-European-British subjects—*concl'd.*

X of 1882.

- (4) In the exercise of the jurisdiction of a Court of Session conferred on him by this notification, the Political Agent, Manipur, may take cognizance of an offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure prescribed by the Code of Criminal Procedure,<sup>1</sup> 1882, for the trial of warrant cases by Magistrates.

[See *Gazette of India*, 1891, Pt. I, p. 122.]

#### B.—BRITISH-MANIPUR ENACTMENTS,

##### Special Local Laws.

Administration of Civil Justice in cases in which British subjects are defendants.

No. 413-E., dated the 3rd March, 1891.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, the Governor General in Council is pleased to make the following orders for regulating the exercise of civil jurisdiction in the State of Manipur in cases in which British subjects are defendants :—

IX of 1887.

- (1) The provisions, so far as they can be made applicable in the circumstances for the time being and as amended for the time being by subsequent enactments of the Acts specified in the schedule to this notification, shall be applied.
- (2) For the purposes of the said Acts, the Chief Commissioner of Assam shall be deemed to be the Local Government.
- (3) For the purpose of facilitating the application of the said Acts in any case, any of their provisions may be construed with such alterations not affecting the substance as may be necessary or proper to adapt them to the circumstances of that case.
- (4) There shall be a Court of Small Causes, with jurisdiction in all suits cognizable under the Provincial Small Cause Courts Act, 1887, when the amount or value of the subject-matter does not exceed five hundred rupees, and the Political Agent, Manipur, for the time being shall be the Judge of the Court of Small Causes.

XIV of 1882.

- (6) The Political Agent, Manipur, for the time being shall exercise the powers of a District Court, as described in the Code of Civil Procedure, with jurisdiction in all original suits, whatever be the amount or value of the subject-matter, and in all other cases in which jurisdiction is conferred on the District Court by any of the Acts specified in the schedule to this notification,
- (6) Subject to the provisions of the Acts specified in the schedule to this notification, appeals from decrees and orders made by the Political

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed, General Acts, Vol. VI, Ed. 1693, p. 380.

### CHAPTER III.—MANIPUR—concl'd.

#### A.—British-Indian Enactments-Local Rules and Orders under Acts—concl'd.

##### Administration of civil Justice In cases In which British subjects are defendants—concl'd.

Agent in exercise of the powers of a District Court shall lie to the Chief Commissioner of Assam, who shall exercise the powers of a High Court for all purposes whatsoever connected with the administration of civil justice in the cases to which this notification applies.

#### THE SCHEDULE.

##### ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

| Numbtr and year.    | Subject.                       |
|---------------------|--------------------------------|
| X of 1865 . . .     | Succession.                    |
| I of 1872 . . .     | Evidence.                      |
| I X of 1872 . . .   | Contract.                      |
| X V of 1877 . . .   | Limitation.                    |
| V of 1881 . . .     | Probate and Administration.    |
| X I V of 1882 . . . | Civil Procedure.               |
| I X of 1887 . . .   | Provincial Small Cause Courts. |
| V I of 1888 . . .   | Debtors.                       |
| V I I of 1889 . . . | Succession Certificates.       |

[See *Gazette of India*, 1891, Pt. I, p. 123.]

ORDERS AS TO COURTS ESTABLISHED OR CONTINUED BY THE GOVERNOR GENERAL IN NATIVE STATES, AND THE RECIPROCAL EXECUTION OF DECREE AND SERVICE OF SUMMONS BETWEEN SUCH COURTS, BRITISH-INDIAN COURTS AND CERTAIN NATIVE STATES COURTS.

Nos. 1361-1. to 1364-1., dated the 29th March, 1889, and Nos. 1866-1. to 1368-1, dated *idem*, and Nos. 2182-1. and 2183-1., dated the 2nd July, 1890, printed, *infra*, pp. 430 to 437.

EXECUTION IN BRITISH INDIA OF WARRANTS OF CAPITAL SENTENCES OF BRITISH COURTS BEYOND BRITISH INDIA.

No. 1431-I., dated the 27th April, 1893, printed, *infra*, p. 439.

#### SUPPLEMENTARY NOTE.

**Delegation of functions with respect to suits against the Maharaja.**—By Notification No. 1369-1., dated the 29th March, 1889, the Local Government of Assam and its Secretaries have been authorized, under section 438, sub-section (4), of the Code of Civil Procedure, to exercise, with respect to His Highness the Maharaja of Manipur, the functions assigned by sub-sections (i), (2) and (3) of the said section to the Governor General in Council, and a Secretary to the Government of India, respectively- (See *Gazette of India*, 1889, Pt. I, p. 187.)

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 CHAPTER IV.—NORTH-EASTERN FRONTIER TRIBES.
 

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## CHAPTER IV.

## NORTHEASTERN FRONTIER TRIBES:

Comprising the following tribes, namely :—

The Khamptis, Singphos, Akas, Abors, Daflas, and Miris and others.

[For the relations of the British Government with these tribes, see Aitchison's Treaties, Vol. I, Part I I, pages 284-291.]

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There are no British Enactments, so far as is known, in force locally in the country occupied by these tribes.

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## NOTES,

I.—Kamptis.—By an agreement entered into with the Khamptis in 1843 (*see Aitchison's Treaties, Vol. I, CXIX*), it was arranged that, while all petty crimes and offences occurring amongst themselves should be settled by the Chiefs of their villages, in all heinous offences, the offenders, with their respective witnesses, should be made over to the Political Agent for trial. This agreement was subject to revision and alterations at the end of ten years, as might seem best to the British Government.

II.—Singphos.—By an agreement in 1836 (*see Aitchison's Treaties, Vol. I, No. CXXI*), the Singpho Chiefs are permitted to administer justice in their respective villages according to custom, and to settle all disputes among their dependants, and undertake to submit any disputes that may arise between their clans to the arbitration of the British Government instead of having recourse to arms.

III.—Akas.—By agreements entered into with the Akas (*see Aitchison's Treaties, Vol. I, Nos. CXIII and CXIV*), the Akas have promised to act up to any orders that may be given them by the British Government, and bound themselves to abide by the decision of the British Courts with respect to their grievances, and to give up any of their people who have been guilty of crime in the plains.

IV.—Abors.—These tribes (divided into the Meyong Abors, the Dihang-Debang Abors, and the Bor Abors) have, by various agreements (*see Aitchison's Treaties, Vol. I, Nos. CXV to CXVII*), engaged, in the event of any dispute arising between them and British subjects, to appeal to the Deputy Commissioner for redress and abide by his decision.

V.—Dallas and Miris.—No agreements appear to have been entered into with these tribes.

**PART IV.—THE BRITISH ENACTMENTS IN FORCE LOCALLY IN THE  
NATIVE STATES UNDER THE POLITICAL CONTROL OF  
THE LIEUTENANT-GOVERNOR OF BURMA—**

CHAPTER I.—EAST AND WEST KARENNE.

CHAPTER II.—THE NAMWAN ASSIGNED TRACT.

CHAPTER I.—THE STATES OF EAST AND WEST KARENNE.

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CHAPTER I.

'THE STATES OF EAST AND WEST KARENNE.

[For the relations of the British Government with Karenne, see Aitchison's Treaties, Vol. I, Part III, pages 34£—847. By recent Sanads, the Chiefs have undertaken to deliver tip criminals who take refuge in their States, and are prohibited from exercising criminal jurisdiction over British subjects, being bound in the case of criminal charges against such persons to represent the matter to the Superintendent of the Shan States.]

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The British Enactments, in force locally in these States, consist of :—

*British-Indian Enactments.*

Local Rules and Orders under Acts in force generally in all Native States.

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<sup>1</sup> East Karenne (or Kantarawadi) is a State owing allegiance to one Chief only, but West Karenne consists of five petty Chiefships.

## CHAPTER I—THE STATES OF EAST AND WEST KARENNE—contd.

*British-Indian Enactments.*

## LOCAL RULES AND ORDERS UNDER BRITISH-INDIAN ENACTMENTS IN FORCE GBNERALLY IN ALL NATIVE STATES.

| Act.                                                           | Section. | Subject of Notification.                                                                                                                                                            | Refertnet,                                                                               |
|----------------------------------------------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872(XV of 1872).               | 86       | Delegating to the Chief Commissioner of Burma the powers and functions given to the Governor General in Council by sections 6, 8 and 9, as regards Native States under his control. | No. 3741-1.3., dated the 1st <b>October</b> , 1897.<br>[Printed, <i>eujpra</i> , p. 24.] |
| Foreign Jurisdiction and Extradition Act, 1879 (X XI of 1879). | 4 and 5  | Orders in respect of Criminal proceedings against British subjects other than (a) European-British subjects and (b) persons jointly charged with European-British subjects.         | No. 1921-E., dated the 19th <b>October</b> , 1892.<br>[Printed, <i>infra</i> , p. 62.]   |
| Ditto.                                                         | 6        | Appointing Justices of the Peace and indicating the Court to which they shall commit for trial.                                                                                     | No. 1920-E., dated the 19th <b>October</b> , 1892.<br>[Printed, <i>infra</i> , p. 63.]   |

CHAPTER I.—THE STATES OF EAST AND WEST KARENNE—contd.

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## BRITISH-INDIAN ENACTMENTS.

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### Local Rules and Orders under Acts in force generally in all Native States.

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Delegation of powers under the Indian Christian Marriage Act, 1873.

No. 3741-1 B., dated the 1st October, 1897, printed, *supra*, p. 24.

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Rules and Orders under the Foreign Jurisdiction and Extradition Act, 1879.

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#### CRIMINAL PROCEEDINGS AGAINST BRITISH SUBJECTS OTHER THAN EUROPEAN-BRITISH SUBJECTS.

No. 1921-E., dated the 19th October, 1892.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), the Governor General in Council is pleased to make the following orders in respect of criminal proceedings in Karenne against British subjects other than (a) European-British subjects, and (b) persons jointly charged with European-British subjects :—

- (1) Every Assistant Superintendent of the Southern Shan States for the time being serving in Karenne shall exercise within Karenne the powers of a District Magistrate and a Court of Session as described in the Code of Criminal Procedure, 1882.<sup>1</sup>
- (2) The Superintendent and Political Officer, Southern Shan States, for the time being shall exercise the powers of a Court of Session, as described in the said Code, in respect of all offences over which magisterial jurisdiction is exercised by an Assistant Superintendent, Southern Shan States, serving in Karenne, provided that no Assistant Superintendent shall commit any accused person for trial to the Superintendent and Political Officer, Southern Shan States, acting as a Court of Session.
- (S) The Chief Commissioner of Burma for the time being shall exercise the powers of a High Court, as described in the said Code, in respect of all offences over which the jurisdiction of a District Magistrate or of a Court of Session is exercised by an Assistant Superintendent, Southern Shan States, serving in Karenne.
- (4) In the exercise of the jurisdiction of a Court of Session conferred on him by this notification, an Assistant Superintendent of the Southern Shan

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<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed, General Acts, Vol. VI. Rd. 1898, p. 880.

<sup>1</sup> The Chief Commissioner is now the Lieutenant-Governor of Burma, *tee* Proclamation dated the 9th April, 1897, Gazette of India, 1897, Pt. I., p. 261, and all references in any instrument to the Chief Commissioner are to be construed, with effect from the 1st May, 1897, as referring to the Lieutenant-Governor, *tee* g. 15 of the Burma Laws Act, 1898 (XI11 of 1898), printed, Burma Code, Ed. 1899, p. 265.

CHAPTER I.—THE STATES OF EAST AND WEST KARENNE—concl'd

British-Indian Enactments—Local Rules and Orders under Acts—concl'd

Rules and Orders under the Foreign Jurisdiction and Extradition Act, 1879—concl'd.

States serving in Karenne may take cognizance of an offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure prescribed by the Code of Criminal Procedure, 1882, for the trial of warrant cases by Magistrates.

In this notification the term " Assistant Superintendent " includes every officer whom the Chief Commissioner may at any time appoint to discharge for Karenne the functions of an Assistant Superintendent hereunder.

[See *Gazette of India*, 1892, Pt. I, p. 636.]

Appointment of Justices of the Peace and Court to which they should commit for trial.

No. 1920-E., dated the 19th October, 1892.—In exercise of the power conferred by section 6 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), the Governor General in Council is pleased—

- (i) to appoint the Superintendent and Political Officer, Southern Shan States, and every Assistant Superintendent of the Southern Shan States for the time being in Karenne, being an European-British subject, to be a Justice of the Peace within Karenne; and
- (ii) to direct that Justices of the Peace within Karenne shall commit for trial to the Court of the Recorder of Rangoon.

In this notification the term " Assistant Superintendent " includes every officer whom the Chief Commissioner<sup>1</sup> may at any time appoint to discharge for Karenne the functions of an Assistant Superintendent hereunder.

[See *Gazette of India*, 1892, Pt. I, p. 635.]

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<sup>1</sup> See the second footnote on the preceding page.



## CHAPTER II.—THE NAMWAN ASSIGNED TRACT.

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### CHAPTER II.

#### THE NAMWAN ASSIGNED TRACT.

The Namwan Assigned Tract (the boundaries of which are described in the notification printed below) is held on a perpetual lease from Chiaa by the British Government on the payment of rent; and by the terms of article II of the Treaty with China dated the 5th June, 1897, under which the tract is held, it was agreed that the entire administration and control of the tract should be conducted by the British Government and that China should not exercise any jurisdiction or authority whatever therein.

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The only British Enactment in force locally in this tract is the following :—

*British-Namwan, Assigned Tract Enactment.*

A SPECIAL LOCAL LAW MADE BY THE GOVERNOR GENERAL IN COUNCIL.

| When made. | Subject of Law.                                                                                    | Notification.                                  | Reference.                     |
|------------|----------------------------------------------------------------------------------------------------|------------------------------------------------|--------------------------------|
| 1899       | Declaring laws in force, and arranging for the executive and judicial administration of the tract. | No. 788-E, B.,<br>dated the 2nd<br>June, 1899. | Printed, <i>infra</i> , p. 65. |

CHAPTER II.—THE NAMWAN ASSIGNED TRACT—*contd.*BRITISH-NAMWAN ASSIGNED TRACT  
ENACTMENTS.**Special Local Law.**

**Declaration as to laws in force and arrangements for executive and Judicial administration.**

*No. 789-E.-B., dated the 2nd June, 1899.*—Whereas by a Treaty ratified at Peking on the fifth day of June, 1897, it has been agreed between the respective Governments of Great Britain and China that, within the tract of country to the south of the Namwan River, near Namkhai, which may hereafter be designated "the Namwan Assigned Tract" and is enclosed to the west by a branch of the Nammak River and the Maw si range of hills up to the Loiehaw Peak, and thence by the range running in a north-easterly direction to the Shweli River, the administration and control shall be entirely conducted by the British Government :

And whereas the portion of the said Tract which is bounded by the Namkham stream on the north, the Sinmakha stream on the west, the Loiehaw Ridge on the South and the Shweli River on the east, has hitherto been administered by the British Government as part of the Shan State of Mōngmit, and the portion comprising the villages of Mansawn, Kunkyang and Kawngnawng, together with the lands appertaining thereto, as part of the Shan State of North Hsenwi :

And whereas it is desirable that so much of the said Tract as has hitherto been administered as aforesaid should continue to be so administered, and that the rest of the said Tract, which has hitherto been administered by the Chinese Government, should henceforth be administered as part of the district of Bhamo in Upper Burma:

Now, in pursuance of the said Treaty and in exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to make the following orders for the administration of the said Tract, namely :—

1. (1) All laws for the time being in force in the Shan State of Mōngmit shall be deemed to apply to the portion of the said Tract which is bounded by the Namkham stream on the north, the Sinmakha stream on the west, the Loiehaw Ridge on the south and the Shweli River on the east ;

(2) All laws for the time being in force in the Northern Shan States shall be deemed to apply to the villages of Mansawn, Kunkyang and Kawngnawng, together with the lands appertaining thereto ; and

(3) All laws for the time being in force in the district of Bhamo shall be deemed to apply to the rest of the said Tract :

Provided that, for the purposes of the application of the Kachin Hill-tribes Regulation, 1895 (I of 1895),—

(a) all laws for the time being applicable, under the said Regulation, to any

## CHAPTER II.—THE NAMWAN ASSIGNED TRACT—*concl'd.*

### British Namwan Assigned Tract Enactment—Special Local Law—*concl'd*

Declaration as to laws In force and arrangements for executive and Judicial administration—*concl'd.*

hill-tribe in the Shan State of Mōngmit shall apply to all hill-tribes in the portion of the said Tract which is bounded by the Namkham stream on the north, the Sinmakha stream on the west, the Loichaw Ridge on the south and the Shweli River on the east;

(b) all laws for the time being so applicable to any hill-tribe in the Shan State of North Hsenwi shall apply to all hill-tribes in the villages and lands specified as aforesaid; and

(c) all laws for the time being so applicable to any hill-tribe in the district of Bhamo shall apply to all hill-tribes in the rest of the said Tract.

2. (1) The Lieutenant-Governor of Burma and all officers subordinate to the Government of Burma for the time being exercising authority in the Shan State of Mōngmit shall have the like authority in the portion of the said Tract which is bounded by the Namkham stream on the north, the Sinmakha stream on the west, the Loichaw Ridge on the south and the Shweli River on the east;

(2) The said Lieutenant-Governor and officers for the time being exercising authority in the Shan State of North Hsenwi shall have the like authority in the villages and lands specified as aforesaid; and

(3) The said Lieutenant-Governor and officers for the time being exercising authority in the district of Bhamo shall have the like authority in the rest of the said Tract.

3. (1) All Courts having jurisdiction for the time-being in the Shan State of Mōngmit shall have the like jurisdiction in the portion of the said Tract which is bounded by the Namkham stream on the north, the Sinmakha stream on the west the Loichaw Ridge on the south and the Shweli River on the east;

(2) All Courts having jurisdiction for the time being in the Shan State of North Hsenwi shall have the like jurisdiction in the villages and lands specified as aforesaid; and

(3) All Courts having for the time being jurisdiction in the district of Bhamo shall have the like jurisdiction in the rest of the said Tract.

[See *Gazette of India*, 1899, Pt. I, p. 446.]

## SUPPLEMENT—SIAM AND CHINA.

## SUPPLEMENT.

**I. Siam.—The territories of Cheingmai, Lakon and Lamponchi.**—In 1884 a special Treaty<sup>1</sup> was concluded between Her Majesty and the King of Siam, having for its objects the more effectual prevention of crime in the territories of Chiengmai, Lakon and Lamponchi belonging to Siam, and the promotion of commercial intercourse between British Burma and the territories aforesaid. This treaty abrogated the Treaty of the 14th January, 1874, between the Government of India and Siam (see Aitchison's Treaties, Vol. I, Pt. IV, No. CLXXIV); and provided (amongst other matters) for the establishment of a Court at Cheingmai, to exercise civil and criminal jurisdiction in all cases arising in Cheingmai, Lakon and Lamponchi between British subjects or in which British subjects might be parties according to Siamese law, subject to the conditions (a) that the British Consul might be present at any trial and make suggestions to the Court; and (b) that he might, on application before judgment, require the transfer to the British Consular Court of any case in which both parties were British subjects, or in which the accused or defendant was a British subject. By Article IX an appeal was granted from the decision of this Court to Bangkok, to be disposed of there by the Siamese authorities in consultation with the Consul General. The procedure of the Court established as above stated and appeals from its decisions are regulated by rules issued under the authority of the King of Siam, who has also issued two royal decrees (in 1885 and 1887) providing for the carrying out of the stipulations of the Treaty.

By a Notification No. S47-E., dated the 15th February, 1895 (see *Gazette of India*, 1895, Pt. I, p. 68), the Deputy Commissioner for the time being of the Salween Districts was appointed, under section 8 of Act XXI of 1879,<sup>2</sup> to exercise all the powers of a Political Agent under the above Act for these territories and the Deputy Commissioners of Amherst, Tavoy and Mergui, respectively, for certain other Siamese provinces, see *Gazette of India*, 1895, Pt. I, p. 68.

These officers have further been authorized under section 13 of the same Act and in exercise of the powers of a Political Agent conferred upon them by the notification referred to above, to give over any person arrested and forwarded in accordance with section 12 of the Act, to be tried by the ordinary Courts of the State in which the offence was committed or is alleged to have been committed by such person, see *Notification No. 1679-E., dated the 3rd September, 1895*, *Gazette of India*, 1895, Pt. I, p. 743.

Similar powers were conferred on the Political Officer, Keng Tung, for the Siamese Provinces of Muang Nan, Muang Phre and Muang Thon, see respectively *Notifications Nos. 959-E. and 960-E., dated the 22nd December, 1896*, *Gazette of India*, 1896, Pt. I, p. 376.

Similar powers were conferred on the Deputy Commissioner, Amherst District, for the Siamese Province of Sawankaloke, Sukotoi, Utaradit and Pichai, see respectively *Notifications Nos. 259-E. B. and 260-E. B., dated the 11th February, 1897*, *Gazette of India*, 1897, Pt. I, p. 118.

The general relations of the British Government with the State of Siam are regulated by a Treaty, dated the 28th April, 1855, and a supplementary Agreement, dated the 10th May, 1856 (see Aitchison's Treaties, Vol. I, Pt. IV, p. 461, and Nos. CLXIX & CLXX). Her Majesty's jurisdiction in this kingdom is now defined and regulated by an Order in Council, dated the 28th November, 1889 (see *Gazette of India*, 1890, Pt. I, p. 107), which has superseded all previous Orders.

**II. China**—By Notification No. 2260-E., dated the 26th December 1895 (*Gazette of India*, 1895, Pt. I, p. 1008), the Deputy Commissioner of Bhamo for the time being was appointed

<sup>1</sup> A supplementary Article defining what are the territories of His Majesty the King of Siam contiguous with British Burma, and providing for identical definitions of the crimes mentioned in the annexure to the said treaty, was entered into in 1885. The treaty, with the supplementary article just mentioned, is published under Notification No. 6, dated the 18th May, 1891, in the *Burma Gazette*, 1891, Pt. I, p. 186.

SUPPLEMENT—SIAM AND CHINA—concl'd.

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to exercise all the powers of a Political Agent under the Foreign Jurisdiction and Extradition Act, 1879 (X XI of 1879), for the Prefecture of Yungchang and the Sub-Prefecture of Peng-Yüeh in China, and by Notification No. 2261-E., dated idem (*Gazette of India*, 1895, Pt. I, p. 1008), that officer was authorized under section 13 of the same Act, in exercise of the powers of a Political Agent conferred as mentioned above, to give over any person arrested and forwarded in accordance with section 18 of the Act, to be tried by the ordinary Courts of the State in which the offence was committed or is alleged to have been committed by such person.

Similar powers were conferred on the Superintendent of the Northern Shan States and the Assistant Political Officer, Keng Tung, for the time being for certain portions of the Southern Division of Yunnan in China, see *Burma Gazette*, 1898, Pt. I, p. 2.

PART V.—THE BRITISH ENACTMENTS IN FORCE LO-  
CALLY IN THE NATIVE STATES UNDER THE  
POLITICAL CONTROL OF THE LIEUTENANT-GOV-  
ERNOR OF THE NORTH-WESTERN PROVINCES—

CHAPTER I.—THE STATES OF RAMPUR AND GARHWAL OR TEHRI,

CHAPTER II.—RAILWAY UNDER BRITISH JURISDICTION.

*Railway.*

*State.*

Oudh and Rohilkhand State (Bareilly-Rampur-  
Moradabad) Railway.

} **Rampur.**

## CHAPTER I.—THE STATES OF RAMPUR AND GARHWAL OR TEHRI.

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### CHAPTER I.

#### THE STATES OF RAMPUR AND GARHWAL OR TEHRI-

[For the relations of the British Government with these States, see Aitchison's Treaties, Vol. II, Pt. I, pages 1—36. The Commissioner of Rohilkhand is the Agent of the Lieutenant-Governor of the North-Western Provinces for Rampur, and exercises the powers of a Political Agent under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, 1879, for that State (see Notification No. 20-1., dated 1st January, 1891, in *Gazette of India*, 1891, Part I page 8). The Commissioner of Kumaon is the Agent of the Lieutenant-Governor of the North-Western Provinces for Garhwal or Tehri.]

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The British Enactments in force locally in these States consist of—

*British-Indian Enactments.*

Local Rules and Orders under Acts in force generally in all Native States

## CHAPTER I.—THE STATES OF RAMPUR AND GAHHWAL OR TEHRI-contd.

*British-Indian Mnactments.*

## JOCAL RULES AND ORDERS UNDER ACTS IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                                              | Section.    | Subject of Notification.                                                                                                                                                                              | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (XV of 1872).                 | 86          | Delegating to the Lieutenant-Governor the powers and functions given to the Governor General by sections 6, 8 and 9 as regards Native States under his control.                                       | No. 3741 IB., dated the 1st October, 1897.<br>[Printed, <i>supra</i> , p. 21.]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Foreign Jurisdiction and Extradition Act, 1879 (X XI of 1879).    | 4 & 6       | Appointing tho Agent to the Lieutenant-Governor for Hampur to be a Justice of the Peace for that State.                                                                                               | No. 1883-I., dated the 7th July, 1883.—In exercise of the powers conferred by sections 4 and 6 of Act X XI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to appoint tho officer holding for the time being the office of Commissioner of Rohilkhand and Agent of the Lieutenant-Governor of the North-Western Provinces for Rampur, provided that such officer be a European-British subject, to be a Justice of the Peace within the territories of the Nawab of Rampur. [See <i>Gazette of India</i> , 1883, Pt. 1, p. 289.]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Births, Deaths and Marriages Registration Act, 1886 (VI of 1886). | 18 & 24 (2) | Appointing Registrars of Births and Deaths in respect of certain classes of persons for the Rampur and Tehri States, and the Registrar-General, North-Western Provinces, to be the Registrar-General. | No. 29.11-I., dated the 15th July, 1891.—1. In exercise of the powers conferred by section 13 of the Births, Deaths, and Marriages Registration Act (VI of 1886), the Governor General in Council is pleased to appoint the persons for the time being holding the offices of Magistrate of Bareilly and Senior Assistant Commissioner of British Garhwal to be Registrars of Births and Deaths in respect of the classes of persons indicated in section 11, sub-section (i), clauso (b), of the said Act for the Hampur and Tehri States respectively.<br><br>II. For the purposes of section 24, sub-section (2), of the said Act, the Governor General in Council is further pleased to appoint the Registrar-General of Births, Deaths, and Marriages for the North-Western Provinces and Oudh for the time being to be the Registrar-General for the Rampur and Tehri States.<br><br>III. The Notification of the Government of India in the Foreign Department, No. 841-1., dated the 25th January, 1889, is hereby cancelled.<br><br>[See <i>Gazette of India</i> , 1891, Pt. I, p. 424.] |

<sup>1</sup> The designation of the Senior Assistant Commissioner of British Garhwal has been changed to Deputy Commissioner of the Garhwal District.



## CHAPTER I.—THE STATES OF RAMPUR AND GARHWAL OR TEHRI—concl'd.

## SUPPLEMENTARY NOTES.

I.—Delegation of functions with respect to suits against the Nawab of Rampur and the fiaja of Tehri.—By Notification No. 1369-1., dated the 29th March, 1889, the Local Government of the North-Western Provinces and its Secretaries have been authorised, under section 433, sub-section (4), of the Code of Civil Procedure, to exercise, in respect of the Nawab of Rampur and the Raja of Tehri, the functions assigned by sub-sections (i), (2) and (3) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 187.)

II.—Railway Lands.—In 1864 the Nawab of Rampur ceded in full sovereignty to the British Government the lands in his territory required for the Oudh and Rohilkhand Railway. (See Aitchison's Treaties, Vol. I I, Part I, pages 3 and 26.)

III.—Garhwal Forest.—By an agreement entered into in October, 1865, the Raja of Garhwal leased all the forests in his territories to the British Government for a period of twenty years, with option to the British to extend the lease for two further similar periods, and undertook to aid to the utmost of his power in the protection of the forests and in the punishment of offenders infringing the forest rules and regulations laid down by the Conservator. He also declared that he would regard the infringement of such rules as an offence and would punish the offenders. (See Aitchison's Treaties, Vol. II, Part I, Nos. X VII and XVIII.)

IV.—Eenare3.—The powers of the Raja of Benares over his family domains are regulated by Bengal Regulation VII of 1828 as amended by Act, XIV of 1881, and the rules made thereunder. The superintendence of these domains is vested in the Commissioner of the Benares Division.

V.—Kapurthala Estates in Oudh.—By Notification No. 2665-I., dated the 4th July, 1889, the Local Government of the North-Weotern Provinces and Oudh audits Secretaries have been authorised, under section 433, sub-section (4), of the Code of Civil Procedure, to exercise, in respect of the estates of the Raja of Kapurthala<sup>1</sup> in Oudh, the functions assigned by sub-sections (1), (2) and (3) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 380.)

<sup>1</sup> A Trans-Sutloj (Punjab) Chief—see *infra*, p. 88.

## CHAPTER II.—RAILWAY UNDER BRITISH JURISDICTION.

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### CHAPTER II. RAILWAY UNDER BRITISH JURISDICTION, THE OUDH AND ROHILKHAND STATE (CAREILLY-RAMPUR-MOIUDABAD) RAILWAY. (RAMPUB.)

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The British Enactments in force locally in the Rampur Section of the Oudh and Rohilkhand State Railway consist of—

*Brithh-Oudh and Rokilkhand State Railway (Rampur Slate) Enactments.*

1. Local Laws made by the Governor General in Council.
  - (a) Acts of the Governor General in Council locally applied,
  - (b) Special Local Laws.
2. Local Rules and Orders under Acts of the Governor General in Council locally applied.

## CHAPTER II.—RAILWAY UNDER BRITISH JURISDICTION—*contd.*

### *British-Oudh and Rohilkhand State Railway (Ratnpur State) Enactments,*

#### 1.-(a) ACTS OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                       | Extent of application.                                                                                 | Reference.                                                                       |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Revenue Recovery Act, 1890 (1 of 1890).    | The whole Act . . . . .                                                                                | No. 1415-I., dated the 30th April, 1890.<br>[Printed, <i>infra</i> , p. 441.]    |
| Indian Railways Act, 1890 (IX of 1890).    | The whole Act so far as it may be suitable and as amended for the time being by subsequent enactments. | No. 3063-1.B., dated the 13th August, 197.<br>[Printed, <i>infra</i> , p. 134.]  |
| Epidemic Diseases Act, 1897 (III of 1897). | The whole Act and see the Notification .                                                               | No. 443-I.A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 443.] |

*British-Oudi and Rohilkhand State Railway (Rampur State) Enactments.*

## 1. (b) SPECIAL LOCAL LAWS.

| When made. | Subject of Notification.                                                                                                            | Notification.                                    | Reference.                      |
|------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|---------------------------------|
| 1890       | Recovery of Rerentie Arrears accruing in British India.                                                                             | <i>Nt). 1415-I., dated the 30th April, 1890.</i> | Printed, <i>infra</i> , p.441.  |
| 1891       | Printing and publication of newspapers and other printed works.                                                                     | <i>No. 2651-I., dated the 26th June, 1891.</i>   | Printed, <i>infra</i> , p. 442. |
| 1893       | Empowering British Courts beyond British India to send their warrants for execution of capital sentences to jails in British India. | <i>No. 1431-I., dated the 27th April, 1893.</i>  | Printed, <i>infra</i> , p. 439. |
| 1894       | Declaring Laws in force and providing for the administration of justice and the Police.                                             | <i>No. 1880-I., dated the 1st June, 1894.</i>    | Printed, <i>infra</i> , p. 77.  |

## CHAPTER II.—RAILWAY UNDER BRITISH JURISDICTION—contd.

*British-Oudh and Rohilkhand State Railway (Rampur State) Enactments.*

## 2. LOCAL RULES AND ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                       | Section.      | Subject of Notification.                                                                                                                                                               | Reference.                                                                       |
|--------------------------------------------|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Police Act, 1888 (III of 1888).            | 2 (1) and (2) | Forming the lands occupied by this Railway in the Rampur State together with other Railways into a General Police District and providing for the administration of the Police therein. | No. 43-P., dated the 24th January, 1896.<br>[Printed, <i>infra</i> , p. 144.]    |
| Indian Railways Act, 1890 (IX of 1890)     | 16 and 148    | Sanctioning the use of motive power and rolling stock.                                                                                                                                 | No. 3063-I.B., dated the 13th August, 1897.<br>[Printed, <i>infra</i> , p. 134.] |
| Ditto . . .                                | 47            | General Rules for working open lines of railway.                                                                                                                                       | Ditto.                                                                           |
| Ditto . . .                                | "             | General Rules for working railways under construction.                                                                                                                                 | Ditto.                                                                           |
| Ditto . . .                                | 84 and 85     | Rules under the sections .                                                                                                                                                             | Ditto.                                                                           |
| Ditto . . .                                | 135           | Liability of Railway Administrations to contribute to Local Funds.                                                                                                                     | Ditto.                                                                           |
| Ditto . . .                                | 144           | Declaring the Government of the North-Western Provinces and Oudh to be the Local Government.                                                                                           | Ditto.                                                                           |
| Ditto . . .                                | "             | Delegating certain powers and functions to the Local Government.                                                                                                                       | Ditto.                                                                           |
| Epidemic Diseases Act, 1897 (III of 1897). | 2 (3)         | Delegating to the Local Government the powers conferred by section 2 (2) (b).                                                                                                          | No. 444-I.A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 443.] |

CHAPTER II.—RAILWAY UNDER BRITISH JURISDICTION—*contd.*

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BRITISH-ODDH AND ROHILKHAND STATE  
RAILWAY (RAMPUR STATE) ENACTMENTS.

1.-(a) Notifications applying Acts of the Governor General  
in Council-

Revenue Recovery Act, 1890 (I of 1890).

No. 1415-1., dated the 30th April, 1890, printed, *infra*, p. 441.

Indian Railways Act, 1890 (IX of 1890).

No. 3063-I.B., dated the 13th August, 1897, printed, *infra*, p. 134.

1.-(b) Special Local Laws.

Recovery of Revenue Arrears accruing in British India.

No. 1415-1., dated the 30th April, 1890, printed, *infra*, p. 441.

Printing and Publication of newspapers and other printed works.

No. 2651-1., dated the 25th June, 1891, printed, *infra*, p. 442.

Execution In British India of Warrants of Capital Sentences of British Courts beyond British India.

No. 1431-1., dated the 27th April, 1893, printed, *infra*, p. 439.

Declaration as to laws in force and arrangements for the administration of Justice.

No. 1880-1., dated the 1st June, 1894.—Whereas the Governor General in Council has full jurisdiction within the lands in the Eampur State which are, or hereafter may be, occupied by the<sup>1</sup> Bareilly-Rampur-Moradabad Railway (including land occupied as stations, for out-buildings, and for other purposes connected with the Railway) :

In exercise of this jurisdiction and of the powers conferred by sections 4 and & of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the aforesaid lands:

(1) All laws for the time being in force in the Moradabad District of the North-Western Provinces shall be in force in the aforesaid lands.

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<sup>1</sup> Provided for in the notification applying the Railways Act (IX of 1890) to Railway in Native States under the name of " the Oudh and Rohilkband State Railway."

CHAPTER IT—RAILWAY UNDER BRITISH JURISDICTION—*concl'd.*

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British-Oudh and Rohilkhand State Railway (Rampur State) Enactments—  
1.—(b) Special Local Laws—*concl'd.*

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Declaration as to laws in force and arrangements for the administration of Justice—*concl'd.*

(2) All courts having for the time being jurisdiction within the Moradabad District of the North-Western Provinces shall exercise the same jurisdiction within the aforesaid lands.

(3) <sup>1</sup> The administration of the police within the aforesaid lands shall be vested in the Superintendent of Railway Police, Northern Section, North-Western Provinces and Oudh, who shall exercise within these lands the same police powers as he **may** exercise for the time being within railway lands in the North-Western Provinces and Oudh, in subordination to the Deputy Inspector General, Government Railway Police, and to the other authorities to whom he may be for the time being subordinate when exercising those powers within the aforesaid railway lands in the North-Western Provinces and Oudh.

[See *Gazette of India*, 1894, Pt. I, p. 333.]

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2- Local Rules and Orders under Acts of the Governor  
General in Council locally applied.

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Inclusion of Railway in General Police District and Administration of Police therein.

No. 43-P., dated the 24th January, 1896, printed, *infra*, p. 144.

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Orders under the Railways Act, 1890.

No. 3063—I.B., dated the 13th August, 1897, printed, *infra*, p. 13k

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Delegation of powers under Epidemic Diseases Act, 1897.

No. 444-I.A., dated the 4th February, 1896, printed, *infra*, p. 443.

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<sup>1</sup> But see now Notification No. 43-P, dated the 24th January, 1896, printed, *infra*, p. 141.

PART VI.—THE BRITISH ENACTMENTS IN FORCE LOCALLY  
IN THE NATIVE STATES UNDER THE POLITICAL  
CONTROL OF THE LIEUTENANT-GOVERNOR OF THE  
PANJAB.

CHAPTER I.—THE NATIVE STATES GENERALLY.

CHAPTER II.—THE NATIVE STATES IN GROUPS OF STATES OR  
SEPARATELY :—

- (1) The Delhi States.
- (2) The Cis-Sutlej States.
- (3) The Hill States.
- (4) The Trans-Sutlej States.
- (5) Bhawalpur.
- (6) The Territories of the North-Western Frontier Tribes.

CHAPTER III.—HEAD-WORKS OF THE BHAWALWAH-LODRAN CANAL.

CHAPTER IV.—KASUMPTI IN THE KEONTHAL (HILL) STATE,

CHAPTER V.—THE KHAIBAR PASS.

CHAPTER VI.—NORTH-WEST FRONTIER TRACTS :—

- (1) Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts.
- (2) The Territory of Kurrum.

CHAPTER VII.—RAILWAYS UNDER BRITISH JURISDICTION :—

- (1) Delhi-Uraballa-Kalka.
- (2) North Western.
- (3) Rajputana Malwa—
  - (i) Rajputana State Railway.
  - (ii) Rewari-Ferozepore Railway.
- (4) The Southern Panjab Railway.





CHAPTER I.—THE PANJAB NATIVE STATES GENERALLY.

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CHAPTER I.

THE PANJAB NATIVE STATES GENERALLY.

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The British Enactments in force locally in the Panjab Native States generally consist of—

*British-Indian Enactments.*

Local Rules and Orders under Acts in force generally in all Native States.

## CHAPTER I.—THE PANJAB NATIVE STATES GENERALLY—contd.

*British-Indian Enactments.*

## LOCAL RULES AND ORDERS UNDER ACTS IN FORCE GENERALLY IN ALL NATIVE STATES,

| Act.                                              | Section. | Subject of Notification.                                                                                                           | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------|----------|------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| European Vagrancy Act, 1874 (IX of 1874).         | 1        | Applying sections 4 to 16, 19, 20, 24 and 29 of the Act to the dominions of Princes and States within the limits of the Panjab.    | <sup>1</sup> No 900, dated the 22nd February, 1872.—In the exercise of the power vested in him by the last clause of section 2 of the European Vagrancy Act, 1869, His Excellency the Acting Governor General in Council is pleased to extend sections 4 to 16 (both inclusive), 19, 20, 24 and 29 of the said Act, to the Panjab, as well as to the dominions of the Princes and States in alliance with Her Majesty, situated within the limits of that Province, with effect from the <sup>2</sup> date of the republication of this notification in the Local Gazette of the Government of the Panjab.<br>[See <i>Gazette of India</i> , 1872, Pt. I, p. 188.] |
| Indian Christian Marriage Act, 1872 (XV of 1872). | 86       | Delegating to the Lieutenant-Governor the powers and functions given to the Governor General in Council under sections 8, 8 and 9. | No. 3741-I.B., dated the 1st October, 1897.<br>[Printed, <i>supra</i> , p. 24.]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

<sup>1</sup> This notification is kept in force by s. 2 of Act IX of 1874, and should now be read as referring to ss. 4 to 16, 19, 20, 24 and 29 of that Act.

<sup>2</sup> It was published in the *Panjab Government Gazette* on the 29th February, 1872, see p. 274 of that Gazette.

## CHAPTER II.—(1) THE DELHI STATES ; (2) THE CIS-SUTLEJ STATES.

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### CHAPTER II.

#### THE NATIVE STATES IN GROUPS OF STATES OR SEPARATELY.

##### (1) THE DELHI STATES :

Comprising the following, namely :—

Pataudi, Loharu, and Dujana.

[For the relations of the British Government with these States, see Aitchison's Treaties, "Vol. IX, pages 1—12. The Commissioner of the Delhi Division, for the time being, is the Agent to the Lieutenant-Governor in respect of these States.]

Save those printed or noted in Chapter I of this part, *supra*, there are no British Enactments, so far as is known, in force locally in these States.

#### NOTES.

I.—Delegation of functions with respect to suits against Chiefs.—By Notification No. 1369-1., dated the 29 th March, 1889, the Local Government of the Pan jab and its Secretaries have been authorised, under section 433, sub-section (4), of the Code of Civil Procedure, to exercise, in respect of the Nawabs of these States, the functions assigned by sub-sections (1), (2) and (3) of that section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 187.)

II.—Railway Lands.—Jurisdiction over the lands occupied by the Rajputana State Railway in the Pataudi State, and over those occupied by the Rewari-Ferozepore Railway in the Dujana State, has been acquired by the British Government. (See Chapter V I I of this Part, *infra*, pages 104 and 108.)

##### (2) THE CIS-SUTLEJ STATES :

Comprising the following, namely :—

|             |  |            |  |                 |
|-------------|--|------------|--|-----------------|
| 1. Patiala. |  | 3. Nabha.  |  | 5. Maler Kotla. |
| 2. Jhind.   |  | 4. Kalsia. |  | 6. Faridkot.    |

[For the relations of the British Government with these States, see Aitchison's Treaties Vol. IX, pages 51—109. The States of Patiala, Jhind and Nabha are under the immediate political control of the Lieutenant-Governor of the Punjab. The Commissioner of the Delhi Division, for the time being, is the Agent of the Lieutenant-Governor for the State of Kalsia, and the Commissioner, Jullunder Division, for the time being, has been appointed to exercise, under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), the powers of a Political Agent for Maler Kotla, *see* Notification No. 3335-1., dated the 9th October, 1895, *Oatette of India*, 1895, Part I, page 344; he is also Agent of the Lieutenant-Governor of the Panjab for the State of Faridkot.]

Save those printed or noted in Chapter I of this part, there are no British Enactments, so far as is known, in force locally in the States of Jhind, Nabha, Kalsia, Maler Kotla and faridkot.

## CHAPTER II.—(2) THE C1S-SUTLRJ.STATES—cond.

The only British Enactment other than those given in Chapter I, *supra*, and so far as is known, in force locally in the Patiala State is the following :—

*British-Indian Enactment.*

## LOCAL ORDER UNDER AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                              | Section. | Subject of Notification.                                                                                       | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (XV of 1872). | 8 & 9    | Appointing a Marriage Registrar and licensing him to grant certificates of marriage between Native Christians. | <p>No. 4460-I., dated the 27th December, 1894.—In exercise of the powers conferred by sections 8 and 9, respectively, of the Indian Christian Marriage Act (XV of 1872), the Governor General in Council is pleased—</p> <p>(a) to appoint the officer from time to time holding the office of Deputy Commissioner, Amballa, and being a Christian, to be a Marriage Registrar in respect of all places within the territories of His Highness the Maharaja of Patiala; and</p> <p>(b) to grant a license to the said officer, being a Christian, to grant certificates of marriage between Native Christians within the said territories.</p> <p>[See Gazette of India, 1894, Pt. I, p. 674.]</p> |

## OHAPTEfl II.—(2) THE CIS-SUTLEJ STATES—concl'd.

## SUPPLEMENTARY NOTES.

I.—Delegation of functions with respect to suits against Chiefs.—By Notification No. 1569-1., dated the 29th March, 1889, the Local Government of the Panjab and its Secretaries have been authorised, under section 433, sub-section (4), of the Code of Civil Procedure, to exercise, in respect of the Chiefs of these States, the functions assigned by sub-sections (1), (2) and (5) of that section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 187.)

II.—Railway Lands.—Jurisdiction over the lands occupied by the Siudh, Panjab and Delhi Section of the North Western Railway in the Patiala and Nabha States, over those occupied by the Rajputana State Railway in the Nabha State, over those occupied by the Rewari-Ferozapore Railway in the Patiala, Jhind, Nabha and Faridkot States, and over those occupied by the Delhi-Amballa Kalka Railway in the Patiala and Kalsia States, has been acquired by the British Government. (See Chapter VII of this part, *infra*, page 129 *et seqq.*)

III.—Criminal Powers.—The Chiefs of Patiala, Jhind, and Nabha have, by Sanads dated the 5th May, 1860 (see Aitchison's Treaties, Vol. IX, Nos. XXV, XXXII, and XXXVI, respectively), been invested with powers of life and death over their own subjects. With regard to British subjects committing crime and apprehended in their territories, they are to be guided by the rules contained in the Despatch of the Court of Directors to the Madras Government, No. 3, dated 1st June, 1836, which are to the effect that the Chiefs may try British subjects charged with offences alleged to have been committed in their territories, but must deliver up such subjects when charged with the commission of heinous offences in British India.

IV.—Patiala Telegraph line.—By clause 13 of an agreement entered into in 1872 for the construction of a line of telegraph from Amballa to Patiala (see *ib.*, No. XXVIII), it was agreed that jurisdiction in regard to offences against the Telegraph Act, committed in Patiala territory by Native subjects of the British Government or by subjects of the Maharaja should be regulated by clause IV of the Sanad, dated the 5th May, 1860, referred to in Note 111, *supra*, and that European-British subjects accused of such offences should be tried by British Courts.

V.—Sirhind Canal.—By clause 28 of an agreement entered into with the States of Patiala, Jhind and Nabha in 1873, for the construction of the Sirhind canal and its branches (see *ib.*, No. XXIX), it was agreed that offenders against Canal Regulations in villages irrigated from the Patiala<sup>1</sup> or British branches, or bordering on Patiala or British branches, should be made over by the Canal officers for infliction of penalties to the officers of the Government in whose territory those villages were situated, a right of reference to the Punjab Government being allowed in case of any dispute or difference of opinion.

VI.—Minor Cis-Sutlej Chiefs.—There are a large number of Cis-Sutlej Chiefs who have been deprived of their sovereign powers. A few of these have, however, since been appointed Jaidar Magistrates over their own estates, and in some cases over contiguous Government villages. (See Aitchison's Treaties, Vol. IX, page 65.)

VII.—Mamdot.—The Nawab of Mamdot (formerly a Cis-Sutlej State) has no magisterial authority whatever within his fief, which is managed by the British Government through the agency of the Commissioner of the Lahore Division. (See *ib.*, page 65.)

<sup>1</sup> *Le.*, the non-British branches, which chiefly pass through the territory of Patiala (see clause 4 of the agreement),

## CHAPTER II.-(3) THE HILL STATES.

## (3) THE HILL STATES :

Comprising the following, namely :—

- |                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Sirmur or Nahan.</li> <li>2. Kahlur or Bilaspur.</li> <li>3. Hindur or Nalagarh.</li> <li>4. Baghabr.</li> <li>5. Keonthal.</li> <li>6. Baghal.</li> <li>7. Bagbat.</li> <li>8. Jabbal.</li> <li>9. Bhajji.</li> <li>10. Kumbharsein.</li> </ol> | <ol style="list-style-type: none"> <li>11. Kotbar.</li> <li>12. Dhami.</li> <li>13. Balsau.</li> <li>14. Mailog.</li> <li>15. Bijs.</li> <li>16. Tarooch.</li> <li>17. Kunbier.</li> <li>18. Sangri.</li> <li>19. Manghul.</li> <li>20. Darkuti.</li> </ol> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

[For the relations of the British Government with these States, see Aitchison's Treaties, Vol. IX, pages 111—160. The Deputy Commissioner of Simla is *ex-officio* Superintendent of these States, subject to the supervision of the Commissioner of the Delhi Division as Agent to the Lieutenant-Governor. He has also been appointed Political Agent under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), for all the portion of the Patiala State lying north and east of the Amballa District, see Notification, No. 318, dated the 8th April, 1897, *Panjab Gazette*, 1897, Pt. I, p. 297. The Commissioner Delhi Division, has been similarly appointed Political Agent for the Sirmur State by Notification No. 67-I., dated the 6th January, 1896, see *Gazette of India*, 1896, Pt. I, p. 147; and by Notification No. 318, dated the 8th April, 1897, for the portion of the Patiala State lying south and west of the Amballa District, see *Panjab Gazette*, 1897, Pt. I, p. 297.]

Save those noted or printed in Chapter I, *supra*, there are no British Enactments, so far as is known, in force locally in these States except the Sirmur State.

The only British Enactment, other than those given in Chapter I, *supra*, and so far as is known, in force locally in the Sirmur State is the following :—

*British-Indian Enactment.*

## LOCAL ORDER UNDER AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                                              | Section.   | Subject of Notification.                                             | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------|------------|----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Births, Deaths and Marriages Registration Act, 1886 (VI of 1886). | 13 & 24(2) | Appointing a Registrar of Births and Deaths and a Registrar-General. | No. 1095-I. A., dated the 28th April, 1899.—In exercise of the powers conferred by section 13 and section 24, sub-section (2), of the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886), the Governor General in Council is pleased to appoint the Deputy Commissioner of the Amballa District, in the Panjab, to be a Registrar of Births and Deaths in respect of the classes of persons indicated in section 11, sub-section (1), clause (b), of the said Act for all places situate within the territory of His Highness the Raja of Nahan (Sirmur), and to appoint the Registrar-General of Births, Deaths and Marriages for the Panjab to be the Registrar-General to whom the said Registrar shall send certified copies of entries of births and deaths in the register book kept by him.<br>[See <i>Gazette of India</i> , 1899, Part I, p. 277.] |

## CHAPTER II.—(3) THE HILL STATES—concl'd..

## SUPPLEMENTARY NOTES.

I.—Delegation of functions with respect to suits against Chiefs.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of the Panjab and its Secretaries have been authorized, under section 433, sub-section (4), of the Code of Civil Procedure, to exercise, in respect of these Chiefs, the functions assigned by sub-sections (2), (2) and (3), of that section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. I, p. 187.)

II.—Criminal Powers.—Capital sentences passed by these Chiefs require the confirmation of the British authorities before being carried out. See Aitchison's Treaties, Vol. IX, Pt. I, page 111.

III.—Ba8hahr Forests.—By Article 6 of an agreement entered into in 1864 with the Baia of Bashahr as to the lease of his forests (see *ib.*, No. LIII) ; it was agreed that the officer appointed to the forest should have the power of a Subordinate Magistrate, 1st class, as defined in section 23 of Act XXV of 1861<sup>1</sup> to try and decide cases of offences against property and property-marks.

IV.—Feudatories of Keonthal.—There are five petty Hill Chiefs—Theog, Koti, Ghoond Madhan and Ratesh subordinate to Keonthal—who enjoy the same powers of punishment within their territories as the superior Chief. (See *ib.*, pages 116 —117.)

V.—Kasumpti.—In regard to the jurisdiction exercised by the British Government in the tract of Kasumpti in the Keonthal Hill State, adjoining the town of Simla, *ste* Chapter IV of this Part, *infra*, page 96 *et seqq.*

VI.—Simla District—Comprises the tracts of Saudoch now known as Kotguru or erroneously as Kotgarh, one of the tracts retained by the British Government at the conclusion of the Nepalese War in 1815, and Kot Khai (acquired in 1828), the villages of Kalka and Korali (acquired from Patiala in Lord Hardinge's time), the parganas of Sabathu, Siwah and Batauli also retained by the British Government at the end of the war with Nepal in 1815 [see Aitchison's Treaties, Vol. IX, Pt. 1, p. 111], the pargana of Simla (acquired partly from Keonthal and partly from Patiala in 1830), Dagshai (acquired from Patiala in 1847 for the purpose of a cantonment), Jütogh (acquired from Patiala in 1843), Kaeauli (acquired from Baghat in 1842 for the purpose of a cantonment, additional lands being acquired from Bija for the same purpose in 1844), Sabathu Hill (acquired from Keonthal about 1815, the Khaltu garden in Kuthar being afterwards added), Sanawar (acquired from Baghat in 1852), and Solon (acquired from Baghat in 1863 for the purpose of a rifle range).

<sup>1</sup> I.e., the powers of a Magistrate of the 2nd class under Act V of 1898 (see s. 3 of that Act), printed, *General Acts*, Vol. VI, Ed. 1898, p. 380.



## CHAPTER IT.—(4) THE TRANS-SUTLEJ STATES.

## (4) THE TRANS-SUTLEJ STATES :

Comprising the following, namely :—

Kapurthala, Mundi, Chamba, and Suket.

[For the relations of the British Government with these States, see Aitchison's *Treaties*, Vol IX, Part I, pages 161—185. The Commissioner of the Jullunder Division, for the time being, is the Agent to the Lieutenant-Governor of the Panjab for the States of Kannrrhala, Mundi, and Suket, and exercises the powers of a Political Agent under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, 1879, for Kapurthala. (See Notification No. 71-I., dated the 7th January, 1891, in *Gazette of India*, 1891, Part I, page 15.) The Commissioner of the Lahore Division for the time being is the Agent to the Lieutenant-Governor for the State of Chamba.]

Save those given in Chapter I, *supra*, there are no British Enactments, so far as is known, in force locally in the States of Mundi and Suket.

In the Kapurthala and Chamba States the only British Enactments other than those given in Chapter I, locally in force, are the following :—

*British-Indian Enactments.*

LOCAL ORDERS UNDER AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                                          | Section. | Subject of Notification.                                                                                                                                          | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879). | 4 & 6    | Appointing the Superintendent of Kapurthala to be a Justice of the Peace and directing commitments of European-British subjects to the Chief Court of the Panjab. | No. 157-I.J., dated the 19th June, 1879.—Whereas the Governor General in Council has jurisdiction over European-British subjects in the territories of the Raja of Kapurthala, it is hereby notified that, in exercise of the powers conferred by sections 4 and 6 of Act XI of 1872 <sup>1</sup> (the Foreign Jurisdiction and Extradition Act, 1872), and of all other powers enabling him in this behalf, the Governor General in Council is pleased (a) to appoint the officer, <sup>2</sup> for the time being holding the office of Superintendent of Kapurthala, being a European-British subject, to be a Justice of the Peace within the territories of the said Raja of Kapurthala; and (b) to direct that the Chief Court of the Panjab shall be the Court to which such officer shall commit European-British subjects for trial.<br>[See <i>Gazette of India</i> , 1879, Pt. I, p. 423.] |

<sup>1</sup> See now Act XXI of 1879, ss. 2, 4 and 6, printed, General Acts, Vol. III, Ed. 1898, p. 288.

<sup>2</sup> There is no such officer at present.

CHAPTER II.-(4) THE TRANS-SUTLEJ STATES—*contd.**British-Indian Enactments.*LOCAL ORDERS UNDER AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES—*concl'd.*

| Act.                                                          | Subject. | Subject of Notification.                                                                                                                                       | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879.) | 4 & 6    | Appointing the Superintendent of Chamba to be a Justice of the Peace, and directing commitments of European-British subjects to the Chief Court of the Panjab. | <i>No. 155-I J., dated the 19th June, 1879.</i> —Whereas the Governor General in Council has jurisdiction over European-British subjects in the territories of the Raja of Chamba, it is hereby notified that in exercise of the powers conferred by sections 4 and 6 of Act XI of 1872 <sup>1</sup> (the Foreign Jurisdiction and Extradition Act, 1872), and of all other powers enabling him in this behalf, the Governor General in Council is pleased (a) to appoint the officer, for the time being holding the office of Superintendent of Chamba, <sup>2</sup> being a European-British subject, to be a Justice of the Peace within the territories of the said Raja of Chamba; and (b) to direct that the Chief Court of the Panjab shall be the Court to which such officer shall commit European-British subjects for trial.<br>[See <i>Gazette of India</i> , 1879, Pt. I, p. 423.] |

<sup>1</sup> Set first footnote on previous page.<sup>2</sup> There is no such officer at present.

CHAPTER I I . — (4) THE TRANS-SUTLEJ STATES — *concl'd.*

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SUPPLEMENTARY NOTES.

I.—Delegation of functions with respect to suits against Chiefs.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of the Panjab and its Secretaries have been authorised, under section 438, sub-section (4), of the Code of Civil Procedure, to exercise, in respect of the Chiefs of these States, the functions assigned by sub-sections (1), (2) and (3) of that section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 187.)

II.—Railway lands.—Jurisdiction over the lands in the Kapurtbala State occupied by the Sindh, Panjab and Delhi section of the North Western Railway, has been acquired by the British Government. (See Chapter VII of this Part, *infra*, page 46 *et seqq*)

III.—Chamba Forests.—By an agreement entered into with the Raja of Chamba in 1864, as to the lease of the Chamba Forests (see Aitchison's Treaties, Vol. IX, Pt. I, No. LXXXIII1), it was agreed (Article 10) that the Conservator should be authorised to exercise within the Chamba territory the powers of a Subordinate Magistrate of the 1st class, as described in Act XXV of 1861,<sup>1</sup> for the trial of offences against property, offences relating to property-marks, mischief, assaults, and contravention of such forest rules as might from time to time be in force in the territories under the Government of the Panjab, and (Article 11) that the Raja should render every aid required by the Conservator in the exercise of the above powers for apprehending offenders or supposed offenders and for enforcing the penalties awarded by him.

IV.—Dalhousie.—In 1854 the sanitarium of Dalhousie was made over to the British Government by the Raja on condition of a remission of Rs. 2,000 from the annual tribute. In the same year further lands were taken up for military purposes and a further remission of Rs. 6,000 per annum was granted in compensation.

V.—Kapurthala Jaghir in Baree Doab and Estates in Oudh.—The British Government exercises Civil and Police jurisdiction in the hereditary Jaghir of the Raja of Kapurthala in the Baree Doab (see Aitchison's Treaties, Vol. IX, page 161). The Raja has also certain estates in Oudh, in regard to which see Part V, Note V, *supra*, page 72.

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<sup>1</sup> *I.e.*, the powers of a Magistrate of the 2nd class under Act XV of 1898 (see s. 3 of the Act, printed, General Acts, Vol. VI, Ed, 1898, p. 380).

## CHAPTER II.—(5) BHAWALPUR.

## (5) BHAWALPUR.

[For the relations of the British Government with this State, *see* Aitchison's Treaties, Vol. IX, Pt. I, pages 187—204. The State is under the immediate control of the Lieutenant-Governor of the Panjab.]

Save those given in Chapter I, *supra* there are no British Enactments, so far as is known, in force locally in this State.

## NOTES.

**I.—Delegation of functions with respect to suits against Chief**—By Notification No. 1869-1., dated the 29th March, 1889, the Local Government of the Panjab and any of its Secretaries have been authorised, under section 438, sub-section (4), of the Code of Civil Procedure, to exercise, in respect of the Nawab of Bhawalpur, the functions assigned by sub-sections (i), (2) and (5) of that section to the Governor General in Council and a Secretary to the Government of India, respectively. (*See Gazette of Indh*, 1889, Part I, page 187.)

**II.—Railway lands.**—The lands occupied by the Indus Valley Section of the North Western Railway have been ceded to the British Government in full sovereignty (*see* the Proclamations in Supplementary Notes to Chapter VII (2), *infra*, page 152; and full jurisdiction has been acquired by the British Government over the lands occupied by the head-works of the Bhawalwah-Lodran Canal, [*See* Chapter III *infra*, page 92.]

As to jurisdictional arrangements in the lands occupied by the Southern Panjab Railway, *see infra*, p. 172.

## (6) THE TERRITORIES OF THE TRIBES OF THE NORTH-WESTERN FRONTIER.

[For the relations of the British Government with these tribes, *see* Aitchison's Treaties, Vol. IX, Pt. I, pages 205—337. The Deputy Commissioners of Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan, and Dera Ghazi Khan are Political Officers with respect to the tribes bordering on their respective districts.]

There are no British Enactments, so far as is known, in force locally in the territories of these tribes except in those referred to in the Notes on this page.

## NOTES.

**I.—Khaihar Pass.**—In regard to the jurisdiction exercised by the British Government in the Khaibar Pass, *see* Chapter V, *infra*, page 103.

**II.—Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts.**—In regard to the jurisdiction exercised by the British Government in the Dera Ghazi Khan and the Dera Ismail Khan Frontier Tracts, *see* Chapter VI (1), *infra*, page 107.

**III.—Territory of Kurrum.**—In regard to the jurisdiction exercised by the British Government in this territory, *see* Chapter VI (2), *infra*, page 121.

CHAPTER III.—THE BHAWALWAH-LODRAN CANAL.

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## CHAPTER III.

THE HEAD-WORKS OF THE BHAWALWAH-LODRAN CANAL (BHAWALPUR).

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The British Enactments in force locally in this tract consist of the following :—

*British-Bhawalwah- Lodran Canal Enactments,*

1.-Local Laws made by the Governor General in Council—

- (a) Acts of the Governor General in Council locally applied.
- (b) Special Local Laws.

2 Local Order under an Act of the Governor General in Council locally applied.

## CHAPTER III—THE BHAWALWAH-LODRAN CANAL—contd.

*British-Bhawalwah Lodran Canal Enactments.*

## I.-(a) ACTS OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                       | Extent of application.           | Reference.                                                                      |
|--------------------------------------------|----------------------------------|---------------------------------------------------------------------------------|
| Reventie Reoovery Act, 1890 (I of 1890).   | The whole Act.                   | No. 1415-I., dated the 30th April, 1890.<br>[Printed, <i>infra</i> , p. 441.]   |
| Epidemic Diseases Act, 1897 (III of 1897). | Ditto, and see the Notification. | No. 443-LA., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 443.] |

## CHAPTER III.—THE BHAWALWAM-LODRAN CANAL—concl'd.

*British-Bhawalwah-Lodran Canal Enactments.*

## K-(b) SPECIAL LOCAL LAWS.

| When made. | Subject of Notification.                                                                                                                                    | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1883       | Declaring all laws in force in the Multan District to be in force in the land over which jurisdiction has been ceded, and providing for its administration. | <p><i>No. 4854-I., dated the 25th September, 1883.</i>—Whereas His Highness the Nawab of Bhawalpur has granted to the British Government full jurisdiction over a plot of land, 11 acres 3 roods and 15 poles in extent, situated in Bhawalpur territory on the border of the Multan District of the Panjab, and required for the head-works of the Bhawalwah-Lodran Canal; In exercise of such jurisdiction, and of the powers conferred by sections 4 and 5 of Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to notify as follows:—</p> <ol style="list-style-type: none"> <li>1. All laws for the time being in force in the Multan District of the Multan Division are hereby extended to the aforesaid portion of land.</li> <li>2. The Deputy Commissioner of the Multan District and the Commissioner of the Multan Division, for the time being, and the Chief Court of the Panjab, respectively, shall exercise within the aforesaid portion of land the same executive powers as they may respectively exercise within the British territories subject to their jurisdiction.</li> <li>3. All British Courts having jurisdiction within the Multan District shall exercise the same jurisdiction within the aforesaid portion of land.</li> <li>4. Within the aforesaid portion of land the administration of the police shall be vested in the District Superintendent of Police in the Multan District, who shall exercise the same police powers as may be exercised by District Superintendents of Police under any law for the time being in force in the Multan District, in subordination to the Deputy Commissioner of the Multan District and the Inspector-General of Police in the Panjab.</li> </ol> <p>[See <i>Gazette of India</i>, 1883, Pt. I, p. 396.]</p> |
| 1890       | Recovery of revenue-arrears accruing in British India.                                                                                                      | <i>No. 1415-I., dated the 30th April, 1890.</i><br>[Printed, <i>infra</i> , p. 441.]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 1891       | Printing and publication of newspapers and other printed works.                                                                                             | <i>No. 2651, dated the 25th June, 1891.</i><br>[Printed, <i>infra</i> , p. 442.]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 1893       | Empowering British Courts beyond British India to send their warrants for the execution of capital sentences to jails in British India.                     | <i>No. 1431-I., dated the 27th April, 1893.</i><br>[Printed, <i>infra</i> , p. 439.]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

CHAPTER III—THE BHAWALWAH-LODRAN CANAL—*concl.**British-Bkawalwah-Lodrdn Canal Enactments,*

2. LOCAL ORDER UNDER ACT OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                          | Section. | Subject of Notification.                                                               | Reference.                                                                          |
|-----------------------------------------------|----------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| Epidemic Diseases Act,<br>1697 (III of 1897). | 2(3)     | Delegating to the Local<br>Government the powers<br>conferred by section 2<br>(2) (b). | No. 444-I.A., dated the 4th February,<br>1897.<br>[Printed, <i>infra</i> , p. 414.] |



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CHAPTER IV.—KASUMPTI (KEONTAL HILL STATE).

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CHAPTER IV.  
KASUMPTI (KEONTAL HILL STATE).

[This tract was leased and surrendered to the British Government in perpetuity **by** the **Raja** of Keonthal in return for an annual quit-rent, by a lease dated the 24th October, 1894.]

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The British Enactments in force locally in Kasumpti consist of—

*British-Katumpii Enactments,*

1.-Local Laws made by the Governor General in Connoil—

- (a) Acts of the Governor General in Council locally applied,
- (b) Special Local Laws.

2. **Local** Order under an Act of the Governor General in Council locally applied.

CHAPTER IV.—KASUMPTI (KEONTHAL HILL STATE)—*contd.**British-Kasumpti Enactments.*

## 1.-(a) ACTS OF THE GOVERNOR, GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                          | Extent of application.            | Reference.                                                                        |
|-----------------------------------------------|-----------------------------------|-----------------------------------------------------------------------------------|
| Revenue Recovery Act,<br>1890 (I of 1890).    | Tho whole Act . . . . .           | No. 1415-I., dated the 30th April, 1890.<br>[Printed, <i>infra</i> , p. 441.]     |
| Epidemic Diseases Act,<br>1897 (III of 1897). | Ditto, and see the Notification . | No. 443-I. A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 443.] |

CHAPTER IV.—KASUMPTI (KEONTHAL HILL STATE)—*contd.**British-Kasumpti Enaelments.*

## 1.-(b) SPECIAL LOCAL LAWS.

| When made. | Subject of Notification.                                                                                                                                                                                                                                                                                                                                   | Reference.                                                                                                                             |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| 1885       | Declaring all laws in force in the Municipality of Simla to be in force in the tract over which jurisdiction has been ceded, arranging for the administration of the tract, and conferring power on the Lieutenant-Governor of the Panjab to apply thereto the Panjab Municipal Act, 1884, or any regulations, rules, bye-laws, or orders made thereunder. | No. 1516-I., dated the 13th May, 1885, supplemented by No. 3494-I., dated the 15th October, 1885.<br>[Printed, <i>infra</i> , p. 100.] |
|            | Applying to the tract the Panjab Municipal Act, 1884, and all the rules, regulations, bye-laws, and orders made thereunder subject to certain modifications.                                                                                                                                                                                               | <sup>1</sup> No. 1335-S., dated the 16th September, 1885.<br>[Printed, <i>infra</i> , p. 101.]                                         |
| 1890       | Recovery of revenue-arrears accruing in British India.                                                                                                                                                                                                                                                                                                     | No. 1415-I., dated the 30th April, 1890.<br>[Printed, <i>infra</i> , p. 441.]                                                          |
| 1891       | Printing and publication of newspapers and other printed works.                                                                                                                                                                                                                                                                                            | No. 2651-I., dated the 25th June, 1891.<br>[Printed, <i>infra</i> , p. 442.]                                                           |
| 1898       | Empowering British Courts beyond British India to send their warrants for the execution of capital sentences to jails in British India.                                                                                                                                                                                                                    | No. 1431-I., dated the 27th April, 1893.<br>[Printed, <i>infra</i> , p. 439.]                                                          |

<sup>1</sup> Strictly speaking, this notification should have been classified under the head of "British-Indian Enactments applied," but it seems more convenient to enter it here.

CHAPTER 1V.—KASUMPTI (KEONTHAL HILL STATE)—*contd.**British-Kasumpti Enactments.*

## 2. LOCAL ORDER UNDER AN ACT OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                        | Subject of Notification.                                                 | Reference.                                                                       |
|---------------------------------------------|--------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Epidemic Diseases Act, 1897, (III of 1897). | Delegating to the Local Government the powers conferred by s. 2 (2) (b). | No. 444-I.B., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 443.] |

## CHAPTER IV.—KASUMPTI (KEONTHAL HILL STATE)—contd.

## BRITISH-KASUMPTI ENACTMENTS.

## I.-(a) Notifications applying Acts.

The Revenue Recovery Act, 1890 (I of 1890).

No. 1415-L, dated the 30th April, 1890, printed, *infra*, p. 441.

The Epidemic Diseases Act, 1897 (III of 1897).

No. 443-LB.t dated the 4th February, 1897, printed, *infra*, p. 443.

## I.-(b) Special Local Laws.

Administration of Civil and Criminal Justice, the Police and Municipal Government.

No. 1516-L, dated the 15th May, 1885 —Whereas the Raja of Keonthal has granted to the British Government full jurisdiction within a tract of land adjoining the Municipality of Simla, and more particularly described in the schedule hereto annexed :—

In exercise of such jurisdiction, and of the powers conferred by sections 4 and 5 of Act X X I of 1879 (the Foreign Jurisdiction and Extradition Act), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to notify as follows :—

- (1) Except as hereinafter provided, all laws, regulations, rules, bye-laws, and orders for the time being in force in the Municipality of Simla, in the Simla District of the Punjab, shall also be in force in the aforesaid tract of land.
- (2) The Deputy Commissioner of the Simla District, the Commissioner of the Delhi Division, the Financial Commissioner of the Panjab, and the Lieutenant-Governor of the Panjab and its Dependencies for the time being, and the Chief Court of the Panjab, respectively, shall exercise within the aforesaid tract of land the same executive powers as they may respectively exercise within the British territories subject to their jurisdiction.
- (8) All British Courts established within the Municipality of Simla shall, within the aforesaid tract of land, exercise the jurisdiction which they are, from time to time, respectively empowered to exercise within the limits of the said Municipality.
- (4) Within the aforesaid tract of land the administration of police shall be vested in the District Superintendent of Police of the Simla District, who shall exercise the same police powers as may be exercised by him under any law, rule, regulation, bye-law or order for the \* time being in force in the Simla Municipality, in subordination to the Deputy Commissioner of the Simla District, the Deputy Inspector-General of Police of the Amballa Circle, the Inspector-General of Police in the Panjab, and the Lieutenant-Governor of the Panjab and its Dependencies,

CHAPTER IV.—KASUMPTI (KEONTHAL HILL STATE)—*contd.***British-Kasumpti Enactments—1.-(b) Special Local Laws—*contd.***

Administration of Civil and Criminal Justice, the Police and Municipal Government—*conts.*

- (5) Unless and until the Lieutenant-Governor of the Panjab so directs, the Panjah Municipal Act (Act XIII of 1854) and the regulations, rules, bye-laws, or orders made under the said Act shall not extend to the aforesaid tract of land.

The Lieutenant-Governor of the Panjab may, by notification in the official Gazette, extend, with or without such modifications as he thinks (it, the whole or any part of the said Act, or of any regulations, rules, bye-laws, or orders made under the said Act to the aforesaid tract,

- (6) All officers serving under the Lieutenant-Governor of the Panjab, who exercise any authority or jurisdiction within the limits of the said Municipality, shall, if required by the Deputy Commissioner of the Simla District, or the Commissioner of the Delhi Division, also exercise such authority or jurisdiction within the aforesaid tract of land, in subordination to the same control that regulates the exercise of that authority or jurisdiction within the limits of the said Municipality.

## SCHEDULE.

The tract of land comprising an area of 49 acres 1 pole 27 yards, and delineated on the plan annexed to the lease executed by the Raja of Keonthal on the 24-th October, 1884.

[See *Gazette of India*, 1885, Pt. I, p. 296.]

No. 3494-I., dated the 15th October, 1885.—The powers conferred on the Lieutenant-Governor of the Panjab by the Notification of the Government of India, Foreign Department, No. 1516-1., dated the 15th May, 1885, of extending with or without modifications the whole or any part of the Punjab Municipal Act, 1884, or any regulations, rules, bye-laws, or orders made under that Act, may be exercised from time to time as occasion requires.

- (2) The Lieutenant-Governor may at any time revoke or vary a Notification issued in exercise of the said power,

[See *Gazette of India*, 1885, Pt. I, p. 584.]

No. 1335-S., dated the 16th September, 1885.—In the exercise of the power delegated to him by the Governor General in Council in the fifth clause of the Notification of the Government of India, Foreign Department, No. 1516-1., dated the 15th May, 1885, the Honourable the Lieutenant-Governor is pleased to extend, to the tract of land to which that notification relates, the Panjab Municipal Act, 1884, subject to the modifications hereinafter mentioned, and the rules, regulations, bye-laws, and orders now in force in the Municipality of Simla, so far as those rules, regulations, bye-laws, and orders can be made applicable.

2. The modifications of the said Act are the following, namely:—

- (1) Unless there is something repugnant in the subject or context,—

(a) " Municipality " shall mean the said tract of land ;

(b) " Local Government " shall mean the Government of the Panjab and its Dependencies ;

CHAPTER IV.—KASUMPTI (KEONTHAL HILL STATE)— *concl'd.*

**British-Kasumpti Enactments—1.-(b) Special Local Laws—*conoid.***

Administration of Civil and Criminal Justice, the Police and Municipal Government—*concl'd.*

- (c) " Official Gazette " shall mean the Gazette of that Government and
- (d) " Commissioner " shall mean the Commissioner of the Delh. Division.
- (2) A Municipal Committee shall not be established for the Municipality but the Deputy Commissioner of Simla, for the time being, shall within and for the Municipality, have all the powers of a Municipal Committee under the said Act, and all expressions in that Act referring to a Municipal Committee or to any member thereof shall, for the purpose of the said Act, be construed, so far as the nature of the case permits, as referring to the said Deputy Commissioner.
- (3) The Municipality shall be deemed to be a place in which a tax on buildings and lands not exceeding ten per cent, on the annual value may be imposed under section 39 of the said Act.
- (4) Notwithstanding anything in the said Act or in any rule, regulation, bye-law or order, octroi shall not be payable in the Municipality in respect of animals or goods on which octroi has been paid in the Municipality of Simla.
- (6) Notwithstanding anything in section 68 of the said Act, the said Deputy Commissioner may pay annually out of the Municipal Fund to the Municipal Committee of Simla and Raja of Keontbal such sums as the Local Government may direct.
- (6) The Municipal Fund shall be kept in the Government treasury at Simla.
- (7) The tax at the rate of ten rupees per two thousand five hundred square yards or fraction of two thousand five hundred square yards, referred to in section 177 of the said Act, may be imposed and assessed in the said tract of land, so far as may be by the procedure prescribed by the Act for the imposition and assessment of taxes on immoveable property ; and the tax when so imposed and assessed shall be leviable in addition to any other tax leviable under the Act.

[See *Panjab Government Gazette*, 1885, Pt. I.-A, p. 82.]

Recovery of Revenue Arrears accruing In British India.

No. 1415-I., dated the 30th April, 1890, printed, *infra*, p. 441.

Printing and publication of newspapers and other printed works.

No. 2651-I., dated the 25th June, 1891, printed, *infra*, p. 442.

Execution In British India of warrants of capital sentences of British Courts beyond British India.

No. 1431-I., dated the 27th April, 1893, printed, *infra*, p. 489.

2. LOCAL ORDER UNDER AN ACT LOCALLY APPLIED.

Delegation of powers under the Epidemic Diseases Act, 1897.

No. 444-I.B., dated the 4th February, 1897, printed, *infra*, p. 448.

CHAPTER V.—THE KHAIBAR PASS.

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CHAPTER V.  
THE KHAIBAR PASS,  

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The British Enactments in force locally in the Khaibar Pass consist of—

*A.—British-Indian                      'Enactment.*

Local Order under an Act in force generally in all Native States.

*B.—British-Khaibar Pass Enactments.*

Special Local Laws made by the Governor General in Council.



CHAPTER V.—THE KHAIBAR PASS—*contd.**A.—British-Indian Enactment.*

LOCAL ORDER UNDER AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                                          | Section. | Subject of Notification.                                                                                                                                                                                                             | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879). | 4 & 6    | Appointing the officer in Political charge of the Pass, and the Officer Commanding the Forces within the Pass, to be Justices of the Peace, and directing commitments of European-British subjects to the Chief Court of the Panjab. | <p><i>No. 2134-E.P., dated the 2nd July, 1880.</i>—Whereas the Governor General of India in Council has power and jurisdiction with-</p> <p>in the tract of land noted in the margin :<br/> in exercise of such power and jurisdiction<sup>1</sup> and of the powers conferred by sections 4 and 6 of Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased (a) to appoint the Political Officer, for the time being in charge of the aforesaid tract, and the officer for the time being in command of Her Majesty's Forces within the aforesaid tract respectively, being European-British subjects, to be Justices of the Peace within the aforesaid tract ; and (b) to direct that the Chief Court of the Panjab shall be the Court to which such officers shall commit European-British subjects for trial.</p> <p>[See <i>Gazette of India</i>, 1880, Pt. I, p. 344.]</p> |

<sup>1</sup> Notwithstanding this reference to other powers, this notification is classified as a "British-Indian Enactment," as it applies only to British subjects.

## CHAPTER V.—THE KHAIBAB, PASS—cintd.

## B.—British-Khaibar Pass Enactments.

## SPECIAL LOCAL LAWS.

| When made. | Subject of Notification.                                                                                                            | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1880       | Conferring powers on certain officials under the Code of Criminal Procedure, and modifying the Code in its application to the Pass. | <p><i>No. 2135-E.P., dated the 2nd July, 1880.</i>—Whereas the Governor General of India in Council has power and jurisdiction within the tract of land noted in the margin :</p> <p style="margin-left: 40px;">Khaibar Pass, and over the lands immediately adjoining the Pass on either side of the roadway.</p> <p>In exercise of such power and jurisdiction and of the powers conferred by sections 4 and 5 of Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following notification :—</p> <ol style="list-style-type: none"> <li>1. The Political Officer for the time being in charge of the aforesaid tract shall exercise the powers described in section 36 of Act X of 1872<sup>1</sup> (the Code of Criminal Procedure), and the powers of a Magistrate of the District as described in the same Act within the aforesaid tract.</li> <li>2. The Assistant Political Officer for the time being within the aforesaid tract shall exercise the powers of a Magistrate of the first class as described in Act X of 1872<sup>1</sup> within such tract.</li> <li>3. The Officer Commanding for the time being the corps of Jezailchis within the aforesaid tract shall exercise the powers of a Magistrate of the second class as described in Act X of 1872.<sup>1</sup></li> <li>4. The Commissioner and Superintendent, for the time being, of the Peshawar Division shall exercise the powers of a Court of Session as described in Act X of 1882 within such tract :<sup>2</sup></li> </ol> <p>Provided that, for the purposes of the exercise of the jurisdiction hereinbefore conferred, the said Act X of 1872<sup>1</sup> shall be read subject to the following modifications :—</p> <ol style="list-style-type: none"> <li>(a) The Court of Sessions may take cognizance of any offence, as a Court of original criminal jurisdiction, without the accused person being committed to it by a Magistrate.</li> <li>(b) No appeal shall lie from any order of the Sessions Judge.</li> <li>(c) The functions of the High Court as a Court of reference and revision shall be discharged by the Governor General in Council.</li> <li>(d) All other functions of the High Court shall be discharged by the Court of Session.</li> <li>(e) Trials before the Court of Sessions may, in the discretion of the Sessions Judge, be conducted without the aid either of a jury or assessors.</li> <li>(f) Whenever the Sessions Judge deems it essential for the maintenance of tranquillity that a sentence of death legally passed by him should be executed forthwith, he may order such sentence to be executed without the confirmation of the Court of reference:</li> </ol> <p>Provided also that in any case in which the complainant (if any and all the accused persons are not British subjects, it shall be in the discretion of the said Political Officer, the said Assistant Political Officer, and the said Commissioner and Superintendent) of the Peshawar Division,<sup>3</sup> respectively, to decline to exercise the powers hereby conferred on them.</p> <p>[See <i>Gazette of India</i>, 1880, Pt. I, p. 844.]</p> |

<sup>1</sup> Repealed in British India by Act X of 1882. See now Act V of 1898, printed, General Acts, Vol. VI, Ed. 1898, p. 360.

<sup>2</sup> As amended by Notifications Nos. 1085 and 1149-F, on p. 108, *infra*.

<sup>3</sup> As amended by Notification No. 1085-F, on p. 108, *infra*.

CHAPTER V.—THE KHAIBAR PASS—*concl.**B.—British-Kiaibar Pats Enaelments.**SPECIAL LOCAL LAWS—concl.*

| When made. | Subject of Notification.                                   | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------|------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1886       | Amending the preceding notification                        | No. 1085-F., dated the 15th June, 1886.—In modification of the Notification by the Government of India in the Foreign Department, No. 2136-E. P., dated the 2nd July, 1880, the Governor General in Council is pleased to direct that the 1st sentence of the 4th clause of the 1st paragraph of the said Notification should be read as follows :—<br><br>" The Commissioner and Superintendent, for the time being, of the Peshawar Division shall exercise the powers of a Court of Session as described in Act X of 1882 <sup>1</sup> within such tract ;"<br><br>and in the last paragraph of the said notification, in place of the words " the said Officer Commanding Her Majesty's Forces," shall be read " the said Commissioner and Superintendent of the Peshawar Division."<br>[See <i>Gazette of India</i> , 1886, Pt. J, p. 882.] |
|            | Correcting a clerical error in the preceding Notification. | No. 1149-F., dated the 29th June, 1886.—In Notification by the Government of India in the Foreign Department, No. 1085-F., dated the 15th June, 1886, for "1872" read "1882."<br>[See <i>Gazette of India</i> , 1886, Pt. I, p. 402.]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

<sup>1</sup> As amended by Notification No. 1149-F. on this page. See now Act V of 1898, printed, General Acts, Vol. VI, Ed. 1898, p. 880.

CHAPTER VI.—NORTH-WEST FRONTIER TRACTS.

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CHAPTER VI.

NORTH-WEST FRONTIER TRACTS.

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The following is a list of the North-West Frontier Tracts for which certain jurisdictional arrangements have been made by the British Government:—

- (1) Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts.
- (2) The territory of Kurrum.

CHAPTER VI.—(1) DERA GHAZI KHAN AND DERA ISMAIL KHAN FRONTIER TRACTS.

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CHAPTER VI.

NORTH-WEST FRONTIER TRACTS,

(1) DERA GHAZI KHAN AND DERA ISMAIL KHAN FRONTIER TRACTS.

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The British Enactments in force locally in these Tracts consist of—

*A.—British-Indian Enactment,*

Local Order under an Act in force generally in all Native States.

*B.—British-Dera Ghati Khan and Vera Ismail Khan Frontier Tracts Enactments.*

1. Local Laws made by the Governor General in Council—

(a) British-Indian Enactments locally applied.

(b) Special Local Laws.

2. Local Order under an Act of the Governor General in Council locally applied.

CHAPTER VI.—(1) DERA GHAZI KHAN AND DERA ISMAIL KHAN FRONTIER TRACTS-contd.

*A.—British-Indian Enactment,*

LOCAL ORDER UNDER AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act,                                                          | Section, | Subject of Notification.                                                                        | Reference.                                                                       |
|---------------------------------------------------------------|----------|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| Foreign Jurisdiction and Extradition Act, 1879 (111 of 1879). | 4 & 6    | Appointing a Justice of the Peace and determining the Court to which he shall commit for trial. | No. 1770-F., dated the 15th November, 1889.<br>[Printed, <i>infra</i> , p. 113.] |

<sup>1</sup> This notification applies only to the Dera Gnazi Khan Frontier Traots.

**CHAPTER VI.—(1) DERA GHAZI KHAN AND DERA ISMAIL KHAN FRONTIER TRACTS -contd.**

*B.—British-Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts Enactments.*

**1.-(a) BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED.**

| Act.                                                                        | Extent of application.                                                                                          | Reference.                                                                                                                                            |
|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>(1) Acts of the Governor General in Council.</b>                         |                                                                                                                 |                                                                                                                                                       |
| Indian Penal Code, 1860 (Act XLV of 1860).                                  | The whole Act so far as it may be applicable and as amended for the time being by subsequent enactments.        | No. 1771-F., dated the 15th November, 1889, and No. 756-E. A., dated the 26th May, 1899.<br>[Printed, <i>infra</i> , pp. 113 and 116, respectively.]  |
| Panjab Murderous Outrages Act, 1867 (XXIII of 1867).                        | Ditto.                                                                                                          | Ditto.                                                                                                                                                |
| Panjab Murderous Outrages Act revival and Amendment Act, 1877 (IX of 1877). | Ditto.                                                                                                          | Ditto.                                                                                                                                                |
| Epidemic Diseases Act, 1897 (III of 1897).                                  | The whole Act . . . .                                                                                           | No. 443-I. A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 443.]                                                                     |
| Code of Criminal Procedure, 1898 (Act V of 1898).                           | The whole Act, so far as it may be applicable, and see the Notification.                                        | No. 2694-I. A., dated the 7th October, 1898, and No. 756-E. A., dated the 26th May, 1899.<br>[Printed, <i>infra</i> , p. 116.]                        |
| <b>Regulation under the Government of India Act, 1870 (33 Vict., c. 3).</b> |                                                                                                                 |                                                                                                                                                       |
| Panjab Frontier Crimes Regulation, 1887 (IV of 1887).                       | The whole Regulation so far as it may be applicable and as amended for the time being by subsequent enactments. | No. 1771-F., dated the 15th November, 1889, and No. 756-E. A., dated the 26th May, 1899.<br>[Printed, <i>infra</i> , pp. 113, and 116, respectively.] |

CHAPTER VI.—(1) DERA GHAZI KHAN AND DERA ISMAIL KHAN FRONTIER TRACTS—*contd.**B.—British-Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts Enactments.*

## 1.-(b) SPECIAL LOCAL LAWS.

| When made. | Subject of Notification.                                                                                                                | Notification.                               | Referenoe.                      |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------|
| 1889       | Arranging for the administration of criminal justice in the Dera Ghazi Khan Frontier Tracts.                                            | No. 1771-F., dated the 15th November, 1889. | Printed, <i>infra</i> , p. 113. |
| 1891       | Printing and publication of newspapers and other printed works.                                                                         | No. 2651-I., dated the 25th June, 1891.     | Printed, <i>infra</i> , p. 442. |
| 1893       | Empowering British Courts beyond British India to send their warrants for the execution of capital sentences to jails in British India. | No. 1431-I., dated the 27th April, 1893.    | Printed, <i>infra</i> , p. 439. |
| 1899       | Arranging for the administration of criminal justice in the Dera Ismail Khan Frontier Tracts.                                           | No. 756-E. A., dated the 26th May, 1899.    | Printed, <i>infra</i> , p. 116. |



CHAPTER VI—(1) DERA GHAZI KHAN AND DERA ISMAIL KHAN FRONTIER TRACTS—*contd.*

*B.—British-Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts Enactments.*

2. LOCAL ORDER UNDER AN ACT OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                      | Section. | Subject of Notification.                                                 | Reference.                                                                        |
|-------------------------------------------|----------|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Epidemic Diseases Act, 1897 (HI of 1897). | 2(3)     | Delegating to the Local Government the powers conferred by s. 2 (2) (b). | No. 444-I. A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 443.] |

CHAPTER VI.—(I) DERA GHAZI KHAN AND DERA ISMAIL KHAN  
FRONTIER TRACTS—*contd.*

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## A.-BRITISH-INDIAN ENACTMENT.

### Local Order under an Act in force generally in all Native States.

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Appointment of a Justice of the Peace.

No. 1770-F., dated the 15th November, 1889.—In exercise of the powers conferred by sections 4 and 6 of the Foreign Jurisdiction and Extradition Act, X X I of 1879, the Governor General in Council is pleased to appoint the Deputy Commissioner, for the time being\*, of the Dera Ghazi Khan District, being an European British subject, to be a Justice of the Peace for the tracts noted in the margin, and to direct that the Chief Court of the Panjab shall be the Court to which the said Deputy Commissioner shall, as such,

1. The tract situated between the countries of the Kbetran, Marri, and Bugrt tribes and the plains of the Dera Ghazi Khan District.
2. The tract bounded by the country of the Bozdars on the north and west, by the country of the Hill Lagharis on the south, and by the Dera Ghazi Khan District on the east.

Justice of the Peace, commit for trial.

[See *Gazette of India*, 1889, Pt. I, p. 627.]

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## B.—BRITISH-DERA GHAZI KHAN AND DERA ISMAIL KHAN FRONTIER TRACTS ENACTMENTS.

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### 1.-(a) Notifications applying Acts.

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ACT XLV OF 1860 AND OTHER ACTS AND ARRANGEMENTS FOR ADMINISTRATION OF CRIMINAL JUSTICE IN THE DERA GHAZI KHAN FRONTIER TRACTS.

1. The tract situated between the countries of the Khetran, Marri, and Bugti tribes and the plains of the Dera Ghazi Khan District.
  2. The tract bounded by the country of the Bozdars on the north and west, by the country of the Hill Lagharis on the south, and by Dera Ghazi Khan District on the east.
- No. 1771-F., dated the 15th November, 1889.—Whereas the Governor General in Council has power and jurisdiction within the tracts noted in the margin : In exercise of such power and jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, X X I of 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to make the following orders :—

#### PART I.

1. (1) The provisions, so far as they can be made applicable in the circumstances for the time being, and as amended for the time being by subsequent

## CHAPTER VI.—(1) DERA GHAZI KHAN AND DERA ISMAIL KHAN FRONTIER TRACTS—contd.

### B.—British-Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts Enactments—1.(a) Notifications applying Acts—contd

Act XLV of 1860 and other Acts, and arrangements for administration of Criminal Justice In the Dera Ghazi Khan Frontier Tracts—contd

X of 1862. enactments, of. the enactments specified in the First Schedule to this Part, are hereby applied to the aforesaid tracts, subject, in the case of the Code of Criminal Procedure<sup>1</sup> and the Panjab Frontier Crimes Regulation, to the modifications specified in the Second Schedule to this Part.

(2) For the purpose of facilitating the application of the said enactments to the said tracts, any Magistrate or Court for those tracts may construe any provision in any such enactment with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Magistrate or Court.

#### THE FIRST SCHEDULE.

##### *Enactments applied.*

| Number and year.              | Subject.                                   |
|-------------------------------|--------------------------------------------|
| Act XLV of 1860 . . . .       | . Penal Code.                              |
| Act XXIII of 1867 . . . .     | . Panjab Murderous Outrages.               |
| Act IX of 1877 . . . .        | . Reviving and amending Act XXIII of 1867. |
| • • • • •                     | • • • • •                                  |
| Regulation IV of 1887 . . . . | . Panjab Frontier Crimes.                  |

#### THE SECOND SCHEDULE,

##### *Modifications in the Code of Criminal Procedure and the Panjab Frontier Crimes Regulation.*

##### (1) In the Code of Criminal Procedure<sup>1</sup>—

- (a) The Court of Session may take cognizance of any offence as a Court of original jurisdiction without the accused person being committed to it by a Magistrate, and shall, when PO taking cognizance of any offence, follow the procedure prescribed by the Code of Criminal Procedure for the trial of warrant cases by Magistrates.
- (b) No appeal shall lie from any order of the Sessions Judge.
- (c) Trials before the Court of Session may, in the discretion of the Sessions Judge, be without jury or the aid of assessors.

##### (2) In the Panjab Frontier Crimes Regulation, 1887—

- (a) For section 1, sub-sections (2), (3), (4), (5) and (6), the following shall be substituted, namely :—

" (2) This Regulation shall not be enforced against (1) European British subjects, or (2) persons of any such class as the Local Government may, by notification

<sup>1</sup> Read now the Code of Criminal Procedure, 1898 (Act V of 1898), as directed by the proviso to Notification No. 2894-I.A., dated the 7th October, 1898, printed, *infra*, p. 116.

<sup>2</sup> Act X of 1882 is here omitted, as that Act is repealed by the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied by the notification referred to in the preceding note.

## CHAPTER VL—(I) DERA GHAZI KHAN AND DERA ISMAIL KHAN FRONTIER TRACTS—*contd.*

### B—British-Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts Enactments—1.-(a) Notifications applying Acts—*contd.*

Act XLV of 1860 and other Acts, and arrangements for administration of Criminal Justice, in the Dera Ghazi Khan Frontier Tracts—*contd.*

in the official Gazette, declare to be exempt therefrom, or (3) any person in the civil or military service of the Government unless such person is accused of having committed an offence conjointly with a person to whom this Regulation applies. "

"(3) The word ' class ' as used in sub-section (2) includes any persons who may be collectively described in a notification under this section as persons exempt from the provisions of this Regulation."

(b) Section 2 and section 7, sub-section (2), shall be omitted.

(c) For clause (2) of section 3 the following shall be substituted :

"(2) ' Commissioner ' means the Commissioner of the Derajat Division; and

"(3) ' Deputy Commissioner ' means the Deputy Commissioner of the Dera Ghazi Khan District."

(d) For sub-section (1) of section 10 the following shall be substituted:—

" When the Deputy Commissioner thinks it expedient that any dispute should be settled in the manner provided by this section, he may make an order in writing stating the grounds of his opinion and referring the dispute to a Council of Elders."



### PART II.

For the purposes of the exercise of Criminal Jurisdiction as regards the afore-said tracts—

(1) (a) The Deputy Commissioner for the time being of the Dera Ghazi Khan District, as regards those tracts, shall exercise the powers of a District Magistrate as described in the Code of Criminal Procedure, and may try any offence or pass any sentence which a District Magistrate specially empowered under section 30 of that Code may try or pass; and

(b) Every Magistrate having for the time being any jurisdiction within the Dera Ghazi Khan District shall exercise the like jurisdiction as regards those tracts:

Provided that, if in any case in which the complainant (if any) and the accused person or all the accused persons are not British subjects, the Deputy Commissioner or any such Magistrate deems it expedient for political reasons to decline to exercise the powers so conferred on him, it shall be in his discretion to do so, subject to any direction which may be issued by the Commissioner of the Derajat Division or by the Lieutenant-Governor of the Panjab and its Dependencies.

(2) The Commissioner for the time being of the Derajat Division shall be the Sessions Judge and his Court the Court of Session, as regards the said tracts.

(8) The functions of the High Court as a Court of Reference and Revision shall be discharged by the Lieutenant-Governor of the Panjab and its Dependencies.

(4) All other functions of the High Court shall be discharged by the Court of Session.

CHAPTER VI.— (1) DERA GHAZI KHAN AND DERA ISMAIL KHAN  
FRONTIER TRACTS—*contd.*

B.—British-Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts Enactments—1.-(a) Notifications applying Acts—*contd.*

Act XLV of 1860 and other Acts, and arrangements for administration of Criminal Justice In the Dera Ghazi Khan Frontier Tracts—*concl'd.*

(5) This Part of this Notification applies to all proceedings except proceedings against European-British subjects or persons jointly charged with European-British subjects.

[See *Gazette of India*, 1889, Pt. I, p. 627.]

Application of Code of Criminal Procedure, 1898 (Act V of 1898).

No. 2694-I. J., dated the 7th October, 1898.—Whereas the Governor General in Council has power and jurisdiction within the tracts noted in the margin :

1. The tract situated between the countries of the Khetran, Marri, and Bugti tribes and the plains of the Dera Ghazi Khan District.

2. The tract bounded by the country of the Bozdars on the north and west, by the country of the Hill Lagharis on the south, and by the Dera Ghazi Khan District on the east.

In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, and in modification of so much of the notification of the Government of India in the Foreign Department, No. 1771-F., dated the 15th November, 1889, as applied the Code of

Criminal Procedure of 1882 to the said tracts, the Governor General in Council is pleased to apply to the said tracts the provisions, so far as they may be applicable, of the Code of Criminal Procedure, 1898 (Act V of 1898) :

Provided that all references in the said notification to the Code of Criminal Procedure of 1882 shall be construed as referring to the corresponding provisions of the Code of Criminal Procedure, 1898 (Act V of 1898), and that the latter Code, as now applied, shall be subject to the provisions of the said notification so construed,

[See *Gazette of India*, 1898, Pt. I, p. 1022.]

Act XLV of 1860 and other Acts, and arrangements for administration of Criminal Justice In the Dera Ismail Khan Frontier Tracts.

No. 756-E. A., dated the 26th May, 1899.—Whereas the Governor General in Council has power and jurisdiction within the tract noted in the margin :

The tract bounded on the north by the country of the Mianis ; on the west by the country of the Bargha Shirann's ; on the south by the country of the Zntarra's and Ustranap ; and on the east by the Dera Ismail Khan District.

In exercise of such power and jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to make the following orders :—

PART I.

1. (1) The provisions, so far as they can be made applicable in the circumstances for the time being, and as amended for the time being by subsequent enactments, of the enactments specified in the First Schedule to this Part, are hereby applied to the aforesaid tract, subject, in the case of the Code of Criminal Proce-

## CHAPTER VI.—(1) DERA GHAZI KHAN AND DERA ISMAIL KHAN FRONTIER TRACTS—*contd.*

### B.—British-Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts Enactments—1.—(a) Notifications applying Acts—*contd.*

Act XLV of 1860 and other Acts, and arrangements for administration of Criminal Justice in the Dera Ismail Khan Frontier Tracts—*contd.*

and the Panjab Frontier Crimes Regulation, to the modifications specified in Vo 1st the Second Schedule to this Part.

(2) For the purpose of facilitating the application of the said enactments to the said tract, any Magistrate or Court for that tract may construe any provision in any such enactment with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the Magistrate or Court.

#### THE FIRST SCHEDULE.

##### *Enactments applied.*

| Number and            | year.   | Subject,                                 |
|-----------------------|---------|------------------------------------------|
| Act XLV of 1860       | . . . . | Indian Penal Code.                       |
| Act XXIII of 1867     | . . . . | Panjab Murderous Outrages.               |
| Act IX of 1877.       | . . . . | Reviving and Amending Act XXIII of 1867, |
| Act V of 1898         | . . . . | Criminal Procedure.                      |
| Regulation IV of 1897 | . . . . | Panjab Frontier Crimes.                  |

#### THE SECOND SCHEDULE.

*Modifications in the Code of Criminal Procedure and the Panjab Frontier Crimes Regulation.*

##### (1) *In the Code of Criminal Procedure—*

(a) The Court of Session may take cognizance of any offence, as a Court of Original Jurisdiction, without the accused person being committed to it by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure prescribed by the Code of Criminal Procedure for the trial of warrant cases by Magistrates ;

(J) No appeal shall lie from any order of the Sessions Judge ;

(c) Trials before the Court of Sessions may, in the discretion of the Sessions Judge, be without jury or the aid of assessors.

##### (2) *In the Punjab Frontier Crimes Regulation, 1887—*

(a) For section 1, sub-sections (2), (3), (4), (5), and (6), the following shall be substituted, namely :—

" (2) This Regulation shall not be enforced against (1) European-British subjects, or (2) persons of any such class as the Local Government may, by notification in the local official Gazette/declare to be exempt therefrom, or (3) any person in the civil or military service of the Government, unless such person is accused of having committed an offence conjointly with a person to whom this Regulation applies."

" (3) The word ' class, ' as used in sub-section (2), includes any persons who may be collectively described in a notification under this section as persons exempt from the provisions of this Regulation."

(b) Section 2 and section 7, sub-section (2) shall be omitted.

(c) For clause (2) of section 8, the following shall be substituted, namely :—

" (2) ' Commissioner ' meant the Commissioner of the Derajat Division, and

CHAPTER VI.—(1) DERA GHAZI KHAN AND DERA ISMAIL KHAN  
FRONTIER TRACTS—*contd.*

**B.—British-Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts Enactments— 1.- (a) Notifications applying Acts—*contd.***

Act XLV of 1860 and other Acts, and arrangements for administration of Criminal Justice In the Dera Ismail Khan Frontier Tracts—*contd.*

" (3) ' Deputy Commissioner ' means Deputy Commissioner of the Dera Ismail Khan District."

(d) For sub-section (1) of section 10, the following<sup>1</sup> shall be substituted, namely :—

" When the Deputy Commissioner thinks it expedient that any dispute should be settled in the manner provided by this section, he may make an order in writing, stating the grounds of his opinion and referring the dispute to a Council of Elders."

PART II.

For the purposes of the exercise of criminal jurisdiction as regards the afore-said tract,—

V of 1899.

(1) [a] The Deputy Commissioner for the time being of the Dera Ismail Khan District, as regards the said tract, shall exercise the powers of a District Magistrate, as described in the Code of Criminal Procedure, and may try any offence or pass any sentence which a District Magistrate specially empowered under section 3D of that Code may try or pass; and

(i) Every Magistrate having for the time being any jurisdiction within the Dera Ismail Khan District shall exercise the like jurisdiction, as regards the said tract.

(2) The Commissioner for the time being of the Derajat Division shall be the Sessions Judge, and his Court the Court of Sessions as regards the said tract.

(3) The functions of the High Court as a Court of Reference and Revision shall be discharged by the Lieutenant-Governor of the Panjab and its Dependencies.

(4) All other functions of the High Court shall be discharged by the Court of Session.

(5) This part of this notification applies to all proceedings, except proceedings against European-British subjects or persons jointly charged with European-British subjects.

[See *Gazette of India*, 1899, Pt. I, p. 423.]

Epidemic Diseases Act, 1897 (III of 1897).

No. 443-I. A., dated the 4th February, 1897, printed, *infra*, p. 443.

**1.-(b) Special Local Laws.**

Arrangements for the administration of Criminal Justice.

No. 1771-F., dated the 15th November, 1889, printed, *supra*, p. 113, and No. 756-E. A., dated the 26th May, 1899, printed, *supra*, p. 116.

CHAPTER VI.—(1) DERA GHAZI KHAN AND DERA ISMAIL KHAN  
FRONTIER TRACTS—*concl'd.*

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B.—British-Dera Ghazi Khan and Dera Ismail Khan Frontier Tracts Enact-  
ments—1.-(b) Special Local Laws—*concl'd.*

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Printing and publication of newspapers and other printed works.

No. 2651-I., dated the 25th June, 1891, printed, *infra*, p. 442,

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Execution in British India of warrants of capital sentences of British Courts beyond British India.

No. 1431-I., dated the 27th April 1893, printed, *infra*, p. 439.

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2.—LOCAL ORDER UNDER AN ACT LOCALLY APPLIED.

Delegation of powers under the Epidemic Diseases Act, 1897.

No. 444-I.A., dated the 4th February 1896, printed, *infra*, p. 443.



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CHAPTER VI.—(2) THE TERRITORY OF KURRUM.

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CHAPTER VI.

NORTH-WEST FRONTIER TRACTS.

(2) THE TERRITORY OF KURRUM.

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The British Enactments in force locally in the territory of Kurrum consist of :—

*British-Kurrum Enactments.*

- 1, Local Laws made by the Governor General in Council—
  - (a) Act of the Governor General in Council locally applied,
  - (b) Special Local Laws.
2. Local Order under an Act of the Governor General in Council locally applied.

## CHAPTER VI.—(S) THE TERRITORY OF KURRUM-contd.

*British-Kurrum Enactments.***1.-(a)** ACT OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                          | Extent of application. | Reference.                                                                      |
|-----------------------------------------------|------------------------|---------------------------------------------------------------------------------|
| Epidemic Diseases Act, 1897<br>(III of 1897). | The whole Act . . .    | No. 443-I.A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 118] |

## CHAPTER VI.-(2) THE TERRITORY OF KURRUM—contd.

*British-Kurrum Enactments.*

## I.-(b) SPECIAL LOCAL LAWS.

| When made. | Subject of Law,                                                                                                                                                                           | Notification.                             | Reference.                      |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------|
| 1891       | Printing and publication of newspapers and other printed works.                                                                                                                           | No. 2651-I., dated the 25th June, 1891.   | Printed, <i>infra</i> , p. 442. |
| 1898       | Empowering British Courts beyond British India to send their warrants for the execution of capital sentences to jails in British India.                                                   | No. 1431-I., dated the 27th April, 1893.  | Printed, <i>infra</i> , p. 439. |
| "          | Arrangements for the exercise of criminal jurisdiction against (a) British subjects other than European-British subjects, and (b) persons jointly charged with European-British subjects. | No. 2524-F., dated the 2nd October, 1893. | Printed, <i>infra</i> , p. 124. |
| 1899       | Arrangements for the exercise of criminal jurisdiction over all persons, other than British subjects, accused of certain offences.                                                        | No. 1833-F., dated the 14th July, 1899.   | Printed, <i>infra</i> , p. 126. |

## CHAPTER VI.-(2) THE TERRITORY OF KURRUM—contd.

*British-Kurruṃ Enactments,*

## 2. LOCAL ORDER UNDER AN ACT OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                          | Section. | Subject of Notification.                                                      | Reference                                                                                |
|-----------------------------------------------|----------|-------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| Epidemic Diseases Act, 1897<br>(III of 1897). | 2(3)     | Delegating to the Local Government the powers conferred by section 2 (2) (6). | No. 444-I. A., dated <i>the 4th</i> February, 1897.<br>[Printed, <i>infra</i> , p. 443.] |



## CHAPTER VI.—(2) THE TERRITORY OF KURRUM-contd.

## BRITISH-KURRUM ENACTMENTS.

## 1.-(a) Notification applying an Act of the Governor General in Council.

Epidemic Diseases Act. 1807(111 or 1897).

No. 443-1. A., dated the 4th February, 1887, printed, *infra*, p. 443.

## 1.-(b) Special Local Laws.

Printing and publication of newspapers and other printed works.

No. 2651-I., dated the 25th June, 1891, printed, *infra*, p. 442.

Execution in British India of warrants for the execution of capital sentences of British Courts **beyond**  
British India.

No. 1431-I., dated the 27th April, 1893, printed, *infra*, p. 439.

Arrangements for the exercise of criminal jurisdiction over British subjects other than European-  
British subjects.

No. 2524 F., dated the 2nd October, 1893.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (X XI of 1879), and of all other powers enabling him in that behalf, the Governor General in Council is pleased to make the following orders in respect of criminal proceedings within the territory of Kurrum against British subjects other than (a) European-British subjects, and (b) persons jointly charged with European-British subjects :

- (1) The Officer on Special Duty, Kurrum, for the time being, shall exercise within the limits of the territory under his control the powers of a District Magistrate and a Court of Session as described in the Code of Criminal Procedure, 1882.<sup>1</sup>
- (2) The Sessions Judge of Peshawar, for the time being, shall exercise the powers of a Court of Session and a High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by the Officer on Special Duty, Kurrum, provided that the Officer on Special Duty shall not commit any accused person for trial to the Sessions Judge acting as a Court of Session.

X of ]

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed, General Acts, Vol. V I. Ed. 1898, p. 380.

## CHAPTER VI.—(2) THE TERRITORY OF KVRURUM—*contd.*

### British-Kururum Enactments-1.-(b) Special Local Laws-*contd.*

#### Arrangements for the exercise of criminal Jurisdiction over British subjects other than European- British subjects—*contd.*

- (8) The Sessions Judge of Peshawar, for the time being, shall exercise the powers of a High Court as described in the said Code in respect of all offences over which the jurisdiction of a Court of Session is exercised by the Officer on Special Duty, Kururum, except that, when an accused person is sentenced to death, the said powers of a High Court as a Court of appeal, reference, and revision shall be exercised not by the Sessions Judge of Peshawar, but by the Lieutenant-Governor of the Panjab and its Dependencies, and no sentence of death passed by the Officer on Special Duty, Kururum, shall be carried out till it has been confirmed by the said Lieutenant-Governor.
- (4) In the exercise of the jurisdiction of a Court of Session conferred on him by this notification, the Officer on Special Duty, Kururum, may take cognizance of an offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure prescribed by the Code of Criminal Procedure, 1882, for the trial of warrant cases by Magistrates.

X of 1889.

[See *Gazette of India*, 1893, Pt. I, p. 568.]

#### Arrangements for the exercise of criminal jurisdiction over all persons other than British subjects accused of certain offences.

No. 1833-F., dated the 14th July, 1899.—Whereas the Governor General in Council has power and jurisdiction within the territory of Kururum : In exercise of such jurisdiction, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to make the following orders, which shall have effect as from the 1st day of October, 1898, in respect of criminal proceedings against all persons, other than British subjects, accused of having committed, within the said territory, any of the following offences, namely : —

- (1) Waging war against the Queen.
- (2) Conspiring to wage war against the Queen or to overawe the Government.
- (8) Aiding the escape of, rescuing or harbouring, a State prisoner.
- (4) Murder.
- (5) Culpable homicide not amounting to murder.
- (6) Rape.
- (7) Kidnapping and abduction.
- (8) Wrongful confinement.
- (9) Adultery.
- (10) Unnatural offence.
- (11) Criminal trespass.
- (12) Robbery.
- (13) Dacoity.
- (14) Mischief by fire or any explosive substance.
- (15) Rioting.

<sup>1</sup> See now the Code of Criminal Procedure, 1899 (Act V of 1895), printed, General Acts, Vol. VI, Ed. 1898, p. 380.

CHAPTER VI.—(2) THE TERRITORY OF KURRUM—*contd.*British-Kurram Enactments—1.-(b) Special Local Laws—*contd.*

Arrangements for the exercise of criminal Jurisdiction over all persons other than British subjects accused of certain offences—*contd.*

- (16) Injuring or defiling a place of worship with intent to insult the religion of any class.
- (17) Disturbing a religious assembly.
- (18) Trespassing on burial places with intent to wound the feelings or insult the religion of any person.
- (19) Counterfeiting coin or passing counterfeit coin or being in possession of counterfeit coin with intent to defraud.
- (20) Abetment of any of the above offences.
- (21) Attempt to commit any of the above offences.

1. The Officer on Special Duty in Kurram for the time being shall exercise, within the limits of the territory under his control, the powers of a District Magistrate and a Court of Session as described in the Code of Criminal Procedure, 1898.

2. The Commissioner and Superintendent of the Peshawar Division for the time being shall exercise the powers of a Court of Session and a High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by the Officer on Special Duty in Kurram :

Provided that the said Officer on Special Duty shall not commit any accused person for trial to the Commissioner acting as a Court of Session, and provided that every sentence of imprisonment for a term exceeding five years passed by the Officer on Special Duty in Kurram shall be subject to confirmation by the said Commissioner.

3. The Commissioner and Superintendent of the Peshawar Division for the time being shall exercise the powers of a High Court as described in the said Code in respect of all offences over which the jurisdiction of a Court of Session is exercised by the Officer on Special Duty in Kurram :

Provided that, when an accused person is sentenced to death, the said powers of a High Court as a Court of Appeal, Reference and Revision, shall be exercised, not by the Commissioner and Superintendent of the Peshawar Division, but by the Lieutenant-Governor of the Panjab and its Dependencies, and no sentence of death passed by the Officer on Special Duty in Kurram shall be carried out until it has been confirmed by the said Lieutenant-Governor.

4. In the exercise of the jurisdiction of a Court of Session conferred on him by this notification, the Officer on Special Duty in Kurram may take cognizance of an offence as a Court of Original Criminal jurisdiction without the accused person being committed to him by a Magistrate ; and shall, when so taking cognizance of any offence, follow the procedure prescribed by the Code of Criminal Procedure, 1898, for the trial of warrant cases by Magistrates.

5. In the exercise of the jurisdiction aforesaid, the Officer on Special Duty in Kurram may on conviction sentence any offender to any punishment warranted under the Indian Penal Code in respect of any such offence as is above-mentioned, and may sentence any woman convicted of adultery to any punishment warranted under section 32 of the Panjab Frontier Crimes Regulation, 1887, in respect of such an offence.

6. The Officer on Special Duty in Kurram may exercise all or any of the powers conferred on a Deputy Commissioner by sections 35, 36, 39 and 40 of the Panjab



## CHAPTEB VI.—(2) THE TERRITORY OF KURRUM—concl'd.

### British-Kurrum Enactments— I.-(b) Special Local Laws—concl'd.

Arrangements for the exercise of criminal Jurisdiction over all persons other than British subjects accused of certain offences—concl'd.

Frontier Crimes Regulation, 1887, and for these purposes shall, as far as may be, observe the procedure prescribed in the said Act in that behalf.

Notifications No. 1808-R, dated the 14th August, 1894, No. 350-F., dated the 19th January, 1898, No. 2085-F., dated the 26th May, 1898, No. 3692-1.-A., dated the 7th October, 1898, are hereby cancelled.

[See *Gazette of India*, 1899, Pt. I, p. 681.]

### SUPPLEMENTARY NOTES.

Criminal Jurisdiction in Northern and Southern Waziristan.—Political officers in the Tochi Valley and Wana have been authorized by the Governor General in Council to exercise respectively within the tract known as Northern and Southern Waziristan all the powers of a District Magistrate and of a Court of Sessions as described in the Code of Criminal Procedure, 1898 (Act V of 1898) of a Deputy Commissioner under the Panjab Frontier Crimes Regulation, 1887 (IV of 1887) and of a Sessions Judge under the Panjab Murderous Outrages Act, 1867 (X XIII of 1867). These officers have been directed when exercising the jurisdiction referred to above to follow the enactments under which they are to exercise that jurisdiction. They have, however, been permitted to refuse to exercise such jurisdiction at their discretion if both the parties are not British subjects. All sentences of imprisonment passed by these officers exceeding five years must be confirmed by the Commissioner, Derajat Division, all sentences of imprisonment exceeding one year are subject to appeal to the same officer and except in cases coming under Act XXIII of 1867, no sentence of death passed by the Political officers mentioned above can be carried out until it is confirmed by the Lieutenant-Governor of the Panjab. The proceedings of these Political officers also, are subject to a general power of revision vested in the Commissioner of the Derajat Division.—*Foreign Department letter No. 2738-F., dated the 19th October, 1899.*

## CHAPTER VII.—RAILWAYS UNDER BRITISH JURISDICTION.

### CHAPTER VII.<sup>1</sup>

#### RAILWAYS UNDER BRITISH JURISDICTION.\*

The following is a list of the Railways passing through Native States under the political control of the Lieutenant-Governor of the Panjab, and of the Native States through which they pass:—

| Railways.                                 | States.                                                |
|-------------------------------------------|--------------------------------------------------------|
| (1) Delhi-Umballa-Kalka Railway . . . .   | { Kalsia.<br>Patiala.                                  |
| * (2) North Western Railway . . . .       | { Patiala.<br>Nabha.<br>Kapurthala.                    |
| * (3) Rajputana Malwa Railway—            |                                                        |
| * (1) Rajputana State Railway . . . .     | { Nabha.<br>Pataudi.                                   |
| (2) Rewari-Ferozpur Railway . . . .       | { Dujana.<br>Faridkot.<br>Jhind.<br>Patiala.<br>Nabha. |
| * (4) The Southern Panjab Railway . . . . | { Bhawalpur.<br>Jhind.<br>Patiala.                     |

<sup>1</sup> No jurisdiction, so far as is known, has yet been ceded to the British Government over the Rajpura-Bhatinda Railway, which passes through the States of Nabha and Patiala.

\* The lands occupied by the North Western Railway in Bhawalpur have been ceded to the British Government in full sovereignty—see Proclamation, printed, *infra*, p. 152. For laws in force in those lands, see Act XIII of 1883, printed in the Panjab Code. The rest of the North Western Railway passes through British territory and the Baluchistan Agency territories.

\* Information as to the other Railways comprised in the Rajputana-Malwa Railway system will be found in the Rajputana, Central India, and Western India volumes respectively.

\* For the other sections of the Rajputana State Railway, see the Rajputana Volume.

\* Says that the Indian Railways Act, 1890 (IX of 1890), and the rules thereunder have been applied thereto and the Government of the Panjab declared to be the Local Government, no jurisdictional arrangements, so far as is known, have been made with respect to the Southern Panjab Railway in the Jhind and Patiala States. For notification applying the Indian Railways Act, 1890, see *infra*, p. 184; and as to jurisdictional arrangements in lands occupied by this Railway in the Bhawalpur State see *infra*, p. 172.

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**CHAPTER VII.—(I) RAILWAYS UNDER BRITISH JURISDICTION.**

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**CHAPTER VII.****RAILWAYS UNDER BRITISH JURISDICTION.**

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**I.-PANJAB NATIVE STATES RAILWAYS GENERALLY.****II.-PARTICULAR RAILWAY LINES OR SYSTEMS IN PANJAB NATIVE STATES.**

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The British Enactments in force locally in Panjab Native States Railways generally consist of—

*British-Panjab Native States Railways Enactments.*

**1. Local Laws made by the Governor General in Council—**

- (a) Acts of the Governor General in Council locally applied.
- (b) Special Local Laws.

**2. Local Rules and orders under Acts of the Governor General in Council locally applied.**

CHAPTER VII.—(I) RAILWAYS UNDER BRITISH JURISDICTION—*contd.**British-Panjab Native States Railways Enactments.*

## I.-(a) ACTS OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                       | Extent of application.                                                                | Reference.                                                                        |
|--------------------------------------------|---------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Revenue Recovery Act, 1890 (I of 1890).    | The whole Act . . . .                                                                 | No. 1415-I., dated the 30th April, 1890.<br>[Printed, <i>infra</i> , p. 441.]     |
| Indian Railways Act, 1890 (IX of 1890).    | Ditto, so far as suitable and as amended for the time being by subsequent enactments. | No. 3063-I. B., dated the 13th August, 1897.<br>[Printed, <i>infra</i> , p. 134.] |
| Epidemic Diseases Act, 1897 (III of 1897). | The whole Act . . . .                                                                 | No. 443-I. A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 443.] |

CHAPTER VH.—(I) RAILWAYS UNDER BRITISH JURISDICTION—*contd.**British-Panjab Native States Railways Enactments.*

## I.-(b) SPECIAL LOCAL LAWS.

| When made. | Subject of Notification.                                                                                                                | Notification.                            | Reference.                      |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|---------------------------------|
| 1890       | Recovery of revenue-arrears scoring in British India.                                                                                   | No. 1415-I., dated the 30th April, 1890. | Printed, <i>infra</i> , p. 441. |
| 1891       | Printing and publication of newspapers and other printed works.                                                                         | No. 2651-I., dated the 25th June, 1891.  | Printed, <i>infra</i> , p. 442. |
| 1898       | Empowering British Courts beyond British India to send their warrants for the execution of capital sentences to jails in British India. | No. 1431-I., dated the 27th April, 1893. | Printed, <i>infra</i> , p. 439. |

CHAPTER VII.-(I) RAILWAYS UNDER BRITISH JURISDICTION—*contd.**British-Panjab Native States Railway? Enactments.*

LOCAL RULES AND ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED,

| Act.                                       | Section.   | Subject of Notification.                                                                             | Reference.                                                                        |
|--------------------------------------------|------------|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Indian Railways Act, 1890 (IX of 1890).    | 16 and 148 | Sanctioning the use of motive power and rolling stock.                                               | No. 3063-I., dated the 13th August, 1897.<br>[Printed, <i>infra</i> , p. 134.]    |
| Ditto * .                                  | 47         | General Rules for working opening lines of railway.                                                  | Ditto.                                                                            |
| Ditto . .                                  | „          | General Rules for working railways under construction.                                               | Ditto*                                                                            |
| Ditto . .                                  | 84 and 85  | Rules under the sections . . I                                                                       | Ditto.                                                                            |
| Ditto . .                                  | 135        | Liability of Railway Administrations to contribute towards local funds.                              | Ditto.                                                                            |
| Ditto . .                                  | 144        | Declaring the Local Government for the Railways in Native States under the Government of the Panjab. | Ditto.                                                                            |
| Ditto ' .                                  | „          | Delegating to the Local Government certain powers and functions.                                     | Ditto.                                                                            |
| Epidemic Diseases Act, 1897 (III of 1897). | 2(3)       | Delegating to the Local Government the powers conferred by section 2 (2) (6).                        | No. 444-I. A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 443.] |

CHAPTER VII.—(I) RAILWAYS UNDER BRITISH JURISDICTION  
— *contd.*

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BRITISH-PANJAB NATIVE STATES RAIL-  
WAYS ENACTMENTS.

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I.-(a) Notifications applying Acts of the Governor General  
in Council.

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The Revenue Recovery Act, 1890 (I of 1890).

No. 1416-1., dated the 30th April, 1890, printed, *infra*, p. 441.

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The Indian Railways Act, 1890 (IX of 1890).

No. 3063-I. B., dated the 13th August, 1897.—\*

\* \* \* \* \*

And whereas the Rulers or Administrators of the other States mentioned in the second column of the schedule hereto annexed have ceded to the British Government full jurisdiction, or all the jurisdiction they had, or the jurisdiction necessary for the administration of railways and of civil and criminal justice in connection therewith, within the lands which lie within their respective territories, or which lie within the parts of their respective territories mentioned or referred to in the third column of the said schedule, and are occupied, or may be hereafter occupied, by the Railways mentioned opposite their names, respectively, in the first column of the said schedule (including the lands occupied by stations and out-buildings and for other purposes connected with the Railway); and whereas the Governor General in Council now has jurisdiction within those lands :

In exercise of the jurisdiction referred to, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders :—

- I.—The provisions, so far as they may be suitable, and as amended for the time being and from time to time by subsequent enactments, of the Indian Railways Act, 1890 (IX of 1890), shall apply to all the aforesaid lands.
- II.—In exercise of the power conferred by section 16, read with section 148, sub-section (i), of the said Act so applied, the Governor General in Council is pleased to sanction the use of locomotive engines or other motive power, and rolling-stock to be drawn or propelled thereby, on all railways occupying any of the aforesaid lands.
- III.—The general rules for working open lines of railway administered by the Government which were published under the Notification of the Government of India in the Public Works Department, No. 118, dated the 21st March, 1895, in the *Gazette of India* for 1895, Part I, page 178, shall, as modified for the time being and from time to time

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<sup>1</sup> The first two paragraphs of the preamble relate to Railways not dealt with in this volume.

## CHAPTER VII.—(I) RAILWAYS UNDER BRITISH JURISDICTION —*contd.*

### British-Panjab Native States Railways Enactments—1.-(a) Notifications applying Acts—*contd.*

The Indian Railways Act, 1890 (IX of 1890)—*contd.*

for British India, apply to all lines of railway administered by the Government occupying any of the aforesaid lands, and for the time being used for the public carriage of passengers, animals or goods.

IV.—The general rules published under the Notification of the Government of India in the Public Works Department, No. 118, dated the 21st March, 1895, shall apply also to—

- (a) lines of railway not administered by the Government, occupying any of the aforesaid lands and for the time being used for the public carriage of passengers, animals or goods, from such dates and with such modifications as may from time to time be prescribed in respect of their application to the portions of such lines respectively which lie in British India, or to the respective railway systems in British India which administer such lines ;

\* \* \* \* \*

V.—The general rules for working railways under construction and not used for the public carriage of passengers, animals or goods, which were published under the Notification of the Government of India in the Public Works Department, No. 480 ½, dated the 30th October, 1890, in the *Gazette of India* for 1890, Part I, page 795, shall apply to such portions of the railways occupying any of the aforesaid lands as may for the time being be under construction or sanctioned for construction.

VI.—Subject to the modification prescribed in the Circular of the Government of India in the Public Works Department, No. 18, Railway, dated the 2nd November, 1895, published in the *Gazette of India*, 1895, Part I, page 948, and any further modifications from time to time prescribed for British India, the rules framed under sections 84 and 85 of the said Indian Railways Act, 1890, which are appended to the Circular of the Government of India in the Public Works Department, No. 7, Railway, dated the 19th April, 1895, published in the *Gazette of India*, 1895, Part I, pages 336 to 338, and the directions contained in paragraphs 2 and 3 of the Resolution embodied in that Circular, shall apply to the railways occupying the aforesaid lands.

VII.—In exercise of the authority given by section 135 of the said Indian Railways Act, 1890, applied as aforesaid, the Governor General in Council is pleased to declare that the provisions of the Notifications of the Government of India in the Public Works Department, No. 270, dated the 12th June, 1890, published in the *Gazette of India* for 1890, Part I, page 438, and No. 136, dated the 5th April, 1898, published in the *Gazette of India* for 1893, Part I, page 190, declaring railway administrations in British India to be liable to pay certain taxes in aid of the funds of local authorities, shall apply, and shall be deemed to have applied (save as regards any tax actually paid or accrued due before the date of this notification), with effect from the dates which they bear, respectively, to the administrations of the railways occupying the aforesaid lands.

\* CI. (b) of paragraph IV relates to the Nizum's Guaranteed Railways.



## CHAPTER VII.—(I) RAILWAYS UNDER BRITISH JURISDICTION —*contd*

### British-Panjab Native States Railways Enactments—1.-(a) Notifications applying Acts—*contd.*

The Indian Railways Act, 1890 (IX of 1890)—*contd.*

VIII.—In exercise of the power conferred by section 144 of the said Indian Railways Act, 1890, applied as aforesaid, the Governor General in Council is pleased to delegate to Local Governments, to the extent and subject to the conditions hereinafter specified, the following powers and functions which are now vested in him under the said Act so applied, the powers and functions hereby delegated being liable to be revoked or varied, and the exercise and discharge thereof to be controlled, as the Governor General in Council may from time to time think fit :—

- (1) *Sections 7, 9 and 11.*—All the powers and functions of the Governor General in Council, subject to the proviso that the exercise and discharge of such powers and functions shall not entail any expenditure in excess of the general powers of sanction of the Local Government concerned.
- (2) *Section 48.*—All the powers and functions of the Governor General in Council, but only in cases where the railways concerned are under the control of one and the same Local Government.
- (3) *Section 51, clauses (a), (b), (c), (d), and (e) and Section 65.*—All the powers and functions of the Governor General in Council.
- (4) *Section 63.*—The power of determining the vernacular languages in which the maximum number of passengers to be carried in each compartment shall be exhibited.
- (5) *Section 83.*—The power of notifying the Magistrates and Police officers to whom notices of railway accidents are to be given.

IX.—The Governments and authorities mentioned in the fourth column of the schedule hereto annexed shall be deemed, for the purposes of the said Indian Railways Act, 1890, applied as aforesaid, and of clause VIII of this notification, to be the Local Governments in respect to such parts of the railways mentioned opposite their names, respectively, in the first column of the said schedule, as are situate within the territories of the States mentioned opposite their names, respectively, in the second column of the said schedule.

X.—The following Notifications of the Government of India in the Foreign Department are hereby cancelled :—

|              |                             |
|--------------|-----------------------------|
| No. 1828-1., | dated the 28rd March, 1891. |
| ” 3149-1.,   | ” 29th July, 1891.          |
| ” 3191-1.,   | ” 31st July, 1891.          |
| ” 285-1.,    | ” 21st January, 1892.       |
| ” 604-1.,    | ” 9th February, 1893.       |
| ” 607-1.,    | ” 9th February, 1893.       |
| ” 766-I.,    | ” 2nd March, 1*98.          |
| ” 2111-I.,   | ” 15th June, 1893.          |
| ” 2431-1.,   | ” 13th July, 1898.          |
| ” 3464-1.,   | ” 5th October, 1893.        |
| ” 3651-1.,   | ” 19th October, 1898.       |
| ” 105-1.,    | ” 11th January, 1894.       |
| ” 3866-1.,   | ” 20th September, 1894.     |

# CHAPTER VII—(1) RAILWAYS UNDER BRITISH JURISDICTION —contd.

## British-Panjab) Native States Railways Enactments—1.-(a) Notifications applying Acts—contd.

The Indian Railways Act, 1890 (IX of 1890)—contd.

|              |                           |
|--------------|---------------------------|
| No. 1579-I., | dated the 17th May, 1895. |
| " 1582-I.,   | " 17th May, 1895.         |
| " 139-I.,    | " 9th January, 1896.      |
| " 228-I.,    | " 16th January, 1896.     |
| " 419-I.,    | " 30th January, 1896.     |
| " 509-I.,    | " 6th February, 1896.     |
| " 821-I.,    | " 3rd March, 1896.        |
| " 1129-I.,   | " 2nd April, 1896.        |

### SCHEDULE.<sup>1</sup>

*Railway Lands on which the Government of India exercise jurisdiction.*

| Railway.                     | State.       | Specified parts of the State within which jurisdiction has been exercised over Railway lands. | Government or Authority deemed to be the "Local Government." |
|------------------------------|--------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| 1                            | 2            | 3                                                                                             | 4                                                            |
| Bengal-Nagpur Railway .      | Gangpur .    | The part of the State comprised in the Hingir Taluq.                                          | The Chief Commissioner of the Central Provinces.             |
| Ditto .                      | Ditto .      | The western parts of the State between the Sambalpur Road and Govindpur Railway Stations.     | Ditto.                                                       |
| Ditto                        | Ditto .      | The eastern parts of the State.                                                               | The Government of Bengal.                                    |
| Ditto                        | Kharsawan .  | ...                                                                                           | Ditto.                                                       |
| Ditto .                      | Moharbhaj .  | ...                                                                                           | Ditto.                                                       |
| Ditto                        | Seraikilla . | ...                                                                                           | Ditto.                                                       |
| Delhi-Umballa-Kalka Railway. | Kalsia .     | ...                                                                                           | The Government of the Panjab.                                |
| Ditto .                      | Patiala .    | ...                                                                                           | Ditto.                                                       |
| Jammu and Kashmir Railway.   | Jammu .      | ...                                                                                           | The Resident in Kashmir.                                     |

<sup>1</sup> Only those portions of the schedule have been printed in this volume as relate to Railways within Native States under the Government of Bengal, the North-Western Provinces and the Panjab, and in Jammu and Kashmir and the Baluchistan Agency Territories.

## CHAPTER VII.—(I) RAILWAYS UNDER BRITISH JURISDICTION

—contd.

## British Panjab Native States Railways Enactments—1.-(a) Notifications applying Acts—contd.

The Indian Railways Act, 1890 (IX of 1890)—contd.

## SCHEDULE—contd.

*Hallway Lands on which the Government of India exercise jurisdiction.—contd.*

| Railway.                                                       | State.       | Specified parts of the State within which jurisdiction has been ceded over Railway lands. | Government or Authority deemed to be the "Local Government." |
|----------------------------------------------------------------|--------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| 1                                                              | 2            | 3                                                                                         | 4                                                            |
| North Western State Railway (the Sind, Panjab and Delhi line). | Kapurthala . | ...                                                                                       | The Government of the Panjab.                                |
| Ditto .                                                        | Nabha . .    | ...                                                                                       | Ditto.                                                       |
| Ditto .                                                        | Patiala . .  | ...                                                                                       | Ditto.                                                       |
| Oudh and Rohilkhand State Railway.                             | Rampur . .   | ...                                                                                       | The Government of the North-Western Provinces.               |
| Rajputana-Malwa Railway—                                       |              |                                                                                           | *                                                            |
| (4) Rajputana State Railway.                                   | Nabha . .    | ...                                                                                       | The Government of the Panjab.                                |
| Ditto .                                                        | Pataudi . .  | ...                                                                                       | Ditto.                                                       |
| (6) Rewari-Ferozepur Railway.                                  | Dujana . .   | ...                                                                                       | Ditto.                                                       |
| Ditto .                                                        | Faridkot . . | ...                                                                                       | Ditto.                                                       |
| Ditto .                                                        | Jind . .     | ...                                                                                       | Ditto.                                                       |
| Ditto .                                                        | Nabha . .    | ...                                                                                       | Ditto.                                                       |
| Ditto .                                                        | Patiala . .  | ...                                                                                       | Ditto.                                                       |
| Southern Panjab Railway—                                       | Bahawalpur . | ...                                                                                       | Ditto.                                                       |
| Ditto                                                          | Jind . .     | ...                                                                                       | Ditto.                                                       |
| Ditto                                                          | Patiala . .  | ...                                                                                       | Ditto.                                                       |

[See *Gatette of India*, 1897, Pt. I, p. 722.]

<sup>1</sup> The other sect long of this Railway are in Native States in the Central India Agency, Rajputana Agency and the Bombay Presidency, as to which see the Central India Agency, the Rajputana and the Western India Volumes, respectively.

CHAPTER VII—(I) RAILWAYS UNDER BRITISH JURISDICTION—*concl'd.***British-Paiyab Native States Railways Enactments—1,-(a) Notifications applying Acts—*concl'd.***


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Epidemic Diseases Act 1897 fill of 1897).

No. 443-1. A., dated the 4th February, 1897, printed, *infra*, p. 443.

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1.-(b) SPECIAL LOCAL LAWS.

Recovery of Revenue Arrears accruing In British India.

No. 1415-1., dated the 30th April, 1890, printed, *infra*, p. 441.

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Printing and publication of newspapers and other printed works.

No. 2651-1., dated the 25th June, 1891, printed, *infra*, p. 442.

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Execution of warrants of capital sentences of British Courts beyond British India.

No. 1431-1., dated the 27th April, 1893, printed, *infra*, p. 439.

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## 2. Local Rules and Orders under Acts of the Governor General in Council locally applied-

orders under the Railways Act, 1890.

See Notification No. 5063-1. B., dated the 13th August, 1897, *supra*, p. 184.

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Delegation of powers under the Epidemic Diseases Act, 1897.

No. 414-I. A., dated the 4th February, 1897, printed, *infra*, p. 449.

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CHAPTER VII. - II (1) DELHI-AMBALLA-KALKA RAILWAY.

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CHAPTER VII

RAILWAYS UNDER BRITISH JURISDICTION-contd

II.—PARTICULAR RAILWAY LINES OR SYSTEMS IN PANJAB NATIVE STATES.

(1) DELHI-AMBALLA-KALKA RAILWAY.

(Kalsia and Patiala Sections.)

**The** British Enactments in force locally in these sections of this Railway treated separately consist of—

*British-Delhi-Amballa-Kalka Railway Enactments.*

1. Special Local Law made by the Governor General in Council.
2. Local Orders under Acts of the Governor General in Council locally applied.

CHAPTER VII.—II (1) DELHI-AMBALLA-KALKA RAILWAY—*contd.**British-India-Delhi-Amballa-Kalka Railway Enactments.*1. SPECIAL LOCAL LAW.<sup>1</sup>

| When made. | Subject of Notification.                                                                     | Reference.                                                                           |
|------------|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1891.      | Declaring laws in force and arranging for the executive, judicial and police administration. | <i>No. 4196-I., dated the 15th October, ML</i><br>[ Printed, <i>infra</i> , p. 143.] |

<sup>2</sup> For Acts applying to this Railway otherwise than in virtue of the notification referred to in the list and for other Special Local Laws, see *supra*, pp. 134 to 139.

## CHAPTER VII.—II (1) DELHI-AMBALLA-KALKA RAILWAY—contd.

*British-Delhi-Amballa-Kalka Railway Enactment.*2. **LOCAL ORDER UNDER AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.**<sup>1</sup>

| Act.                                         | Section.      | Subject of Notification.                                                                                                                 | Reference.                                                                    |
|----------------------------------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <sup>1</sup> Police Act, 1888 (III of 1888). | 2 (1) and (2) | Forming this Railway together with other Railways into a general Police district and providing for the administration of Police therein. | No. 43-P., dated the 24th January, 1896.<br>[Printed, <i>infra</i> , p. 144.] |

<sup>1</sup> See also section I of this Chapter, *supra*, p. 130 *et. seq.*<sup>2</sup> This Act is in force in this Railway in virtue of Notification No. 4195-I., dated the 18th October, 1891, printed, *infra*, p. 142.

CHAPTER VII.—II (1) DELHI-AMBALLA-KALKA RAILWAY.

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BRITISH-DELHI - AMBALLA-KALKA RAILWAY  
ENACTMENTS.1.-(a) Notifications applying Acts.

**The Revenue Recovery Act, 1890 (I of 1890).**

*No. 1415-1., dated the 30th April, 1890, printed; infra, p. 441.*

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**The Indian Railways Act, 1890 (IX of 1890).**

*No. 3063-1., dated the 13th August, 1897, printed, supra, p. 184.*

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**The Epidemic Diseases Act, 1897 (HI of 1897).**

*No. 443-I.A., dated the 4th February, 1897, printed, infra, p. 448.*

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1.-(b) Special Local Laws.

**Recovery of Revenue Arrears accruing in British India.**

*No. 1415-I., dated the 30th April, 1897, printed, infra, p. 441.*

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**[Printing and publication of newspapers and other printed works.**

*No. 2651-I., dated the 25th Jun\$, 1891, printed, infra, p. 442.*

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**Execution in British India of warrants of capital sentences of British Courts beyond British India.**

*No. 1431-I., dated the 27th April, 1893, printed, infra, p. 439.*

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**Declaration as to Laws In force and Administration of Justice and the Police.**

*No. 4196-1., dated the 15th October, 1891.*—Whereas His Highness the Maharaja of Patiala and the Chief of Kalsia have granted to the British Government full jurisdiction within the lands which lie within their respective States and are occupied, or may be hereafter occupied, by the Delhi-Amballa-Kalka Railway (including the lands occupied by stations, by out-buildings, and for other railway purposes) : In exercise of this jurisdiction and of the powers conferred by sections 4 and 6 of **the Foreign Jurisdiction and Extradition Act (XXI of 1879)**, and of all other powers



CHAPTER VII.—II (1) DELHI-AMBALLA-KALKA RAILWAY—*contd.***British Delhi-Amballa Kalka Railway Enactments- I.-(b) Special Local Laws—*contd.***

Declaration as to Laws to force and Administration of Justice and the Police—*contd.*

enabling him in this behalf, the Governor General in Council is pleased to issue the following orders:—

- (1) All laws for the time being in force in the Amballa District of the Punjab shall be deemed to be in force in the aforesaid lands.
- <sup>1</sup>(2) For the purposes of police administration, the aforesaid lands shall be included in the General Police District created by Home Department Notification No. 43, dated the 24th January, 1896.
- (8) The Deputy Commissioner of the Amballa District, the Commissioner of the Delhi Division, the Financial Commissioners of the Punjab, and the Lieutenant-Governor of the Punjab and its Dependencies for the time being shall respectively have within the aforesaid lands the same executive powers (except those relating to police administration) as they may respectively exercise within the British territories subject to their administration.
- (4) British Courts having jurisdiction within the Amballa District may exercise within the aforesaid lands the jurisdiction which they respectively exercise within the said district.
- (6) Foreign Department Notification No. 4167-1., dated the 9th December\* 1890, is hereby cancelled.

[See *Gazette of India*, 1891, Pt. I, p. B87.]

## 2. Local Rules and Orders under Acts of the Governor General in Council locally applied.

### *Formation of a General Police District, etc., under the Police Act, 1888 (III of 1888).*

No. 43, dated the 24th January, 1896.—In exercise of the powers conferred by section 2, sub-sections (1) and (2), of the Police Act (III of 1888), and of all other powers enabling him in this behalf, the Governor General in Council is pleased, in supersession of the Notifications of the Government of India in the Home Department, No. 894, dated the 10th December 1890, and No. 428, dated the 18th July 1891, as amended by the Notification No. 28, dated the 13th January, 1894, to create a general police district embracing all the lands, situate within the North-Western Provinces and Oudh, the Panjab, the Central Provinces and the Native States referred to in the list appended hereto, which are, or may hereafter be, occupied by the railways enumerated in that list, inclusive of all lands occupied by stations, by out buildings and for other railway purposes, and to direct the enrolment, under Act V of 1861, of a police force for service therein.

<sup>1</sup> This paragraph was substituted for the original paragraph by Notification No. 341-I., dated the 24th January, 1896, in the *Gazette of India*, Pt. I, p. 55.

## CHAPTER VII.—(1) DELHI-AMBALLA-KALKA RAILWAY—*concl.*

### British-Delhi-Amhalla-Kalka Railway Enactments—2. Local Rules and Orders under Acts—*contd.*

Formation of a General Police District, etc., under the Police Act, 1880—*concl.*

2. The Governor General in Council is also pleased to appoint the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh to discharge, within the general police district hereby created, the functions of the Local Government under Act V of 1861, the Code of Criminal Procedure, 1882,<sup>1</sup> and any other enactment relating to police for the time being in force in the lands abovementioned or in any part thereof.

#### LIST OF RAILWAYS.

1. *The Bengal and North-Western Railway.*
  2. *The Oudh and Rohilkhand Railway,*
  3. *The Bareilly-Rampur-Moradabad Railway, including the lands lying within the Rampur State.*
  4. *The Rohilkhand-Kumaon Railway.*
  5. *The East Indian Railway.*
  6. *The Indian Midland Railway, including the lands lying within the Native States in the Central India Agency and in the Dholpur State in Rajputana.*
  - 6a.<sup>2</sup> *The Bhopal-Ujjah and Guna-Bina Railways, including the lands lying within the Native States of Gwalior, Indore, Bhopal, Dezoas, Senior Branch, and Dewas, Junior Branch.*
  7. *The Cawnpore-Achnera Railway, including the lands lying within the Bhartiur State in Rajputani.*
  8. *The Delhi-Umballa-Kalka Railway, including the lands lying within the Native States of Kalsia and Patiala.*
- [See *Gazette of India*, 1896, Pt. I, p. 44.]

#### Orders under the Indian Railways Act, 1890.

No. 3063-I. A., dated the 13th August, 1897, printed, *supra*, p. 134.

#### Delegation of powers under the Epidemic Diseases Act, 1897.

No. 444-I.A., dated the 4th February, 1897, printed, *infra*, p. 443.

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), which repealed Act X of 1882.

<sup>2</sup> Entry 6a was added by Notification No. 294, dated the 5th June, 1898, see *Gazette of India*, 1893, Pt. 1, p. 425.

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**CHAPTER VII.—II (2) THE NORTH WESTERN RAILWAY.**

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**CHAPTER VII.****RAILWAYS UNDER BRITISH JURISDICTION-contd.****II.-PARTICULAR RAILWAY LINES OR SYSTEMS IN PUNJAB NATIVE STATES.****(2) THE NORTH WESTERN RAILWAY.**

**(Patiala, Nabha, and Kapurfchala Sections.)**

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The British Enactments in force locally in these sections of this Railway treated separately consist of—

*British-North Western Railway (Paryab States) Enactments.*

1. Special Local Laws made by the Governor General in Council.
2. Local Orders under Acts of the Governor General in "Council locally applied.

## CHAPTER VII.—II (2) THE NORTH WESTERN RAILWAY-contd.

*British-North Western Railway (Punjab States) Enactment\*.*1. SPECIAL LOCAL LAW.<sup>1</sup>

| When made. | Subject of Notification.                                                                     | Notification.                         | Reference.                      |
|------------|----------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------|
| 1886       | Declaring laws in force and providing for the executive, judicial and police administration. | No. 1503-I., dated the 7th May, 1886. | Printed, <i>infra</i> , p. 149. |

For Acts applying to this Railway otherwise than in virtue of the notification referred to in this List and for other Special Local Laws, see *supra*, p. 139 *et seq.*

CHAPTER VII.—II (8) THE NORTH WESTERN RAILWAY—*contd.**British-North Western Railway [Punjab States) Enactments.*2. LOCAL ORDER UNDER AN ACT OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.<sup>1</sup>

| Act.                                            | Section.      | Subject of Notification.                                                                                                                                   | Reference.                                                              |
|-------------------------------------------------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <sup>2</sup> Police Act. 1888<br>(III of 1888). | 2 (I) and (2) | Forming the lands occupied by this Railway together with other Railways into a General Police District and providing for the administration of the Police. | No. 336, dated the 15th Jun; 1892.<br>[Printed, <i>infra</i> , p. 151.] |

<sup>1</sup> See also section I of this Chapter.<sup>2</sup> This Act is in force in this Railway by virtue of Notification No. 1503-1., dated the 7th May, 1886, printed, *infra*, p. 149.

## CHAPTER VII.—II (2) THE NORTH WESTERN RAILWAY.

## BRITISH-NORTH WESTERN RAILWAY (PANJAB STATES) ENACTMENTS-

## I.-(a) Notifications applying Acts.

The Revenue Recovery Act, 1890 (I of 1890).

No. 1415-I., dated the 30th April, 1897, printed; *infra*, p. 441.

The Epidemic Diseases Act, 1897 (III of 1897.)

No. 443-I. A., dated the 4th February, 1897, printed, *infra*, p. 443.

The Indian Railways Act, 1890 (IX of 1890).

No. 3063-1. B; dated the 13th August, 1897, printed, *supra*, p. 134.

## I.-(b) SPECIAL LOCAL LAWS.

Declaration as to Laws in force, and providing: for Executive, Judicial and Police Administration.

No. 1503-1., dated the 7th May, 1886.—Whereas His Highness the Maharaja of Patiala, His Highness the Raja of Nabha, and His Highness the Raja of Kapurthala have ceded to the British Government full jurisdiction within the lands which lie within their respective States and are occupied by the North Western Railway, till lately called the Sindh, Panjab and Delhi Railway (including the lands occupied as stations, out-buildings, and for other purposes connected with the Railway within their territories: In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following notification:—

I. — (2) The provisions, so far as they may be applicable, of all laws for the time being in force in the Ludhiana District of the Panjab are hereby extended to the portion of the aforesaid lands which lie in the Pail tahsil of the Patiala State.

(2) The Deputy Commissioner of the Ludhiana District and the Commissioner of the Jullunder Division, for the time being, shall have within this portion of the aforesaid lands the same executive powers as they have respectively within the British territories subject to their administration.

(3) All British Courts having jurisdiction within the Ludhiana District shall have within this portion of the aforesaid lands the jurisdiction which they have respectively, within the said district.

II(1) The provisions, as far as they may be applicable, of all laws for the time being in force in the Amballa District of the Panjab are hereby extended to the portion of the aforesaid lands which lie in the Nabha State or in any sub-division of the Patiala State other than the Pail tahsil,

## CHAPTER VII.—II (2) THE NORTH WESTERN RAILWAY—contd.

### British-North Western Railway (Panjab States) Enactments—1.-(b) Special Local Laws—contd.

Declaration as to Laws in force and providing for Executive, Judicial and Police Administration—contd.

(3) The Deputy Commissioner of the Amballa District and the Commissioner of the Delhi Division, for the time being, shall have within these portions of the aforesaid lands the same executive powers as they have, respectively, within the British territories subject to their administration.

(3) All British Courts having jurisdiction within the Amballa District shall have within these portions of the aforesaid lands the jurisdiction which they have, respectively, within the said district.

III.—7) The provisions, so far as they may be applicable, of all laws for the time being in force in the Jullunder District of the Panjab are hereby extended to the portion of the aforesaid lands which lie in the Kapurthala State.

(2) The Deputy Commissioner of the Jullunder District and the Commissioner of the Jullunder Division, for the time being, shall have within this portion of the aforesaid lands the same executive powers as they have, respectively, within the British territories subject to their administration.

(3) All British Courts having jurisdiction within the Jullunder District shall have within this portion of the aforesaid lands the jurisdiction which they have, respectively, within the said district.

IV.—The Financial Commissioner of the Panjab and the Lieutenant-Governor of the Panjab and its Dependencies, for the time being, shall have within all the aforesaid lands the same executive powers as they have, respectively, within the British territories subject to their administration.

V.—Within all the aforesaid lands the administration of the Police shall be rested in the Assistant Inspector-General of Railway Police, or such other officer or officers as the said Lieutenant-Governor may appoint, by name ~~as~~ in virtue of office, in that behalf; and the Assistant Inspector-General or other officer or officers as aforesaid shall have within the several portions of the said lands, in subordination to the Deputy Commissioner having jurisdiction therein, and to the Inspector-General of Police of the Panjab, all the powers which the District Superintendent of Police has for the time being in the Ludhiana, Amballa, or Jullunder District, as the case may be.

[See *Gazette of India*, 1886, Pt. I, p. 811.]

#### Recovery of Revenue Arrears accruing in British India

No. 1415-I., dated the 30th April, 1890, printed, *infra*, P. 441.

#### Printing and publication of newspapers and other printed Works.

No. 2651-I., dated the 25th June, 1891, printed, *infra*, p. 448.

#### Execution In British India of warrants of capital sentences of British Courts beyond British India.

No. 1431-I., dated the 4th February, 1897, printed, *infra*, p. 439.

CHAPTER VII.—II— (2) THE NORTH WESTERN RAILWAY— *contd.***2. Local Bales and Orders under Acts of the Governor General in Council locally applied.****Formation of a General Police District, etc., under Act in of 188&**

No. 336, dated the 16th June, 1892.—In exercise of the power conferred by section 2, sub-sections (1) and (2), of the Police Act (111 of 1888), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to create a general police district embracing all the lands for the time being occupied by the North Western Railway, including the portions situate in the States of Patiala, Nabha, and Kapurthala, but excluding the portions situate in British Baluchistan and the territories administered by the Agent to the Governor General in Baluchistan as such Agent, all lands occupied by stations, out-buildings, and for other railway purposes being included, and to direct the enrolment under Act V of 1861 of a police force for service therein.

The Governor General in Council is also pleased to appoint the Lieutenant\* Governor of the Panjab to discharge within the general police district aforesaid the functions of the Local Government under Act V of 1861, the Code of Criminal Procedure, 1882,<sup>1</sup> and any other enactment relating to police for the time being in force in the lands aforesaid or in any part thereof.

[See *Gazette of India*, 1892, Pt. I, p. 374.]

**Orders under the Indian Railways Act, 1890.**

No. 3068-1. B., dated the 13th Auyusi, 1897, printed, *supra*, p. 134.

**Delegation of powers under the Epidemic Diseases Act, 1897.**

No. 444-1.A., dated the 4th February, 1897, printed, *infra*, p. 443.

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<sup>1</sup> See now the Code of Criminal Procedure, 1896 (Act V of 1898), which repealed Act X of 1882.



CHAPTER VII.—II (2) THE NORTH WESTERN RAILWAY—*concl.*

## SUPPLEMENTARY NOTES.

**Cession of Sovereignty over Railway lands in Bhawalpur.**—The following notifications were issued by the British Government in respect of the lands ceded by the Bhawalpur State for the section of the North-Western Railway known as the Indus Valley State Railway

*No. 1335 I. P., dated the 14th July, 1879.*—In exercise of the power vested in him by <sup>2</sup>Statute 28 Vict., cap. 17, section 4, the Governor General in Council is pleased to declare that the lands occupied by the Indus Valley State Railway, and the works, premises, and stations thereof, within the limits of the Bhawalpur State, which have been ceded to the British Government in full sovereignty by that State, shall be subject to the Lieutenant-Governorship of the Panjab.

[See *Gazette of India*, 1879, Pt. I, p. 500.]

*No. 169-I., dated the 18th Jnht, 1882.*—In exercise of the powers vested in him by <sup>1</sup>Statute 28 and 29 Vict., cap. 17, section 4, the Governor General in Council is pleased to declare that the lands occupied by the Indus Valley State Railway, and works, premises, and stations thereof, within the limits of the Bhawalpur State which have been ceded to the British Government in full sovereignty by that State since the issue of the proclamation by the Government of India, No. 1835-1.P., dated Simla, the 14th July, 1879, shall be subject to the Lieutenant-Governorship of the Panjab.

[See *Gazette of India*, 1882, Pt. I, p. 280.]

*No. 1018-7., dated the 25th February, 1887.*—Whereas His Highness the Nawab of Bhawalpur, on the 9th July, 1886, ceded to the British Government, in full sovereignty, certain lands which now form part of the Bail way Station at Khanpur on the North-Western Railway, the Governor General in Council is pleased, in exercise of the power vested in him by the statute 28 and 29 Vict., cap. 17, section 4, to declare that the lands shall be subject to the Lieutenant-Governorship of the Panjab.

[See *Gazette of India*, 1887, Pt. I, p. 115.]

[For law in force on these lands, see Act XIII of 1883, printed in the Panjab Code.]

<sup>1</sup> Printed Collection of Statutes relating to India, Vol I, Ed. 1899, p. 397.

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**CHAPTER VII. - II (3) THE RAJPUTANA-MALWA RAILWAY.**

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**CHAPTER VII.****RAILWAYS UNDER BRITISH JURISDICTION-contd****(3) THE RAJPUTANA-MALWA RAILWAY.**

[(1) Rajputana State Railway : Nabha and Pataudi Sections.]

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The British Enactments in force locally in these sections of the Rajputana State **Railway** consist of —

*British-Rajputana State Railway (Punjab States) Enactments,*

L Local Laws made by the Governor General in Council—

(a) Act of the Governor General in Council locally applied.

(b) Special Local Laws.

2. Local Rules and Orders under Acts of the Governor General in Council locally applied.

CHAPTER VII.—II (3), THE RAJPUTAKA-MALWA (RAJPUTANA STATE)  
RAILWAY—contd.

*British-Rajputam State Railway (Panjab States) Enactments.*

1.-(a) ACT OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.<sup>1</sup>

| Act.                               | Extent of application. | Reference.                                                                       |
|------------------------------------|------------------------|----------------------------------------------------------------------------------|
| Police Act, 1888 ( I I I of 1888). | The whole Act • • •    | No. 4308-I., dated the 18th December, 1890.<br>[Printed, <i>infra</i> , p. 161.] |

<sup>1</sup> See also section I of this chapter.

# CHAPTER VII.—H (3) THE RAJPUTANA-MALWA (RAJPUTANA STATE) RAILWAY—contd.

## *British-Rajputana State Railway (Panjab States) Enactments.*

### D.-(b) SPECIAL LOCAL LAWS.<sup>1</sup>

| When made. | Subject of Notification.                                                                                 | Notification.                             | Reference.                      |
|------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------|
| 1879       | Imposing a duty on imported salt . . .                                                                   | No. 199-J, dated the 13th November, 1878. | Printed, <i>infra</i> , p. 162. |
| 1884       | Declaring all laws in force and providing for the executive, judicial and police administration thereof. | No. 1007-I., dated the 18th March, 1884.  | Printed, <i>infra</i> , p. 162. |

<sup>1</sup> See also section I of this chapter.

CHAPTER VII—II (8) THE RAJPUTANA-MALWA (RAJPUTANA STATE)  
RAILWAY—*contd.*

*British-Rajputana State Railway (Panjab States) Enactmentt.*

2. LOCAL RULES AND ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL  
LOCALLY APPLIED.<sup>1</sup>

| Act.                                                  | Section.      | Subject of Notification.                                                                                                                                                                                                                                                                                                                  | Reference.                                                                     |
|-------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <sup>1</sup> Police Act, 1861 (V of 1861).            | 4             | See the 2nd entry against Act III of 1888, <i>infra</i> .                                                                                                                                                                                                                                                                                 | See the 2nd entry against Act III of 1888, <i>infra</i> .                      |
| <sup>2</sup> Inland Customs Act, 1875 (VIII of 1875). | 53            | Investing certain railway officials with all the powers of stoppage and seizure conferred on Customs officers under the Act.                                                                                                                                                                                                              | No. 22-J., dated the 14th February, 1889.<br>[Printed, <i>infra</i> , p. 163.] |
| Police Act, 1888 (III of 1888).                       | 2 (1) and (2) | Forming all the lands occupied by certain lines (including the Rajputana State Railway and the Rewari-Ferozpur Railway) into a general Police District, directing the enrolment of a special Police force therefor, and appointing the Governor of Bombay to discharge the functions of the Local Government for police purposes therein. | No. 83-P., dated the 11th February, 1898.<br>[Printed, <i>infra</i> , p. 167.] |
| Ditto . . .                                           | 2 (2)         | Appointing the Inspector-General of Police, Bombay, to be Inspector-General, and empowering all existing Subordinate Police-officers to continue the exercise of their functions under the said Inspector-General.                                                                                                                        | No. 3839, dated the 3rd June, 1898.<br>[Printed, <i>infra</i> , p. 167.]       |

<sup>1</sup> See also section I of this chapter.

<sup>2</sup> This Act is in force by virtue of Notification No. 1007-I., dated the 19th March, 1884, printed, *infra*, p. 163.

<sup>3</sup> See now Act XII of 1882, which is in force in this section of this Railway in virtue of Notification No. 1007-I., dated the 19th March, 1884, printed, *infra*, p. 163.

CHAPTER VII. — II (8) THE RAJPUTANA-MALWA (REWARI-FEROZPUR)  
RAILWAY—*cond.*

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CHAPTER VII.

RAILWAYS UNDER BRITISH JURISDICTION—*contd.*

(3) THE RAJPUTANA-MALWA RAILWAY—*contd.*

[(2) Rewari-Ferozpur Railway : Dujana, Faridkot, Jhind, Patiala and Nabha Sections.]

The British Enactments in force locally in these sections of this Railway **treated** separately consist of—

*British-ReiDari-Ferozpur Railway (Panjab States) Enactments.*

1. Local Laws made by the Governor General in Council—
  - (a) Act of the Governor General in Council locally applied.
  - (b) Special Local Laws.
2. Local Rules and Orders under Acts of the Governor General in Council locally applied.

CHAPTER VII.—II (3) THE RAJPUTATNA-MALWA (REWARI-FEROZPCR)  
RAILWAY—contd.

*British-Rewari-Ferospur Railway (Panjab States) Enactments.*

1.-(a) ACT OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.<sup>1</sup>

| Act.                               | Extent of application. | Reference.                                                                       |
|------------------------------------|------------------------|----------------------------------------------------------------------------------|
| Police Act, 1888 ( I I I of 1888). | The whole Act . . . .  | No. 4308-I., dated the 18th December, 1890.<br>[Printed, <i>infra</i> , p. 161.] |

<sup>1</sup> See also section I of this chapter.

CHAPTER VII.—II (S) THE RAJPUTANA-MALWA (REWARI-FEROZPUR)  
RAILWAY—*contd.**British-Rewari-Ferozpur Railway (Panjab States) Enactments.*I.—(b) SPECIAL LOCAL LAWS.<sup>1</sup>

| When made. | Subject of Notification.                                                                                                                                                                                  | Notification.                              | Reference.                      |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------|
| 1885       | Declaring all laws in force in the Ferozpur District to be in force in the Nabha and Faridkot sections of this Railway, and providing for the executive, judicial and police administration thereof.      | No. 2925-I., dated the 29th August, 1885.  | Printed, <i>infra</i> , p. 165. |
| 1886       | Declaring all laws in force in the Hissar District to be in force in the Patiala, Jhind and Dujana sections of this Railway, and providing for the executive, judicial and police administration thereof. | No. 2937-I., dated the 5th November, 1886. | Printed, <i>infra</i> , p. 165. |

<sup>1</sup> See also section I of this chapter.



**CHAPTER VII.—II (3) THE RAJPUTANA-MALWA (REWARI-FEROZPUR)  
RAILWAY—contd.**

*British-Rewari-Ferozpur Railway (Panjah States) Enactments.*

2. LOCAL RULES AND ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL  
LOCALLY APPLIED.<sup>1</sup>

| Act.                                       | Section,      | Subject of Notification.                                                                                                                                                                                                                                                                                                                  | Reference.                                                                     |
|--------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <sup>2</sup> Police Act, 1861 (V of 1861). | 4             | See the 2nd entry against Act III of 1888, <i>infra</i> .                                                                                                                                                                                                                                                                                 | See the 2nd entry against Act III of 1888, <i>infra</i> .                      |
| Police Act, 1888 (III of 1888).            | 2 (1) and (2) | Forming all the lands occupied by certain lines (including the Rajputana State Railway and the Rewari-Ferozpur Railway) into a General Police District, directing the enrolment of a special Police force therefor, and appointing the Governor of Bombay to discharge the functions of the Local Government for police purposes therein. | No. 83-P., dated the 11th February, 1898.<br>[Printed, <i>infra</i> , p. 167.] |
| Ditto                                      | 2 (2)         | Appointing the Inspector-General of Police, Bombay, to be Inspector-General, and empowering all existing Subordinate Police officers to continue the exercise of their functions under the said Inspector-General.                                                                                                                        | No. 3839, dated the 3rd June, 1898.<br>[Printed, <i>infra</i> , p. 167.]       |

<sup>1</sup> See also section I of this chapter.

<sup>2</sup> This Act is in force by virtue of Notifications Nos. 2925-1. and 3927-1., dated, respectively, the 28th August, 1985, and 6th November, 1886. printed, *infra*, p. 165.

## CHAPTER VII.—II-(3) THE RAJPUTANA-MALWA RAILWAY.

BRITISH-RAJPUTANA-MALWA RAILWAY  
(PANJAB STATES) ENACTMENTS.

## I.-(a) Notifications applying Acts.

The Revenue Recovery Act, 1890 (I of 1890).

No. 1415-1., dated the 30th April, 1890, printed, *infra*, p. 441.

The Indian Railways Act, 1890 (IX of 1890).

No. 3063-I.B., dated the 13th August, 1897, printed, *supra*, p. 134.

The Epidemic Diseases Act, 1897 (III of 1897).

No. 443-1.A., dated the 4th February, 1897, printed, *infra*, p. 413.

Police Act, 1888 (III of 1888).

<sup>1</sup>No. 43C8-J., dated the 18th December, 1890. - Whereas the Rulers of the States mentioned in the margin have ceded to the British Government full jurisdiction within the lands which lie within their respective States, and are occupied, or may hereafter be occupied, by the Bombay, Haroda and Central India Railway and by the Rajputana-Malwa Railway System (including the Botkar State Railway, the Sindia, Neemuch State Railway, the Neemuch-Nasirabad State Railway, the Rajputana State Railway, the Western Rajputana State Railway, and the Rewari-Ferozpur State Railway, but excluding the Cawnpur-Acluiera Railway), respectively (including

|                    |                  |
|--------------------|------------------|
| <i>Wadhwan.</i>    | <i>Tonk.</i>     |
| <i>Lakhtar.</i>    | <i>Indore.</i>   |
| <i>Bajana.</i>     | <i>Gwalior.</i>  |
| <i>Patri.</i>      | <i>Dhar.</i>     |
| <i>Baroda.</i>     | <i>Rullam.</i>   |
| <i>Pahlanpur.</i>  | <i>Jaora.</i>    |
| <i>Alwar.</i>      | <i>Sailana.</i>  |
| <i>Bhartpur.</i>   | <i>Nabha.</i>    |
| <i>Jaipur.</i>     | <i>Pataudi.</i>  |
| <i>Kishengarh.</i> | <i>Faridkot.</i> |
| <i>Marwar.</i>     | <i>Patiala.</i>  |
| <i>Sirohi.</i>     | <i>Jhind.</i>    |
| <i>Merywar.</i>    | <i>Dujana.</i>   |

the lands occupied by stations, out-buildings, and for other railway purposes) : In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that the Police Act, III of 1888, shall be in force throughout the lands aforesaid.

This notification supercedes the Notification of the Government of India in the Foreign Department, No. 137,4-I., dated the 29th March, 1889.

[See *Gazette of India*, 1890, Pt. I, p. 1886.]

<sup>1</sup> The portions of these notifications printed in italics relate to Railways not dealt with in this volume.

CHAPTER VII.—II (3) THE RAJPUTANA-MALWA (RAJPUTANA STATE) RAILWAY—*contd.*

## RAJPUTANA STATE RAILWAY (PANJAB STATES) ENACTMENTS.

### 1.-(b) Special Local Laws.<sup>1</sup>

Declaration as to Laws in Force, and arrangements for Executive, Judicial and Police administration.

*No. 1007-I., dated the 18th March, 1884.*—Whereas

His Highness the Raja of Nabha and the Nawab of Pataudi have ceded to the British Government full jurisdiction within those portions of land which lie within their respective States, and are occupied, or may be hereafter occupied, by the Railways comprised in the Rajputana-Malwa Railway System,<sup>2</sup> including the lands occupied as stations, out-buildings, and for other railway purposes : In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the aforesaid portion of land :—

II. (1) All laws for the time being in force in the Gurgaon District of the Punjab are hereby extended to the portion of the aforesaid land which lies in the States of Nabha and Pataudi.

(2) The Deputy Commissioner of the Gurgaon District, and the Commissioner of the Delhi Division, and the Lieutenant-Governor of the Punjab, for the time being, shall respectively exercise, within this portion of the aforesaid land, the same executive powers as they may respectively exercise within the British territories subject to their administration.

(3) All British Courts having jurisdiction within the Gurgaon District shall exercise the same jurisdiction within this portion of the aforesaid land.

(4) Within this portion of the aforesaid land the administration of the Police shall be vested in the Superintendent and an Assistant Superintendent of the Police of the Rajputana-Malwa Railway System. These officers shall exercise respectively the same Police powers as may be exercised by District Superintendents and Assistant District Superintendents of Police under any law for the time being in force in the Gurgaon District, in subordination to the Deputy Commissioner of the Gurgaon District and the Inspector-General of Police in the Punjab.<sup>3</sup>

III. This notification supersedes the undermentioned Notifications of the Government of India in the Foreign Department :—

(b) Notification No. 234-A.I.J., dated the 28th November, 1891.

[See *Gazette of India*, 1884, Pt. I, p. 124.]

<sup>1</sup> For Acts applied to this line in common with the Rewari-Ferozpur Section, see preceding page.

<sup>2</sup> The portions of this notification which are omitted here relate to the lands in the territories of His Highness the Maharaja Holkar, as to which see the Central India volume.

<sup>3</sup> When this notification was issued, the Rewari-Ferozpur Railway did not form part of the Rajputana-Malwa Railway System. As to that line, see notifications printed on p. 165, *infra*.

<sup>4</sup> See now Notifications Nos. 4803-I, 68-P., and 3839, dated respectively the 18th December, 1890, and the 11th February and 3rd June, 1898, and printed respectively on pp. 161 and 167 of this volume.

CHAPTER VII—II (3) THE RAJPUTANA-MALWA (RAJPUTANA STATE) RAILWAY—contd.

**Rajputana State Railway (Panjab States) Enactments—1.-(b) Special Local Laws—contd.**

Carriage, etc., of Salt

<sup>1</sup>No.199-J., dated the 13th November, 1878.—Whereas <sup>2</sup>His Highness the Maharaja of Jeypur, His Highness the Maharaja of Kūhengarh, His Highness the Maharaja of Bhartpur, His Highness the Maha Rao Raja of Alwar, His Highness the Raja of Nabha, and His Highness the Nawab of Pataudi have granted to the British Government full jurisdiction within those portions of land forming the Rajputana (State) Railway (including lands occupied as stations, out-buildings, and for other purposes connected with the Railway) which lie within their respective territories : In exercise of such jurisdiction, and of the powers conferred by sections 4 and 5 of Act XI of 1872<sup>3</sup>, (The Foreign Jurisdiction and Extradition Act, 1872), XI of 1872, the Governor General in Council is pleased to notify as follows :—

(i) On all salt imported, whether before or after the date of this notification, into any of the aforesaid portions of land without payment of duty, and which, after one month from the date of this notification and from the date of importation, has not been moved in a manner permitted by Notification No. 193-J. of this date, a duty of Rs. 2-8 per maund of three thousand two hundred tolas shall be levied; and in calculating the amount of such duty, fractions of quarter maunds shall be reckoned as quarter maunds.

(2) When duty has become payable upon any salt under this notification and has not been paid, any officer empowered in this behalf by the Commissioner of Inland Customs may declare such salt to be forfeited to Her Majesty :

Provided that no such declaration shall be made in respect of any salt until the expiration of one fortnight after notice in writing of the intention to make such declaration has been served upon the owner or consignor of such salt, or, where such owner or consignor cannot be found, after such notice has been posted at the place where such salt is stored, and, if such salt was conveyed to such place as aforesaid by rail from another place within the aforesaid portions of land, also at the place from which such salt was despatched.

(3) Nothing herein contained shall be deemed to impose any duty on salt covered by a pass stating that such salt is free salt furnished under treaty to some Native Prince or Chief.

[See *Gatette of India*, 1878, Pt. I, p. 662.]

No. 22-J., dated the 14th February, 1879.—Whereas His Highness \* \*<sup>4</sup> the Raja of Nabha and His Highness the Nawab of Pataudi have granted to the British Government full jurisdiction within those portions of land forming the Rajputana State Railway (including land occupied as stations, out-buildings, and for other purposes connected with the Railway) which lie within their respective territories : In exercise of such jurisdiction, and of the power conferred by section 31 of Act VIII of 1875<sup>6</sup> (the Inland Customs Act), the Governor General in Council is

<sup>1</sup>Though this notification refers only to Act XI of 1872, it has been classified as a "Special Local Law," as it applies to all persons, and not to British subjects only.

<sup>2</sup>The Chiefs whose names are printed in italics are Rajputana Chiefs, see the Rajputana volume.

<sup>3</sup>See now Act XXI of 1879, ss. 2, 4 and 5, printed, General Acts, Vol. I 11, Ed. 1898, p. 288.

<sup>4</sup>The part here omitted relates to States under the Rajputana Agency, as to which see the Rajputana volume

<sup>5</sup>See now Act XII of 1882, s. 30, which is in force in these sections of this Railway by virtue of Notification No. 1007-1., dated the 18th March, 1884, printed, *supra*, p. 162. (For Act XII of 1882, see General Acts, Vol. IV, Ed. 1898, p. 221.)

CHAPTER VII.—II (3) THE RAJPUTANA-MALWA (RAJPUTANA,  
STATE) RAILWAY—*concl'd.*

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Rajputana State Railway (Panjab States) Enactment—1.-(b) Special  
Local Laws—*cont'd.*

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Carriage, etc., of Salt—*cont'd.*

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pleased to invest all Traffic Managers, Assistant Traffic Managers, Station Masters, Assistant Station Masters and Goods Clerks, and also all Superintendents, Assistant Superintendents, and Inspectors of Police on the said Rajputana State Railway, within the aforesaid portions of land, with all the powers of stoppage and seizure conferred on Customs officers under the said Act.

[See *Gazette of India*, 1879, Pt. I, p. 111.]

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Recovery of Revenue Arrears accruing in British India.

No. 1415-I., dated the 30th April, 1890, printed, *infra*, p. 441.

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Printing and publication of newspapers and other printed works.

No. 2651-I., dated the 35th June, 1891, printed, *infra*, p. 442.

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Execution in British India of warrants of capital sentences of British Courts beyond British India.

No. 1431-I., dated the 27th April, 1893, printed, *infra*, p. 439.

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[For Local Rules and Orders under Acts of the Governor General in Council locally applied, see *infra*, p. 167.]

CHAPTER VII.—II (3) THE RAJPUTANA-MALWA (REWAM-  
PEROZPUR) RAILWAY—*contd.*REWART-FEROZPUR RAILWAY (PANJAB  
STATES) ENACTMENTS.I.-(b) Special Local Laws.<sup>1</sup>

Declaration as to Laws in force, and arrangements for Executive, Judicial and Police administration.

(Faridkot and Nabha Sections.)

No. 2926-I., dated the 28th August, 1885.—Whereas His Highness the Raja of Nabha and His Highness the Raja of Faridkot have granted to the British Government full jurisdiction within the lands which lie within their respective States, and are occupied, or maybe hereafter occupied, by the Rewari-Ferozpur State Railway (including<sup>1</sup> the lands occupied as stations, out-building's, and for other purposes connected with the Railway within their territories) : In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following notification :—

1. All laws for the time being in force in the Ferozpur District of the Panjab are hereby extended to the aforesaid lands.

2. The Deputy Commissioner of the Ferozpur District, the Commissioner of the Jullunder Division, the Financial Commissioner of the Panjab, and the Lieutenant-Governor of the Panjab and its Dependencies, for the time being, shall respectively have within the aforesaid lands the same executive powers as they may respectively exercise within the British territories subject to their administration.

3. British Courts having jurisdiction within the Ferozpur District may exercise within the aforesaid lands the jurisdiction which they respectively exercise within the said district.

4. Within the aforesaid lands the administration of the Police shall be vested in the Assistant Inspector-General of Railway Police, or such other officer as the said Lieutenant-Governor may appoint, by name or in virtue of his office, in that behalf. The Assistant Inspector-General or other officer as aforesaid shall have the same police powers as may be exercised by the District Superintendent of Police under any law for the time being in force in the Ferozpur District, in subordination to the Deputy Commissioner of the Ferozpur District and the Inspector-General of Police in the Panjab.<sup>2</sup>

[See *Gazette of India*, 1885, Pt. I, p. 522.]

(Patiala, Jhind and Dujana Sections.)

No. 3937-I., dated the 5th November, 1886.—Whereas His Highness the Maharaja of Patiala, His Highness the Raja of Jhind and the Nawab of Dujana

<sup>1</sup> For Acts applied to this line in common with the Rajputana State Railway Section, see *supra* p. 161, and for LOCAL RULES and Orders made under such Acts, see *infra*, p. 167.

<sup>2</sup> See now Notifications Nos. 4308-1., 83-P., and 3839, dated respectively the 18th December, 1890 and 11th February and 8th June, 1898, printed respectively on pp. 161 and 167 of this volume.

**CHAPTER VII.—II (3) THE RAJPUTANA-MALWA (REWARI-FEROZPUR) RAILWAY—*contd.***

**Rewari-Ferozpur Railway (Paniab States) Enactments—1.-(b) Special Local Laws—*contd.***

**Declaration as to Laws In force, and arrangements for Executive, Judicial and Police administration—*contd.***

(Patiala, Jhind and Dujana Sections)—*contd.*

have granted to the British Government full jurisdiction within the lands which lie within their respective States, and are occupied, or may hereafter be occupied, by the Rewari-Ferozpur State Railway (including the lands occupied as stations, out-buildings, and for other railway purposes) : In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following notification :—

1. AU laws for the time being in force in the Hissar District of the Panjab are hereby extended to the aforesaid lands.

2. The Deputy Commissioner of the Hissar District, the Commissioner of the Delhi Division, the Financial Commissioners of the Panjab, and the Lieutenant-Governor of the Panjab and its Dependencies, for the time being, shall respectively have within the aforesaid lands the same executive powers as they may respectively exercise within the British territories subject to their administration.

3. British Courts having jurisdiction within the Hissar District may exercise within the aforesaid lands the jurisdiction which they respectively exercise within the said district.

4. Within the aforesaid lands the administration of the Police shall be vested in the Assistant Inspector-General of Railway Police, or such other officer as the said Lieutenant-Governor may appoint, by name or in virtue of office, in that behalf. The Assistant Inspector-General or other officer as aforesaid shall have the same police powers as may be exercised by the District Superintendent of Police under any law for the time being in force in the Hissar District, in subordination to the Deputy Commissioner of the Hissar District and the Inspector-General of Police in the Panjab.

[See *Gazette of India*, 1886, Pt. I, p. 665.]

**Recovery of revenue arrears accruing in British India.**

*No. 1415-I.A., dated the 30th April, 1890, printed, infra, p. 441.*

**Printing and publication of newspapers and other printed works**

*No. 2651-I., dated the 25th June, 1891, printed, infra, p. 442,*

Execution in British India of warrants of capital sentences of British Courts beyond British India.

*No. 1431-1.. dated the 27th April, 1893, printed, infra, p. 439.*

<sup>1</sup> See now Notifications Nos. 4308-1., 83 pread 3839, dated respectively the 18th December, 1890 and 11th February and 3rd June, 1898, printed respectively on pp. 161 and 167 of this volume.

## BRITISH-RAJPUTANA-MALWA RAILWAY (PANJAB STATES) ENACTMENTS.

### 2. Local Rules and Orders under Acts of the Governor General in Council locally applied.

Orders as to the formation of a general Police District and the Administration of the Police.

*Ne 83-P., clafed the 11th February, 1898.*—In exercise of the powers conferred by section 2, sub-sections (1) and (2), of the Police Act, 1888 (III of 1888), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to create a general police district embracing all the lands for the time being occupied by the *Ahmed abad-Parantij Railway*, by the *Bombay, Baroda and Central India Railway*, by the *Rajpipla State Railway*, by the *Rajputana-Mahva Railway System* (including the *Holkar State Railtoay*, the *Sindhi-Neemneh Stale Railway*, the *Neemuch-Nasirabad State Railway*, the *Rajputana State Railway*, the *Western Rajputana State Railway*, the *Palanpur-Disah Railway*, the *Godhra-Rutlam-Naqda Railway*, the *Nagdn-Ujjain Railway*, and the *Rewari-Ferozepore State Railway*, but excluding the *Caionpore-Achnera State Railway*), and by the *Tapti Valley Railway*, respectively, all lands occupied by stations, by out-buildings, and for other railway purposes being included, and to direct the enrolment under Act V of 1861 of a police force for service therein.

II.—The Governor General in Council is also pleased to appoint the Governor of Bombay in Council to discharge within the general police district aforesaid the functions of the Local Government under Act V of 1861, the Code of Criminal Procedure, 1882 (X of 3882),<sup>1</sup> and any other enactment relating to Police for the time being in force in the lands aforesaid or in any part thereof.

III.—The following Notifications of the Government of India in the Home Department are hereby cancelled :—

|        |                              |
|--------|------------------------------|
| No. 4, | dated the 6th January, 1891. |
| „ 39,  | „ 24th January, 1896.        |
| „ 359, | „ 24th June, 1897.           |
| „ 590, | „ 28th August, 1897.         |

[See *Gazette of India*, 1898, Pt. I, p. 130.]

*No. 3839, dated the 3rd June, 1898.*—With reference to the Government of India notifications noted in the margin, and in supersession of Government Notification in the Judicial Department, No. 636, dated the 25th January, 1896, and under the provisions of section 2 (3) of Act III of 1888, and section 4 of Act V of 1861, the Governor in Council is pleased to direct that every officer mentioned in the 5th, 6th and 7th columns of the schedule hereto attached shall exercise, within such sections of the general police district created by the above quoted Government of India notifications mentioned opposite his name in the 1st, 2nd and 3rd, columns of the schedule as are situated within the territories of the State or Local Government mentioned opposite his name in the 4th column of the schedule, the powers of an Assistant District Superintendent of Police, of a District Superintendent of Police, or an Inspector-General of Police, as the case may be.

**Foreign Department—**  
*No. 1007-1., dated the 22nd March, 1884.*  
*No. 4308-1., dated the 18th December, 1890.*  
*No. 2554-1., dated the 18th June, 1891.*  
*No. 763-1., dated the 2nd March, 1893.*  
*No. 326-1., dated the 24th January, 1896.*  
**Home Department—**  
*No. 83, dated the 11th February, 1898.*

<sup>1</sup>See now the Code of Criminal Procedure, X898 (Act V of 1893).



CHAPTER VII.—II (3) THE RAJPUTANA-MALWA RAILWAY—*contd.*British-Rajputana-Malwa Railway (Panjab States) Enactments—2. Local Rules and Orders under Acts—*contd.*Orders under the Police Act—*contd.*

## SCHEDULE.

| 1                                | 2                    | 3                                                                                   | 4                                              | 5                                             | 6                                                                                        | 7                                               |
|----------------------------------|----------------------|-------------------------------------------------------------------------------------|------------------------------------------------|-----------------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------------------|
| Railway.                         | Section.             | Sub-section.                                                                        | Province, Presidency or State.                 | Assistant District Superintendent of Police.  | District Superintendent of Police.                                                       | Inspector-General of Police.                    |
| Rajputana State Railway.         | Delhi to Ajmere.     | Delhi to 35 miles north of Jataoli.                                                 | Panjab (Delhi and Gurgaon Districts).          |                                               |                                                                                          |                                                 |
| Ditto . .                        | Ditto . .            | Mile 35 to 41 north of Khalilpur.                                                   | Pataudi . .                                    |                                               |                                                                                          |                                                 |
| Ditto . .                        | Ditto . .            | Mile 41 to 57 north of Nawal.                                                       | Punjab (Gurgaon District).                     |                                               |                                                                                          |                                                 |
|                                  |                      |                                                                                     | Nabha . .                                      |                                               |                                                                                          |                                                 |
| Ditto . .                        | Ditto . .            | Mile 57 to 24½ north of Tilaunia.                                                   | Alwar . .                                      |                                               |                                                                                          |                                                 |
|                                  |                      |                                                                                     | Jaipur . .                                     |                                               |                                                                                          |                                                 |
|                                  |                      |                                                                                     | Jodhpur . .                                    |                                               |                                                                                          |                                                 |
|                                  |                      |                                                                                     | Kishangarh .                                   |                                               |                                                                                          |                                                 |
| Ditto . .                        | Ditto . .            | Mile 246½ to 251½ south of Tilaunia.                                                | Ajmere-Merwara (Ajmere District).              |                                               |                                                                                          |                                                 |
| Ditto . .                        | Ditto . .            | Mile 251½ to 261 north of Akhri.                                                    | Kishangarh .                                   | Assistant Superintendent of Police, Bandikui. | Superintendent of Police, Bombay, Baroda and Central India and Rajputana Malwa Railways. | Inspector-General of Police, Bombay Presidency. |
| Ditto . .                        | Ditto . .            | Mile 261 to 275, Ajmere.                                                            | Ajmere-Merwara (Ajmere District).              |                                               |                                                                                          |                                                 |
| Ditto . .                        | Farukhnagar Branch.  | Gurhi-Harsaru to Farukhnagar, 7½ miles.                                             | Punjab, Gurgaon District.                      |                                               |                                                                                          |                                                 |
| Ditto . .                        | Shambhar Branch.     | Phulera to Kachaman Road, including Jaipore extension to Shambhar Branch, 26 miles. | Jaipur . .                                     |                                               |                                                                                          |                                                 |
|                                  |                      |                                                                                     | Jodhpur . .                                    |                                               |                                                                                          |                                                 |
| Ditto . .                        | Agra Branch          | Agra to mile 21 south of Achnera.                                                   | North-Western Provinces (Agra District).       |                                               |                                                                                          |                                                 |
|                                  |                      |                                                                                     | Bharatpur .                                    |                                               |                                                                                          |                                                 |
| Ditto . .                        | Ditto . .            | Mile 21 to 23½, Bandikui.                                                           | Alwar . .                                      |                                               |                                                                                          |                                                 |
|                                  |                      |                                                                                     | Jaipur . .                                     |                                               |                                                                                          |                                                 |
| Western Rajputana State Railway. | Ajmere to Sabarmati. | Ajmere to mile 31½ south of Sendra.                                                 | Ajmere-Merwara (Ajmere and Merwara Districts). |                                               |                                                                                          |                                                 |
|                                  |                      |                                                                                     | Jodhpur . .                                    |                                               |                                                                                          |                                                 |
| Ditto . .                        | ...                  | Mile 31½ to 56½ north of Khodiar.                                                   | Sirohi . .                                     | Nil . . .                                     | Ditto . .                                                                                | Ditto.                                          |
|                                  |                      |                                                                                     | Palanpur .                                     |                                               |                                                                                          |                                                 |
|                                  |                      |                                                                                     | Baroda . .                                     |                                               |                                                                                          |                                                 |
| Ditto . .                        | ...                  | Mile 56½ to 57½, Sabarmati.                                                         | Bombay Presidency—(Ahmedabad District).        |                                               |                                                                                          |                                                 |

CHAPTER VII.—II (3) THE RAJPUTANA-MALWA RAILWAY—*contd.*British-Rajputana-Malwa Railway (Panjab States) Enactments—2. Local Rules and Orders under Acts—*contd.*Orders under the Police Act—*contd.*SCHEDULE—*contd.*

| 1                                | 2            | 3                                 | 4                                                                   | 5                                                                                     | 6                                                                                        | 7                                               |
|----------------------------------|--------------|-----------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------------------|
| Railway.                         | Section.     | Sub-section.                      | Province, Presidency or State.                                      | Assistant District Superintendent of Police.                                          | District Superintendent of Police.                                                       | Inspector-General of Police.                    |
| Neemuch Nasirabad State Railway. | Malwa Line.  | Ajmere to mile 41½ south of Bari. | Ajmere-Merwara (Ajmere District).                                   | Assistant Superintendent of Police, Indore.                                           | Superintendent of Police, Bombay, Baroda and Central India and Rajputana-Malwa Railways. | Inspector-General of Police, Bombay Presidency. |
| Ditto . .                        | Ditto . .    | Mile 41½ to Neemuch.              | Mewar . .<br>Tonk . .<br>Gwallior . .                               |                                                                                       |                                                                                          |                                                 |
| Sindia-Neemuch Railway.          | "            | Neemuch to Indore.                | Dhar . .<br>Gwallior . .<br>Indore . .<br>Jaora . .                 | Ditto . .                                                                             | Ditto . .                                                                                | Ditto.                                          |
|                                  |              |                                   | Rantlam . .<br>Sailana . .                                          |                                                                                       |                                                                                          |                                                 |
|                                  |              |                                   | Gwallior . .<br>Indore . .                                          |                                                                                       |                                                                                          |                                                 |
|                                  |              |                                   | Punjab (Gurgaon, Hissar and Ferozepore Districts)—                  |                                                                                       |                                                                                          |                                                 |
| Rewari-Ferozepore Railway.       | "            | Rewari to Ferozepore.             | Dujana . .<br>Faridkot . .<br>Jhind . .<br>Nabha . .<br>Patiala . . | Nil. . .                                                                              | Ditto . .                                                                                | Ditto.                                          |
|                                  |              |                                   | Palampur.                                                           |                                                                                       |                                                                                          |                                                 |
|                                  |              |                                   | Bombay Presidency (Ahmedabad District).                             |                                                                                       |                                                                                          |                                                 |
|                                  |              |                                   | Baroda . .<br>Katosan . .<br>Ijnura (in Mahi Kantha Agency).        |                                                                                       |                                                                                          |                                                 |
| Palampur-Disah Railway.          | Disah Branch | Palampur to Disah, 17½ miles.     | Palampur.                                                           | Assistant Superintendent of Police, Bombay, Baroda and Central India Railway, Bombay. | Ditto . .                                                                                | Ditto.                                          |
| The Gaskwar's Mehsana Railway.   | "            | Mehsana to Vairamgam.             | Baroda . .<br>Katosan . .<br>Ijnura (in Mahi Kantha Agency).        |                                                                                       |                                                                                          |                                                 |
| Holkar State Railway.            | "            | Indore to mile 26½.               | Indore . .                                                          | Assistant Superintendent of Police, Indore.                                           | Ditto . .                                                                                | Ditto.                                          |
| Ditto . .                        | "            | Mile 26½ to 393, Khandwa.         | Indore, Central Province (Nimar District).                          |                                                                                       |                                                                                          |                                                 |

CHAPTER VII.—II (3) THE RAJPUTANA-MALWA RAILWAY—*contd.*British-Rajputana-Malwa Railway (Panjab States) Enactments—2. Local Rules and Orders under Acts—*contd.*Orders under the Police Act—*concl'd.*SCHEDULE—*concl'd.*

| 1                                         | 2                  | 3                                          | 4                                                                                       | 5                                                                                     | 6                                                                                        | 7                                               |
|-------------------------------------------|--------------------|--------------------------------------------|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------------------|
| Railway.                                  | Section.           | Sub-section.                               | Provinces, Presidency or State.                                                         | Assistant District Superintendent of Police.                                          | District Superintendent of Police.                                                       | Inspector-General of Police.                    |
| Bombay, Baroda and Central India Railway. | Bombay to Wadhwan. | Bombay to Wadhwan, 144 miles.              | Bombay Presidency—(Bombay Island, Thana, Surat, Broach, Kaira and Ahmedabad Districts). | Assistant Superintendent of Police, Bombay, Baroda and Central India Railway, Bombay. | Superintendent of Police, Bombay, Baroda and Central India and Rajputana-Malwa Railways. | Inspector-General of Police, Bombay Presidency. |
|                                           |                    |                                            | Rhojwa . . .                                                                            |                                                                                       |                                                                                          |                                                 |
|                                           |                    |                                            | Lakhtar . . .                                                                           |                                                                                       |                                                                                          |                                                 |
|                                           |                    |                                            | Bajana . . .                                                                            |                                                                                       |                                                                                          |                                                 |
| Ditto . . .                               | Patri Branch       | Viramgam to Kharaghoda, 22½ miles.         | Wadhwan . . .                                                                           | Assistant Superintendent of Police, Bombay, Baroda and Central India Railway, Bombay. | Superintendent of Police, Bombay, Baroda and Central India and Rajputana-Malwa Railways. | Inspector-General of Police, Bombay Presidency. |
|                                           |                    |                                            | Bombay Presidency—(Ahmedabad District).                                                 |                                                                                       |                                                                                          |                                                 |
| Ditto . . .                               | Godhra Branch.     | Ahmedabad to Godhra.                       | Bombay Presidency—(Kaira and Panch Mahals Districts).                                   |                                                                                       |                                                                                          |                                                 |
|                                           |                    |                                            | Pandu Mewas . . .                                                                       |                                                                                       |                                                                                          |                                                 |
| Ahmedabad-Parantij Railway.               | ...                | Ahmedabad to Parantij and Idar-Ahmednagar. | Bombay Presidency.                                                                      | Ditto . . .                                                                           | Ditto . . .                                                                              | Ditto.                                          |
|                                           |                    |                                            | Baroda State . . .                                                                      |                                                                                       |                                                                                          |                                                 |
| Rajpipla State Railway.                   | ...                | Ankleshwar to Parul.                       | Idar State . . .                                                                        |                                                                                       |                                                                                          |                                                 |
|                                           |                    |                                            | Bombay Presidency.                                                                      |                                                                                       |                                                                                          |                                                 |
| Godhra-Rutlam-Nagda Railway.              | ...                | Godhra to Rutlam.                          | Rajpipla State.                                                                         | Assistant Superintendent of Police, Rajputana Malwa Railway, Indore.                  | Ditto . . .                                                                              | Ditto.                                          |
|                                           |                    |                                            | Bombay Presidency.                                                                      |                                                                                       |                                                                                          |                                                 |
|                                           |                    | Rutlam to Nagda.                           | Indore State . . .                                                                      |                                                                                       |                                                                                          |                                                 |
|                                           |                    |                                            | Rutlam State . . .                                                                      |                                                                                       |                                                                                          |                                                 |
| Nagda-Ujjain Railway.                     | ...                | Nagda to Ujjain.                           | Sailana State . . .                                                                     | Assistant Superintendent of Police, Bombay, Baroda and Central India Railway, Bombay. | Ditto . . .                                                                              | Ditto.                                          |
|                                           |                    |                                            | Jhabua State . . .                                                                      |                                                                                       |                                                                                          |                                                 |
|                                           |                    |                                            | Gwalior State . . .                                                                     |                                                                                       |                                                                                          |                                                 |
|                                           |                    |                                            | Bombay Presidency.                                                                      |                                                                                       |                                                                                          |                                                 |
| Tapti Valley Railway.                     | ...                | Surat to Amalner                           | Baroda State.                                                                           | Assistant Superintendent of Police, Bombay, Baroda and Central India Railway, Bombay. | Ditto . . .                                                                              | Ditto.                                          |
|                                           |                    |                                            | Bachin State.                                                                           |                                                                                       |                                                                                          |                                                 |

CHAPTER VIL — II (8) THE RAJPUTANA-MALWA RAILWAY—*concl'd.*

**British-Rajputana-Malwa Railway (Panjab States) Enactments—2. Local  
Rules and Orders under Acts—*cond***

Orders under the Indian Railways Act, 1890.

*No. 3063-I. B., dated the 13th August, 1897, printed, supra, p. 134.*

Delegation of powers under the Epldemle Diseases Act, 1897.

*No. 444-I. A., dated the 4th February, 1897, printed, infra, p. 443.*

## CHAPTER VII.—II (4) SOUTHERN PANJAB RAILWAY.

## CHAPTER VII.

## RAILWAYS UNDER BRITISH JURISDICTION—condd

## (4) THE SOUTHERN PANJAB RAILWAY.

[<sup>1</sup>Bhawalpur Section.]

The only British Enactment in force locally in Bhawalpur section of this Railway, treated separately is the follow :—

*British-Southern Panjab Railway (Bhawa'pur State) Enactments, namely—*

Special Local Laws made by the Governor General in Council.

| When made. | Subject of Notification.                                                              | Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| * 1899.    | Declaring laws in force and providing for Executive, Judicial, Police Administration. | <p><i>No. 3387-I.B., dated the 13th November, 1899.</i>—Whereas His Highness the Nawab of Bhawalpur has ceded to the British Government full and exclusive power and jurisdiction of every kind over the lands lying within his State which are, or may hereafter be, occupied by the Southern Panjab Railway (including the lands occupied by stations, by out-buildings, and for other railway purposes), and over all persons and things whatsoever within the said lands: In exercise of such jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him on this behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the said lands :—</p> <p>I.—All laws for the time being in force in the Multan District of the Panjab shall be in force in the said lands.</p> <p>II.—The Lieutenant-Governor of the Panjab and all officers subordinate to the Government of the Panjab, for the time being exercising executive authority (other than in connection with the administration of the Police) within the Multan District, shall exercise the like authority within the said lands.</p> <p>III.—All Courts having for the time being jurisdiction within the Multan District shall have the like jurisdiction within the said lands.</p> <p>IV.—The administration of the police within the said lands shall be vested in the Assistant Inspector-General of Railway Police, or such other officer as the Lieutenant-Governor of the Panjab may appoint in that behalf, who shall exercise within the said lands the same police powers as the District Superintendent of Police may for the time being exercise in the Multan District, in subordination to the Deputy Commissioner of the Multan District and the Inspector-General of Police in the Panjab.</p> <p>[ See <i>Gazette of India</i>, 1899, Pt. I, p. 1023.]</p> |

<sup>1</sup> So far as is known no arrangements for the exercise of jurisdiction, beyond the application of the Railways Act, 1890 (IX of 1890) has been made for the Jhind and Patiala section of this Railway.

<sup>2</sup> For Acts and other Special Local Laws in force in this Railway see section I of this Chapter.

PART VII.-THE BRITISH ENACTMENTS IN FORCE LOCALLY IN THE  
TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF  
JAMMU AND KASHMIR.

CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR

CHAPTER II.—RAILWAY UNDER BRITISH JURISDICTION :

The Jammu and Kashmir Railway



**CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR.**

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**CHAPTER I.**

**THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR.**

[For the relations of the British Government with this State, see Aitchison's Treaties Vol. IX, pages 340—372a. The State is at present administered by a Council with the Maharaja as President.]

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The British Enactments in force locally in the territories of His Highness the Maharaja of Jammu and Kashmir consist of—

*A.—British-Indian Enactments.*

Local Rules and Orders under Acts in force generally in all Native States.

*B.—British-Jammu and Kashmir Enactments.*

1. Local laws made by the Governor General in Council for the purpose of cases in which the Governor General in Council has jurisdiction.
  - (a) Acts of the Governor General in Council locally applied.
  - (b) Special Local Laws.



CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR—*contd.*

A.—*British-Indian Enactments.*

LOCAL RULES AND ORDERS UNDER ACTS IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                                                | Section.        | Subject of Notification.                                                                                                                                                                                                | Reference.                                                                     |
|---------------------------------------------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (XV of 1872).                   | 8               | Appointing the Resident in Kashmir to be a Marriage Registrar for the territories of His Highness the Maharaja of Jammu and Kashmir.                                                                                    | No. 1595-E., dated the 5th August, 1887.<br>[Printed, <i>infra</i> , p. 179.]  |
| Ditto. . . . .                                                      | 56              | Officer to whom Marriage Registrars in the territories of His Highness the Maharaja of Jammu and Kashmir shall send the certificates mentioned in s. 54.                                                                | No. 3-E., dated the 15th November, 1895.<br>[Printed, <i>infra</i> , p. 179.]  |
| Foreign Jurisdiction and Extrajurisdiction Act, 1879 (XXI of 1879). | 4 & 5           | Providing for the administration of civil and criminal justice in certain cases where European-British subjects and their servants are concerned.                                                                       | No. 605-P., dated the 28th March, 1873.<br>[Printed, <i>infra</i> , p. 179.]   |
| Ditto . . . . .                                                     | "               | Providing for the administration of civil and criminal justice in certain cases.                                                                                                                                        | No. 933-E., dated the 8th May, 1891.<br>[Printed, <i>infra</i> , p. 182.]      |
| Ditto . . . . .                                                     | 6               | Appointing the Resident in Kashmir and his Assistant to be Justices of the Peace and directing that they shall commit for trial to the Chief Court of the Panjab.                                                       | No. 932-E., dated the 8th May, 1891.<br>[Printed, <i>infra</i> , p. 181.]      |
| Ditto . . . . .                                                     | "               | Appointing every officer holding the office of British Agent at Gilgit being a European-British subject to be a Justice of the Peace and directing them to commit for trial to the Chief Court of the Panjab.           | No. 1230-F., dated the 11th May, 1893.<br>[Printed, <i>infra</i> , p. 181.]    |
| Births, Deaths and Marriages Registration Act, 1886 (VI of 1886).   | 13, 24 (2) & 32 | Appointing the Residency Surgeon in Kashmir for the time being to be Registrar of Births and Deaths in certain cases, and the Registrar-General of Births, Deaths and Marriages for the Panjab to be Registrar-General. | No. 343-L., dated the 25th January, 1889.<br>[Printed, <i>infra</i> , p. 185.] |
| Ditto. : . . . .                                                    | 13              | Appointing the Residency Chaplain and the senior member of the Church Missionary Society at Srinagar to be Registrars of Births and Deaths in certain cases.                                                            | No. 2938, dated the 15th July, 1895.<br>[Printed, <i>infra</i> , p. 185.]      |

<sup>1</sup>Such portions of this notification as are inconsistent with Notification No. 932-E., dated 8th May, 1891, have been cancelled by Pt. III of the latter Notification.

# CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR—contd.

## B.—British-Jammu and Kashmir Enactments.

I.-(a) ACTS OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED FOR THE PURPOSES OF CASES IN WHICH THE GOVERNOR GENERAL IN COUNCIL HAS JURISDICTION.

| Act.                                                                 | Extent of application.                                                                          | Reference.                                                                                                                           |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <sup>1</sup> Judicial Officers Protection Act, 1850 (XVIII of 1850). | The whole Act, so far as applicable and as amended for the time being by subsequent enactments. | No. 933-E., dated the 8th May, 1891.<br>[Printed, <i>infra</i> , p. 182.]                                                            |
| Indian Penal Code, 1860 (Act XLV of 1860).                           | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Whipping Act, 1864 (VI of 1864).                                     | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Indian Succession Act, 1865 (X of 1865).                             | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Indian Post Office Act, 1866 (XIV of 1866).                          | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Court-fees Act, 1870 (VII of 1870).                                  | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Indian Evidence Act, 1872 (I of 1872).                               | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Indian Contract Act, 1872 (IX of 1872).                              | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Government Savings Banks Act, 1878 (V of 1878).                      | Ditto . . . . .                                                                                 | Ditto, as amended by No. 1447-E., dated the 26th July, 1895.<br>[Printed, <i>infra</i> , p. 182.]                                    |
| Indian Limitation Act, 1877 (XV of 1877).                            | Ditto . . . . .                                                                                 | No. 933-E., dated the 8th May, 1891.<br>[Printed, <i>infra</i> , p. 182.]                                                            |
| Probate and Administration Act, 1881 (V of 1881).                    | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Code of Civil Procedure (Act XIV of 1882).                           | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Indian Telegraphs Act, 1885 (XIII of 1885).                          | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Provincial Small Cause Courts Act, 1887 (IX of 1887).                | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Debtors Act, 1888 (VI of 1888).                                      | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Succession Certificates Act, 1889 (VII of 1889).                     | Ditto . . . . .                                                                                 | Ditto.                                                                                                                               |
| Code of Criminal Procedure, 1898 (Act V of 1898).                    | The whole Act so far as it may be applicable, and see the Notification.                         | No. 2695-I.A., dated the 7th October, 1898.<br>[Printed, <i>infra</i> , p. 186.]                                                     |
| Glanders and Farcy Act, 1899 (XIII of 1899).                         | The whole Act . . . . .                                                                         | No. 933-E., dated the 8th May, 1891, as amended by No. 1698-E.B., dated the 27th October, 1899.<br>[Printed, <i>infra</i> , p. 182.] |

<sup>1</sup> This short title was given by the Indian Short Titles Act, 1897 (XIV of 1897).

# CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR—contd.

## B.—British-Jammu and Kathmir Enactments.

### 1.-(b) SPECIAL LOCAL LAWS.

| When made.     | Subject of Notification.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Notification.                                                                                                                                                                                                                                                               | Reference.                                                                              |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1889.          | Notifying certain Courts in Kashmir as having been established or continued by the Governor General in Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <i>No. 1361-I., dated the 29th March, 1889, as amended by No. 1421-E., dated the 13th July, 1891.</i>                                                                                                                                                                       | Printed, <i>infra</i> , p. 434.                                                         |
| 1889 and 1890. | Providing for—<br>(1) Execution of decrees—<br>(a) of British Indian Courts by the Court of the Resident and the Courts of the Assistants to the Resident in Kashmir;<br><br>(b) of the Court of the Resident and the Courts of the Assistants to the Resident in Kashmir by Courts established or continued by the Governor General in Council in Native States and <i>vice versa</i> ;<br><br>(c) of certain Courts in Mysore and Bombay Native States by the Court of the Resident and the Courts of the Assistants to the Resident in Kashmir.<br><br>(2) Service of summonses—<br>(a) of British Indian Civil and Revenue Courts by the Court of the Resident and the Courts of the Assistants to the Resident in Kashmir;<br><br>(b) of the Court of the Resident and the Courts of the Assistants to the Resident in Kashmir, by Courts established or continued by the Governor General in Council in other Native States and <i>vice versa</i> ;<br><br>(c) of certain Courts in Hyderabad, Mysore, Central India and Bombay Native States, by the Court of the Resident and the Courts of the Assistants to the Resident in Kashmir. | <i>No. 1362-I., as amended by Nos. 1422-E., dated the 13th July, 1891, to 1364-I., dated the 29th March, 1889, and No. 2183-I., dated the 2nd July, 1890.</i><br><br><i>Nos. 1366-I. to 1368-I., dated the 29th March, 1889, and No. 2183-I., dated the 2nd July, 1890.</i> | Printed, <i>infra</i> , pp. 436 to 438.<br><br>Printed, <i>infra</i> , pp. 440 and 441. |
| 1898           | Providing for the administration of Criminal Justice in the Gilgit district in all proceedings except cases in which—<br><br>(a) European British subjects are concerned, and<br><br>(b) British subjects jointly charged with European British subjects.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <i>No. 1231-F., dated the 11th May, 1898, and No. 2693-I. A., dated the 7th October, 1898.</i>                                                                                                                                                                              | Printed, <i>infra</i> , p. 187.                                                         |

CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE  
MAHARAJA OF JAMMU AND KASHMIR—*contd.*

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A.—BEITISH-INDIAN ENACTMENTS.

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Local Rules and Orders under Acts in force generally in all  
Native States.

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*Orders under the Indian Christian Marriage Act, 1872.*

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Appointment of a Marriage Registrar.

No. 1595-E., dated the 5th August, 1887.—In exercise of the powers conferred by section 8 of the Indian Christian Marriage Act, XV of 1872, the Governor General in Council is pleased to appoint the officer holding for the time being the office of Resident in Kashmir, and being a Christian, to be a Marriage Registrar in respect of all places within the territories of His Highness the Maharaja of Jammu and Kashmir.

[See *Gazette of India*, 1887, Pt. I, p. 400.]

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Officer to whom Marriage Registrars are to send certificates under s. 64.

No. 3-E., dated the 15th November, 1895.—In exercise of the powers conferred by section 56 of the Indian Christian Marriage Act (XV of 1872), the Governor General in Council is pleased to appoint the Registrar-General of Births, Deaths and Marriages for the Punjab, for the time being, to be the officer to whom Marriage Registrars in the territories of His Highness the Maharaja of Jammu and Kashmir shall send the certificates mentioned in section 54 of the said Act.

[See *Gatette of India*, 1895, Pt. I, p. 919.]

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*Orders under the Foreign Jurisdiction and Extradition Act, 1879.*

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Administration of Civil and Criminal Justice.

<sup>1</sup> No. 605-P., dated the 28th March, 1873.—By virtue of authority duly acquired in that behalf by agreement with the Maharaja of Kashmir, the Governor General in Council is pleased, under sections 4 and 5 of Act XI of 1872<sup>2</sup> (the Foreign Jurisdiction and Extradition Act), to delegate to the British Officer for the time XI of 1878. being on duty in Kashmir the powers described in the following Regulations :—

I.—The British Officer for the time being on duty at Srinagar shall represent the British Government in Kashmir, and for the maintenance of good order the following powers and duties are respectively conferred and imposed upon him :—

(a) He may direct any European British subject who is travelling or residing in Kashmir, and who is guilty of any gross misconduct, to leave Kashmir forthwith, and may punish any person knowing of such direction and disobeying the same with

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<sup>1</sup> As to the italicised portions of this notification, see note OR p. 184, *infra*.

<sup>2</sup> See now Act XXI of 1879, ss. 3, 4 and 5, printed Central Acts, Vol. 111, Ed. 1898, p. 288.

# CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHAIAJA OF JAMMU AND KASHMIR—*contd.*

## A.—British-Indian Enactments—Local Rules and Orders under Acts—*contd.*

### *Orders under the Foreign Jurisdiction and Extradition Act, 1879—contd.*

#### Administration of Civil and Criminal Justice—*contd.*

rigorous or simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(b) *He shall receive, try and determine in his Court (which shall be called "The Court of the British Officer in Kashmir") all suits of a civil nature between European British subjects or between European British subjects and their servants: provided—*

(1) *that the right to sue has arisen, or the defendant at the time of the commencement of the suit dwells or carries on business, or personally works for gain within Kashmir;*

(2) *that the suit is not of the same nature as those suits of which the cognizance by the ordinary Civil Courts of British India is barred by law.*

X of 1872. (c) *He shall have the powers of a Magistrate of the first class as described in section 20 of the Code of Criminal Procedure (Act X of 1872)<sup>1</sup> for the trial of offences committed by European British subjects or by Native British subjects, being servants of European British subjects :*

XLV of 1860. *Provided that in the case of any offender being a European British subject, he shall only have power to pass a sentence of imprisonment for a term not exceeding three months, or fine not exceeding one thousand rupees, or both; and when the offence complained of is, under the Indian Penal Code, punishable with death, or with transportation for life, or when it cannot, in the opinion of such officer, be adequately punished by him, he shall (if he thinks that the accused person ought to be committed) commit him to the Chief Court of the Panjab.*

X of 1872. *11.—Fines shall be recovered in manner provided by section 307 of the Code of Criminal Procedure (Act X of 1872).*

*III.—Sentence of whipping shall be carried into execution in manner provided by sections 310, 311, 318 and 313 of the same Code.*

*IV.—Persons sentenced to imprisonment shall be transferred to, and confined in, the Sialkot or Rawalpindi Jail.*

V.—*The procedure in all civil suits between European British subjects, or European British subjects and their servants, shall be regulated by the Code of Civil Procedure? The procedure in all criminal prosecutions shall be regulated by the Code of Criminal Procedure.*

VIII of  
1859.  
X of 1872.

*VI.—The said officer shall make rules to regulate the service and execution of processes issuing from his Court, and shall fix the fees to be charged to suitors for serving such processes.*

*VII.—All questions of law, or fact, or both, arising in cases before the said officer, shall be dealt with and determined according to the law administered in the Courts of the Panjab.*

*VIII.—The said officer shall keep such registers, books and accounts, and submit to the Lieutenant-Governor of the Panjab such statements of the work done in exercise of the aforesaid powers, as may from time to time be prescribed by the said Lieutenant-Governor. He shall also comply with such requisitions for records as the said Lieutenant-Governor may from time to time make upon him.*

<sup>1</sup> See now Act V of 1898, applied by Notification No. 2696-I.A., dated the 7th October, 1898. printed, *infra*, p. 186.

<sup>2</sup> See now Act XIV of 1882, which was applied by Notification No. 988-E, dated the 3th May, 1891, printed, *infra*, p. 182.

## CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR—*contd.*

### A.—British-Indian Enactments-Local Rules and Orders under Acts—*contd.*

#### *Orders under the Foreign Jurisdiction and Extradition Act, 1879—contd.*

##### *Administration of Civil and Criminal Justice—contd.*

IX.—Duties and fees of the same amount respectively as the stamp duties and Court-fees prescribed by Act XVIII of 1869<sup>1</sup> and Act VII of 1870 shall be enforced by the said officer.

XVIII of  
1869.  
VII of 1870.

X.—There shall be no appeal against any order, judgment or decree passed by the said officer in a civil suit. But if, in the trial of any such suit, any question of law or as to the construction of a document (which construction may affect the merits of the decision) shall arise, he may draw up a statement of the case and refer it for the decision of the Chief Court of the Panjab, and he shall, on receipt of a copy of such decision, dispose of the case conformably thereto.

And any person convicted on a trial held by such officer *may appeal to the Commissioner of the Rawalpindi Division, and, if such person be an European British subject, he may appeal either to the said Commissioner or to the Chief Court of the Panjab.*

XI.—The appellant shall in every case give notice of the appeal to the said British Officer in Kashmir, who shall, if necessary, instruct the officer empowered to prosecute the case.

The Mixed Court.

XII to XV.—*Omitted, the mixed Court having been abolished (Foreign Department letter No. 658-E., dated 8th April, 1891).*

[See *Gazette of India*, 1878, Pt. I, p. 257.]

##### *Appointing of Justice of the Peace.*

No. 932-E., dated the 8th May, 1891.—In exercise of the powers conferred by section 6 of the Foreign Jurisdiction and Extradition Act, 1879, the Governor General in Council is pleased—

XXI of 1879.

(a) to appoint every officer for the time being holding the office of Resident in Kashmir or of Assistant to the Resident in Kashmir, being an European British subject, to be a Justice of the Peace within the territories of His Highness the Maharaja of Jammu and Kashmir, and

(b) to direct that Justices of the Peace within the said territories shall commit for trial to the Chief Court of the Panjab.

[See *Gazette of India*, 1891, Pt. I, p. 235.]

No. 1230-F., dated the 11th May, 1893.—In exercise of the powers conferred by section 6 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), the Governor General in Council is pleased—

(a) to appoint every officer for the time being holding the office of British Agent at Gilgit or of Assistant to the British Agent at Gilgit, being

<sup>1</sup> Repealed in British India by Act I of 1879, see now Act II of 1899, which repeals Act I of 1879.

**CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE  
MAHARAJA OF JAMMU AND KASHMIR—*contd.***

**A.—British-Indian Enactments—Local Rules and Orders under Acts—*contd.***

*Orders under the Foreign Jurisdiction and Extradition Act, 1879—contd.*

**Appointing of Justice of the Peace—*contd.***

an European British subject, to be a Justice of the Peace within the territories of His Highness the Maharaja of Jammu and Kashmir and

(J) to direct that the said Justices of the Peace shall commit for trial to the Chief Court of the Panjab.

[See *Gazette of India*, 1893, Pt. I, p. 248.]

**Application of Acts and further arrangements for the administration of Civil and Criminal Justice.**

No. 938-E., dated the 8th May, 1891.—Whereas the Governor General in Council has in certain cases jurisdiction within the territories of His Highness the Maharaja of Jammu and Kashmir: In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders with respect to such cases:—

PART I.

CRIMINAL JUSTICE.

For the purposes of the exercise within the said territories of criminal jurisdiction in such cases as aforesaid :—

- (1) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of a District Magistrate and of a Court of Session as described in the <sup>1</sup> Code of Criminal Procedure, 1882.
- (2) The Resident in Kashmir for the time being shall exercise the powers of a Court of Session and High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by any of his Assistants : Provided that no such Assistant shall commit any accused person for trial to the Resident acting as a Court of Session.
- (8) The Resident in Kashmir for the time being shall exercise the powers of a High Court as described in the said Code in respect of all offences over which the jurisdiction of a Court of Session is exercised by any such Assistant, except that, in cases in which the said Code requires the sentence of a Court of Session to be confirmed by the High Court, the sentence shall be referred for confirmation to the Governor General in Council instead of to the Resident.
- (4) In the exercise of the jurisdiction of a Court of Session conferred on him by these orders, an Assistant may take cognizance of any offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the <sup>1</sup> Code of Criminal Procedure, 1882, for the trial of warrant-cases by Magistrates.

X of 1882.

X of 1889.

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied by Notification No. 2696-1.A., dated the 7th October, 1898, printed, *infra*, p. 188.

*CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE  
MAHARAJA OF JAMMU AND KASHMIR—contd.*

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*A.—British-Indian Enactments—Local Rules and Orders under Acts—contd.*

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*Orders under the Foreign Jurisdiction and Extradition Act, 1879—contd.*

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Application of Acts and administration of Civil and Criminal Justice—contd.

- (5) A trial before an Assistant in the exercise of the jurisdiction of a Court of Session conferred on him by these orders may be without jury or aid of assessors.
  - (6) This part of these orders applies to all proceedings except—
    - (a) proceedings against European British subjects or British subjects jointly charged with European British subjects; and
    - (b) proceedings pending at the date of this notification, which should be carried on as if this notification had not been issued.
- 

PART II.

CIVIL JUSTICE.

For the purposes of the exercise within the said territories of civil jurisdiction in such cases as aforesaid :—

- (1) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of a District Court, as described in the Code of Civil Procedure, with jurisdiction in all original suits, whatever be the amount or value of the subject-matter, and in all other proceedings in which jurisdiction is conferred on the District Court by the law for the time being in force. XIV of 1882.
  - (2) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of a Court of Small Causes, with jurisdiction in all suits cognizable under the Provincial Small Cause Courts Act, 1887, IX of 1887, when the amount or value of the subject-matter does not exceed one thousand rupees.
  - (3) Appeal shall lie, subject to the law for the time being in force, to the Resident in Kashmir from the decrees and orders of an Assistant, and the Resident shall exercise the powers of a High Court.
- 

PART III.

LAWS.

(1) The provisions, so far as they can be made applicable in the circumstances for the time being, and as amended for the time being by subsequent enactments, of the Acts specified in the schedule to this notification, are, for the purposes of such cases as aforesaid, hereby applied to the said territories.

(i) Such portions of Foreign Department Notification No. 605-P., dated 28th March, 1873, as are inconsistent with these orders, are hereby cancelled.



CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE  
MAHARAJA OF JAMMU AND KASHMIR—contd.

A.—British-Indian Enactments—Local Rules and Orders under Acts—contd.

*Orders under the Foreign Jurisdiction and Extradition Act, 1879—contd.*

Application of Acts and administration of Civil and Criminal Justice—concl.

SCHEDULE.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL,

I.—Criminal.

Act XVIII of 1850 (Protection of Judicial Officers),  
Act XLV of 1860 (Penal Code).  
Act VI of 1864 (Whipping).  
Act I of 1872 (Evidence).

\* \* \* \* \*

II—Civil.

Act X of 1865 (Succession).  
Act XIV of 1866 (Post Office).  
Act VII of 1870 (Court-fees).  
Act IX of 1872 (Contract).  
Act V of 1873 (Government Savings Banks).<sup>2</sup>  
Act XV of 1877 (Limitation).  
Act V of 1881 (Probate and Administration).  
Act XIV of 1882 (Civil Procedure),  
Act XIII of 1885 (Telegraphs).  
Act IX of 1887 (Provincial Small Cause Courts).  
Act VI of 1888 (Debtors).  
Act VII of 1889 (Succession Certificates).  
Act XIII of 1899 (Glanders and Farcy).<sup>2</sup>

[See *Gazette of India*, 1891, Pt. I, p. 235.]

Note as to exercise of Jurisdiction In Kashmir.

[NOTE.—Such portions of Notification No. 605-P., dated 28th March, 1873, as are inconsistent with Notification No. 933-E., dated the 8th May, 1891, have been cancelled by Part III of the latter notification. The portions of the former notification which appear to be inconsistent with, or to be superseded by, the latter notification are printed in italics on pp. 180 and 181, *supra*.

The existing arrangements for the exercise of jurisdiction in Kashmir may be summarised as follows:—

*Criminal,*

1. The Beside nt in Kashmir and his Assistants have powers for enquiry into or trial of cases against—

- (a) European British subjects,
- (b) Americans,
- (c) Europeans of any nationality other than British,
- (d) Christians of European descent,
- (e) Native Indian subjects of Her Majesty, such Indian subjects being either merely visiting the territories of His Highness or acting as servants of an European British subject, or
- (f) British subjects accused of having committed offences conjointly with European British subjects.

<sup>1</sup> The entry relating to Act X of 1882 is omitted, as the Code of Criminal Procedure, 1898 (Act V of 1898), has since been applied in modification of this notification by Notification No. 2695-1., dated the 7th October, 1898, printed, *infra*, p. 186.

<sup>2</sup> This Act was added to this notification by No. 1447-E., dated the 26th July, 1895. see *Gatette of India*, 1896, Pt. I, p. 633.

<sup>2</sup> Added by Notification No. 1698-E. B., dated the 27th October, 1899, see *Gazette of India*, 1899. Pt. I, p. 928.

## CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR—*contd.*

### A.—British-Indian Enactments—Local Rules and Orders under Acts—*contd.*

#### *Orders under the Foreign Jurisdiction and Extradition Act, 1879—concl'd.*

Note as to exercise of Jurisdiction in Kashmir—*concia.*

2. The trial of Native Indian subjects who ordinarily dwell or carry on business, or personally work for gain within the said territories, will ordinarily rest with the Courts of the Darbar. At the same time, it is to be distinctly understood that any such person convicted by such Courts has the right of making a representation to the Resident in Kashmir, and that, if that officer consider there is ground for interference, his representations on the subject to the Darbar will be attended to.

8. Any person sentenced to imprisonment, or ordered to be detained in prison, by the Resident or by any of his Assistants should be sent under a proper warrant to a jail at Sialkot or Rawalpindi, as the Resident may from time to time, by general or special order, direct (Act V, 1871, section 16).

#### *Civil.*

4. The Resident and his Assistants have powers to dispose of civil suits in which—

- (1) both parties are subjects of Her Majesty ;
- (2) the defendant is an European British subject ;
- (3) the defendant is a Native Indian subject of Her Majesty, and at the time of the commencement of the suit does not ordinarily dwell or carry on business or personally work for gain within the territories of the Maharaja.

6. All other suits between subjects of Her Majesty on the one hand and subjects of the Maharaja on the other hand will ordinarily be triable in the Courts of the State.

6. The Mixed Court has been abolished.

[Foreign Department letter No. 658-E., dated the 8th April, 1891."]

#### *Orders under the Births, Deaths and Marriages Registration Act, 1886.*

##### *Appointing Registrars and a Registrar-General.*

No. 343-I., dated the 25th January, 1889.—In exercise of the powers conferred by section 13 of the Births, Deaths and Marriages Registration Act (VI of 1886), the Governor General in Council is pleased to appoint the person for the time being holding the office of Residency Surgeon in Kashmir to be a Registrar of Births and Deaths in respect of the classes of persons indicated in section 11, sub-section (i), clause (b), of the Act for (1) all places situate within the valley of Kashmir, (2) Gulmarg, and (2) Jammu, being within the territories of His Highness the Maharaja of Jammu and Kashmir.

I I . For the purposes of section 24, sub-section (2), and section 32 of the said Act, the Governor General in Council is further pleased to appoint the Registrar-General of Births, Deaths and Marriages for the Panjab, for the time being, to be the Registrar-General for the territories of His Highness the Maharaja of Jammu and Kashmir.

[See *Gazette of India*, 1889, Pt. I, p. 54.]

No. 2935-1., dated the 15th July, 1891.—In exercise of the powers conferred by section 13 of the Births, Deaths, and Marriages Registration Act (VI of 1886), the Governor General in Council is pleased to appoint the person for the time being holding the Office of Chaplain of Srinagar and the senior member for the time being of the Church Missionary Society at Srinagar to be for all places within the territories of His Highness the Maharaja of Jammu and Kashmir Registrars of Births and Deaths in respect of those classes of the community indicated in section 11, sub-section (1), clause (b), of the said Act, for which they are in the habit of officiating at baptisms and burials,

# CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR—contd

## A.—British-Indian Enactments—Local Rules and Orders under Acts—concla.

*Orders under the Births, Deaths and Marriages Registration Act, 1886—conclld.*

Appointing Registrars and a Registrar-General—conclld.

I I. The Notification of the Government of India in the Foreign Department No. 1586-1., dated the 12th May, 1890, is hereby cancelled.

[See *Gazette of India*, 1891, Pt. I, p. 424.]

## B. BRITISH - JAMMU AND KASHMIR ENACT- MENTS.

### 1-(a) Notifications applying Acts of the Governor General in Council.

Judicial Officers Protection Act, 1850 (Act XVIII of 1850), and others.

No. 933-E., dated the 8th May, 1891, printed, *supra*, p. 182.

Code of Criminal Procedure, 1898 (Act V of 1898).

No. 2695-1.A., dated the 7th October, 1898.—Whereas the Governor General in Council has in certain cases jurisdiction within the territories of His Highness the Maharaja of Jammu and Kashmir :

In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, and in modification of so much of the Notification of the Government of India in the Foreign Department, No. 983-E., dated the 8th May, 1891, as applied the Code of Criminal Procedure of 1882 (Act X of 1882) to the said territories, the Governor General in Council is pleased to apply to the said territories the provisions, so far as they may be applicable, of the Code of Criminal Procedure, 1898 (Act V of 1898) :

Provided that all references in the said notification to the Code of Criminal Procedure of 1882 shall be construed as referring to the corresponding provisions of the Code of Criminal Procedure, 1898 (Act V of 1898), and that the latter Code, as now applied, shall be subject to the provisions of the said notification so construed.

[See *Gazette of India*, 1898, Pt. I, p. 1022.]

### 1-(b) Special Local Laws.

Orders as to Courts established or continued by the Governor General in Council in Kashmir and the reciprocal execution of decrees and service of summons between such Courts, British India\* Courts and certain Courts in other Native States.

Nos. 1361-1. to 1364-1., dated the 29th March, 1889, and No. 9183-1., dated the 2nd July, 1890, and Nos. 1366-1. to 1368-1., dated the 29th March, 1889, and No. 2182-1., dated the 2nd July, 1890, printed, *infra*, pp. 434 to 441.

, Printed *supra*, p. 182.

# CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR—*contd.*

## B.—British-Jammu and Kashmir Enactments—1.-(b) Special Local Laws—*contd.*

### Criminal Jurisdiction In the Gilgit District.

No. 1231-F., dated the 11th May, 1893,—Whereas the Governor General in Council has in certain cases jurisdiction within the territories of His Highness the Maharaja of Jammu and Kashmir; In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders with respect to such cases:—

For the purposes of the exercise within the Gilgit district in the said territories of criminal jurisdiction in such cases as aforesaid:

- (i) Every Assistant to the British Agent at Gilgit for the time being may exercise the powers of a District Magistrate as described in the Code of Criminal Procedure, 1882.<sup>1</sup>
- (2) The British Agent at Gilgit for the time being shall exercise the powers of a Court of Session as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by any of his Assistants: provided that no such Assistant shall commit any accused person for trial to the British Agent acting as a Court of Session.
- (3) The Resident in Kashmir for the time being shall exercise the powers of a High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by any Assistant to the British Agent at Gilgit or over which the jurisdiction of a Court of Session is exercised by such British Agent, except that in cases in which the said Code requires the sentence of a Court of Session to be confirmed by the High Court, the sentence shall be referred for confirmation to the Governor General in Council instead of to the Resident.
- (4) In the exercise of the jurisdiction of a Court of Session conferred on him by these orders, the British Agent at Gilgit may take cognizance of any offence as a court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the Code of Criminal Procedure, 1882, for the trial of warrant cases by Magistrates.
- (5) A trial before the British Agent at Gilgit in the exercise of the jurisdiction of a Court of Session conferred on him by these orders may be without jury or aid of assessors.
- (6) These orders apply to all proceedings, except—
  - (a) proceedings against European British subjects or British subjects jointly charged with European British subjects; and
  - (b) proceedings pending at the date of this notification, which should be carried on as if this notification had not been issued.

[See *Gazette of India*, 1893, Pt. I, p. 248.]

### References to the Code of Criminal Procedure, 1882.

No. 2693-1. A., dated the 7th October, 1898.—It is hereby notified that in the notification of the Government of India in the Foreign Department, No. 1231-F., dated the 11th May, 1893, relating to the exercise of criminal jurisdiction within the Gilgit district in the territories of His Highness the Maharaja of Jammu and Kashmir, all references to the Code of Criminal Procedure of 1882 shall be construed as referring to the Code of Criminal Procedure, 1898 (Act V of 1898).

[See *Gazette of India*, 1898, Pt. I, p. 1022.]

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898). see Notification No. 2693\*1. A., dated the 7th October, 1898.

CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR—*concl'd.*

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SUPPLEMENTARY NOTES.

**I.**—Joint Commissioners, Ladakh.—By a Commercial Treaty between the British Government and the Maharaja for the purpose of developing Trade with Eastern Turkistan, entered into in April, 1870 (*see* Aitchison's Treaties, Vol. IX, No. CLXVI), provision was made (*see* Art. 3) for the appointment of Joint Commissioners—one by the British Government and the other by the Maharaja, with powers to supervise, maintain, and regulate a trade route to be opened by the Maharaja, and to settle disputes between carriers, traders, travellers or others using that route, in which either of the parties or both of them were subjects of the British Government or of any Foreign State. In 1872 certain rules were drawn up for the guidance of the Joint Commissioners (*see* *ibid*, No. CLXVII, appendix 3 and p. 346), which defined more exactly their civil and criminal powers. Subsequently in 1875 further rules were made in respect to the refund of duty on goods exported from British territory to Kashmir, or Central Asia, *via* Kashmir. (*See* *ibid* Appendixes 1 and 2 and p. 346.)

**II.**—Europeans in Kashmir.—Certain rules have been drawn up with the consent of His Highness the Maharaja and the sanction of the Governor General in Council for observance by all Europeans, Americans, and Australians, who are now or may be hereafter in the territory of His Highness the Maharaja of Jammu and Kashmir. (*See* Foreign Department Notification No. 85-E., dated 13th January, 1888, *Gazette of India*, 1888, Part I, page 17.)

**III.**—Railway Lands—Jurisdiction over the lands occupied by the Jammu and Kashmir Railway in the territories of His Highness the Maharaja of Jammu and Kashmir has been acquired by the British Government. (*See* Chapter II of this Part, *infra*, p. 188.) For agreement with the Maharaja under which the construction of this line was undertaken, *see* Aitchison's Treaties, Vol. IX, No. CLXIX.

CHAPTER II.-THE JAMMU AND KASHMIR RAILWAY.

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## CHAPTER II.

## RAILWAY UNDER BRITISH JURISDICTION.

THE JAMMU AND KASHMIR RAILWAY.

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**The** British Enactments in force locally in this Railway consist of—

*British-Jammu, and Kashmir Railway Enactments.*

1. Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.

(b) Special Local Laws.

2. Local Rules and Orders under Acts of the Governor General in Council locally **applied.**

CHAPTER II.—THE JAMMU AND KASHMIR RAILWAY—*contd.**B.—British-Jammu and Kashmir Railway Enactments.*

## 1.-(a) ACTS OF THE GOVERNOR GENERAL IN COUNCIL LOCALLY APPLIED.

| Act.                                          | Extent of application.                                                                              | Reference.                                                                        |
|-----------------------------------------------|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Revenue Recovery Act, 1890<br>(I of 1890).    | The whole Act . . .                                                                                 | No. 1415-I., dated the 30th April, 1890.<br>[Printed, <i>infra</i> , p. 445.]     |
| Indian Railways Act, 1890<br>(IX of 1890)     | The whole Act so far as suitable,<br>and as amended for the time<br>being by subsequent enactments. | No. 3065-I., dated the 13th August, 1897.<br>[Printed, <i>supra</i> , p. 134.]    |
| Epidemic Diseases Act, 1897<br>(III of 1897). | The whole Act, and <i>see</i> the Notifi-<br>cation.                                                | No. 443-I. A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 447.] |

## CHAPTER II.—THE JAMMU AND KASHMIR RAILWAY-contd.

*B.—British-Jammu and Kashmir Railway Enactments.*

## I.-(b) SPECIAL LOCAL LAWS.

| When made. | Subject of Notification.                                                                                                                | Notification.                            | Referaito.                      |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|---------------------------------|
| 1890       | Recovery of revenue arrears accruing in British India.                                                                                  | No. 1415-I., dated the 30th April, 1890. | Printed, <i>infra</i> , p. 445. |
| 1891       | Printing and publication of newspapers and other printed works.                                                                         | No. 2651-I., dated the 25th June, 1891.  | Printed, <i>infra</i> , p. 446. |
| 59         | Declaring laws in force in, and providing for the executive, judicial and police administration of, the lands occupied by the Railway.  | No. 1468-I., dated the 8th April, 1891.  | Printed, <i>infra</i> , p. 198. |
| 1893       | Empowering British Courts beyond British India to send their warrants for the execution of capital sentences to Jails in British India. | No. 1431-I., dated the 27th April, 1893. | Printed, <i>infra</i> , p. 448. |



## CHAPTER II.—THE JAMMU AND KASHMIR RAILWAY—contd.

*B—British-Jammu and Kashmir Railway Enactments.*

ft. LOCAL RULES AND ORDERS UNDER ACTS OF THE GOVERNOR GENERAL IN COUNCIL  
LOCALLY APPLIED.

| Act.                                          | Section. | Subject of Notification.                                                              | Reference.                                                                        |
|-----------------------------------------------|----------|---------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Indian Railways Act, 1890<br>(IX of 1890).    | 16 & 143 | Sanctioning the use of motive power and rolling stock.                                | No. 3063-I. B., dated the 13th August, 1897.<br>[Printed, <i>supra</i> , p. 134.] |
| Ditto . . .                                   | 47       | General rules for working open lines of railway.                                      | Ditto.                                                                            |
| Ditto . . .                                   | "        | General rules for working railways under construction.                                | Ditto.                                                                            |
| Ditto . . .                                   | 84 & 85  | Rules under the sections.                                                             | Ditto.                                                                            |
| Ditto . . .                                   | 135      | Declaring the liability of Railway Administrations to contribute towards local funds. | Ditto.                                                                            |
| Ditto . . .                                   | 144      | Declaring the Local Government for the Railway.                                       | Ditto.                                                                            |
| Ditto . . .                                   | "        | Delegating certain powers and functions to the Government of the Panjab.              | Ditto.                                                                            |
| Epidemic Diseases Act, 1897<br>(III of 1897). | 2 (3)    | Delegating to the Local Government the powers conferred by section 2 (2) (b).         | No. 444-I. A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 447.] |

CHAPTER II.—THE JAMMU AND KASHMIR RAILWAY.

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BRITISH-JAMMU AND KASHMIR RAILWAY  
ENACTMENTS.

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**1.-(a) Notifications applying Acts.**

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The Revenue Recovery Act, 1890 (I of 1890).

No. 1415-I., dated the 30th April, 1890, printed, *infra*, p. 445.

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The Indian Railways Act, 1890 (IX of 1890).

No. 3063-I. B., dated the 13th August, 1897, printed, *supra*, p. 134.

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The Epidemic Diseases Act, 1897 (III of 1897).

No. 443-1. A., dated the 4th February, 1897, printed, *infra*, p. 447.

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**1.-(b) Special Local Laws.**

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**Declaration as to Laws in force and arrangements for Executive, Judicial and Police Administration.**

No. 1458-I., dated the 8th April, 1891.—Whereas His Highness the Maharaja of Jammu and Kashmir has ceded to the British Government full jurisdiction within those lands which lie within his State and are occupied, or may be hereafter occupied, by the<sup>1</sup> Sialkot-Jammu section of the North Western Railway system, including the lands occupied by stations and out-buildings and for other purposes connected with the said section : In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders :—

- (1) All laws for the time being in force in the Sialkot District of the Panjab shall be deemed to be in force in the aforesaid lands.
- (2) The Deputy Commissioner of the Sialkot District, the Commissioner of the Rawalpindi Division, the Financial Commissioners of the Panjab, and the Lieutenant-Governor of the Panjab and its Dependencies for the time being, shall respectively have, within the aforesaid lands, the same executive powers as they may respectively exercise within the British territories subject to their administration.

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<sup>1</sup> The correct name of this line is believed to be "The Jammu and Kashmir Railway"—see p. 187, *supra*.

CHAPTER II.—THE JAMMU AND KASHMIR RAILWAY—*contd.***British-Jammu and Kashmir Railway Enactments—1.-(b) Special Local Laws—*contd.***

Declaration as to Laws In force, and arrangements for Executive, Judicial and Police Administration—*concl'd.*

- (3) All British Courts having jurisdiction within the Sialkot District may exercise the same jurisdiction within the aforesaid lands.
- (4) Within the aforesaid lands the administration of the Police shall be vested in the Assistant Inspector-General of Railway Police or such other officer as the said Lieutenant-Governor may appoint by name or in virtue of his office in that behalf. The Assistant Inspector General or other officer aforesaid shall have the same Police powers as may be exercised by the District Superintendent of Police under any law for the time being in force in the Sialkot District, in subordination to the Deputy Commissioner of the Sialkot District and the Inspector-General of Police in the Panjab.

[See *Gazelle of India*, 1891, Pt. I, p. 186.]

Recovery of Revenue Arrears accruing in British India.

No. 1415-I., dated the 30th April, 1890, printed, *infra*, p. 445.

Printing- and publication of newspapers and other printed works.

No. 2651-I., dated the 25th June, 1891, printed, *infra*, p. 446.

Execution in British India of warrants of capital sentences of British Courts beyond British India,

No. 1431-I., dated the 27th April, 1893, printed, *infra*, p. 443.

## **2. Local Rules and Orders under Acts of the Governor General in Council.**

Orders under the Indian Railways Act, 1890.

No. 3063-I. B., dated the 13th August, 1897, printed, *supra*, p. 184.

Delegation of powers under the Epidemic Diseases Act, 1897.

No. 444-I. A., dated the 4th February, 1897, printed, *infra*, p. 447.

PART VIII.—THE BRITISH ENACTMENTS IN FORCE LOCALLY  
IN THE TERRITORIES OF HIS HIGHNESS THE  
MAHARAJA OF NEPAL.



## THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF NEPAL.

## THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF NEPAL.

[For the relations of the British Government with this State, see Aitchison's Treaties, Vol II, Part III, pages 155—192. In accordance with Art. 8 of the Treaty of Segowlee entered into in 1815 (*see ibid*, Vol. II, No. LIV), a British Resident is stationed at Khatmandu.]

The only British Enactment, so far as is known, in force locally in this State is the following:—

*British-Indian Enactment.*

## LOCAL ORDER UNDER AN ACT IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                                              | Section.   | Subject of Notification.                                                                                                                                            | Notification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Births, Deaths and Marriages Registration Act, 1886 (VI of 1886). | 13, 24 (2) | Appointing a Registrar of Births and Deaths for Nepalese territory, and a Registrar-General of Births and Deaths to whom certified copies of entries shall be sent. | <i>No. 1428-E, dated the 24th July, 1889.</i> —In exercise of the powers conferred by section 13 and section 24, subsection (2), of the Births, Deaths and Marriages Registration Act, VI of 1886, the Governor General in Council is pleased to appoint the Resident in Nepal, for the time being, to be <i>ex-officio</i> Registrar of Births and Deaths for Nepalese territory, and the Registrar-General of Births, Deaths and Marriages for Bengal to be the Registrar-General, to whom the certified copies of the entries in the register books kept by the said Registrar shall be sent.<br><br>[See <i>Gazette of India</i> , 1889, Pt. I, p. 411.] |

**THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF NEPAL—concl.**

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**SUPPLEMENTARY NOTE.**

(I).—**Extradition.**—An Extradition Treaty with Nepal was entered into in 1855 (see Aitchison's Treaties, Vol. II, Part III, No. LIX). By a supplementary Treaty entered into in **1866** (see *ibid*, No. LX) the offences of cattle-stealing, embezzlement by public officers, and **serious** theft were added to those mentioned in Art. 4 of the Treaty of 1855.

## PART IX. THE BRITISH ENACTMENTS IN FORCE LOCALLY IN BALUCHISTAN.

CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE KHAN OF KALAT.

CHAPTEE II.—THE AGENCY TERRITORIES, OR THE TERRITORIES ADMINISTERED **BY THE AGENT** TO THE GOVERNOR GENERAL IN BALUCHISTAN AS SUCH AGENT.





**CHAPTER I.-THE TERRITORIES OF HIS HIGHNESS THE KHAN OF KALAT.**

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**CHAPTER I.****THE TERRITORIES OF HIS HIGHNESS THE KHAN OF KALAT.**

[For the relations of the British Government with this State, which are conducted through the medium of the Agent to the Governor General, Baluchistan, *see* Aitchison's Treaties, Vol. IX, Pt. III, pages 373—409.]

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The British Enactments in force locally in these territories consist of—

*British-Indian Enactments.*

Local Rules and Orders—

- (a) under a Statute in force generally in all Native States.
- (b) under Acts in force generally in all Native States.

## CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE KHAN OF KALAT.

*British-Indian Enactments.*

(a) LOCAL ORDER BY THE QUEEN IN COUNCIL UNDER A STATUTE IN FORCE GENERALLY IN ALL NATIVE STATES.

| Statute.                                      | Section. | Subject of Order,                                                                                     | Reference.                                                                   |
|-----------------------------------------------|----------|-------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Slave Trade Act, 1876 (39 & 40 Vict., o. 46). | 1        | Applying the Statute to the territories of the Khan of Kalat in Mekran and the coasts of Baluchistan. | No. 1664-P., dated the 13th July, 1877.<br>[Printed, <i>infra</i> , p. 204.] |

# CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE KHAN OF KALAH—contd.

## British-Indian Enactments..

### (b) LOCAL RULES AND ORDERS UNDER ACTS IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                                          | Section. | Subject of Notification.                                                                                                                                                                                                | Reference.                                                                                                                           |
|---------------------------------------------------------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (XV of 1872).             | 86       | Delegating to the Agent to the Governor General in Baluchistan the powers and functions given to the Governor General by sections 6, 8 and 9.                                                                           | No. 3746-I. B., dated the 1st October, 1897.<br>[Printed, <i>infra</i> , p. 205.]                                                    |
| Administrator General's Act, 1874 (II of 1874).               | 3        | Directing that the territories of His Highness the Khan of Kalat shall, for the purposes of the Act as regards British subjects of Her Majesty in those territories, be deemed to be included in the Bombay Presidency. | No. 812-E., dated the 19th April, 1890.<br>[Printed, <i>infra</i> , . 205.]                                                          |
| Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879). | 6        | Appointing Justices of the Peace and directing that they shall commit to the Chief Court of the Panjab.                                                                                                                 | No. 813-E., dated the 19th April, 1890, as amended by No. 191-E., dated the 22nd January, 1895.<br>[Printed, <i>infra</i> , p. 205.] |
| Ditto.                                                        | „        | Cancelling certain notifications.                                                                                                                                                                                       | No. 815-E., dated the 19th April 1890.<br>[Printed, <i>infra</i> , p. 206.]                                                          |

CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE KHAN  
OF KALAT—*contd.*

## BRITISH INDIAN ENACTMENTS.

### (a) Local Order by the Queen in Council under a Statute in force generally in all Native States.

Order applying the Slave Trade Act, 39 and 40 Vict., cap. 46, to Mekran and the Coasts of Baluchistan.

No. 1664-P., dated the 13th July, 1877.—The following order of Her Majesty in Council is published for general information:—

AT THE COURT AT WINDSOR.

The 30th day of April, 1877.

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-ninth and fortieth years of Her Majesty's reign, intituled "An Act for more effectually punishing offences against the laws relating to the Slave Trade," it is, amongst other things, enacted that—

If any person, being a subject of Her Majesty, or of any Prince or State in India in alliance with Her Majesty, shall, upon the High Seas or in any part of Asia or Africa which Her Majesty may from time to time think fit to specify by any Order in Council in this behalf, commit any of the offences defined in sections 807, 370 and 371 (in the schedule to this Act respectively recited) of Act XLV of 1860, passed by the Governor General of India in Council, and called "The Indian Penal Code" or abet, within the meaning of the fifth chapter of the said Penal Code, the commission of any such offence, such person shall be dealt with in respect of such offence or abetment as if the same had been committed in any place within British India in which he may be or may be found.

Now, therefore, in pursuance and by virtue of the said recited Act of Parliament, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that the said Act shall apply to the several parts of Asia and Africa hereinafter specified; that is to say—

- (a) The territories of the Khan of Kalat and of the Sultan of Muscat in Mekran and Arabia.
- (b) The coasts of Baluchistan, and of the Bunder Abbas Districts, and the shores of the Persian Gulf.
- (c) The coast of Arabia from Ras Mussendom to Cape Babel-Mandeb.
- (d) The territories of the following tribes near Aden, namely,—
 

|               |   |             |
|---------------|---|-------------|
| The Abdali.   | I | The Amiri.  |
| The Foodli.   |   | The Subahi. |
| The Akrabi.   |   | The Yafai.  |
| The Howshabi. |   | The Oulaki. |
| The Alawi.    |   |             |
- (e) The coast of Africa from Has Sejarne to Delagoa Bay.
- (f) The territories of the Sultan of Zanzibar.
- (g) The sea and islands within ten degrees of latitude or longitude from such coasts and shores, respectively.

And the Right Honourable the Marquis of Salisbury, and the Right Honourable the Earl of Derby and the Lords Commissioners of the Admiralty are to give the necessary directions herein as to them may respectively appertain.

[See *Gazette of India*, 1877, Pt. I, p. 381.]

## CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE KHAN OP KALAT—*contd.*

### **British Indian Enactments—(b) Local Rules and Orders under Acts.**

Delegation of powers under Sections 6, 8 and 9 of the Indian Christian Marriage Act, 1872.

No. 3746-I. B., dated the 1st October, 1897.—In exercise of the power conferred by section 86 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor General in Council is pleased to delegate to the Agent to the Governor General in Baluchistan the powers and functions given to the Governor General in Council under sections 6, 8 and 9 of the said Act, as regards the territories administered by him as such Agent, and as regards the territories of His Highness the Khan of Kalat and those of the Jam of Las Bela.

[See *Gazette of India*, 1897, Pt. I, p. 873.]

Declaration as to Presidency in which Kalat and the Agency Territories fall for the purposes of the Administrator General's Act, 1874.

No. 812-E., dated the 19th April, 1890.—In exercise of the powers conferred by section 3 of the Administrator General's Act, II of 1874, and in supersession of Foreign Department Notification No. 510-E., dated the 2nd March, 1887, the Governor General in Council is pleased to direct, in continuation of Foreign Department Notification No. 101-J., dated the 19th July, 1878,<sup>1</sup> that the territories of His Highness the Khan of Kalat and the territories administered by the Agent to the Governor General in Baluchistan as such Agent shall, for the purposes of the said Act, as regards British subjects of Her Majesty in those territories, be deemed to be included in the Presidency of Bombay.

[See *Gazette of India*, 1890, Pt. I, p. 247.]

Appointment of Justices of the Peace.

No. 818-E., dated the 19th April, 1890.—In exercise of the powers conferred by section 6 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, the Governor General in Council is pleased to appoint the following officers, being European British subjects, to be Justices of the Peace within the territories of His Highness the Khan of Kalat, and the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and to direct that the Chief Court of the Panjab shall be the Court to which the said Justices of the Peace shall commit European British subjects for trial.

*The officers above referred to :—*

The Agent to the Governor General in Baluchistan.

The Political Agents—

(a) Quetta.

(b) Zhob.

(c) Kalat and Bolan Pass.

(d) South Eastern Baluchistan.

(e) <sup>2</sup> [Sinjawi] and Railway District.

[See *Gazette of India*, 1890, Pt. I, p. 247.1

<sup>1</sup> For this notification, see Pt. I, *supra*, p. 17.

<sup>2</sup> "Sinjawi" was substituted for "Loralai" by Notification No. 191-E., dated the 22nd January, 1895, see *Gazette of India*, 1895, Pt. I, p. 34.

CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE KHAN  
OF KALAT—*contd.*

**British Indian Enactments—(b) Local Rules and Orders under Acts—*concl.***

Cancellation of certain Notification.

No. 815-E., dated the 19th April, 1890.—The following notifications of the Government of India in the Foreign Department are hereby cancelled :—

I.—Notifications respecting the appointment of Justices of the Peace in Baluchistan.

\* \* \* \* \*

Nos. 1839-E. and 1810-E., dated the 6th December, 1885.

\* \* \* \* \*

[See *Gazette of India*, 1890, Pt. I, p. 248.]

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<sup>1</sup> The omissions relate to notifications not affecting the territories under the Khan's administration.

CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE KHAN OF  
KALAT—*conoid*.

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SUPPLEMENTARY NOTE.

**I.—Telegraphs**—By Conventions for the extension of the Electric Telegraph entered **into** by the British Government with the Khan of Kalat and his feudatory, the Jam of **Las** Beyla, in 1863 and 1861, respectively, certain provisions have been made for the settlement of disagreements between the Telegraph officials and the subjects of the Khan, and of complaints against the former (*see* Aitchison's Treaties, Vol. IX, Pt. **III**, Nos. CLXXXII and CLXXVII),



## CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES.

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### CHAPTER II.

#### THE BALUCHISTAN AGENCY TERRITORIES

OR

The territories administered by the Agent to the Governor General in Baluchistan as such Agent:

Comprising the four following districts, namely,—

- |                         |   |                                                   |
|-------------------------|---|---------------------------------------------------|
| 1. The Quetta District. | } | 3. The Bolan Pass District.                       |
| 2. The Zhob District.   | } | 4. The <sup>1</sup> Sinjawi and Railway District. |

[The Cantonment of Quetta was occupied by British troops in 1876, but the district did not come under British administration until 1879.

The Zhob District was occupied in 1889.

Jurisdiction over the Bolan Pass District was acquired in 1883.

The Bori Valley was occupied in 1881, while jurisdiction over the lands on which the Sind-Pishin State Railway had been constructed, which constitute the rest of the <sup>1</sup> Sinjawi and Railway District, was obtained in 1880.]

The British Enactments in force locally in the Agency territories consist of—

#### *A.—British-Indian Enactments.*

1. Act of the Governor General in Council.<sup>2</sup>
2. Local Rules and Orders—
  - (a) under a Statute in force generally in all Native States.
  - (b) under Acts in force generally in all Native States.

#### *B.—British-Baluchistan Agency Territories Enactments.*

1. Local Laws made by the Governor General in Council.
  - (a) British-Indian Enactments locally applied—
    - (i) Acts of the Governor General in Council.
    - (ii) Bengal Regulations.
    - (iii) Regulations under 33 Viet., cap. 3.
  - (b) Special Local Laws.
2. Local Rules and Orders under—
  - (a) British Indian Enactments locally applied,
  - (b) Special Local Laws.

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<sup>1</sup> Formerly the Loralai and Kail way District; the name was altered by Notification No. 85-C. dated the 19th January, 1895, printed, *infra*, p. 411.

\* The Sind-Pishin Railway Act, XI of 1887, which has however since been applied by the Baluchistan Agency Laws Law, and is therefore now in practical operation as a special local law only.

## CHAPTER II. - THE BALUCHISTAN AGENCY TERRITORIES.

*A.—British-Indian Enactments.*

## 1. ACT OF THE GOVERNOR GENERAL IN COUNCIL.

| Act.                                                      | Reference,                                  |
|-----------------------------------------------------------|---------------------------------------------|
| Sindh-Pishin <sup>1</sup> Railway Act, 1887 (XI of 1887). | Printed at page 18 of the Baluchistan Code. |

<sup>1</sup>This Act has since been applied by the Baluchistan Agency Laws Law, see *infra*, p. 233, and is now therefore in practical operation as a Special Local Law only.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.**A.—British-Indian Enactments.*

## 2.-(a) LOCAL RULES AND ORDERS UNDER A STATUTE IN FORCE GENERALLY IN ALL NATIVE STATES.

| Statute.                            | Section. | Subject of Notification.                                                                         | Reference.                                                                    |
|-------------------------------------|----------|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Army Act (44 & 45<br>Vict., c. 68). | 139      | Setting apart certain buildings<br>in Qnetta Cantonment as a<br>Military Prison.                 | No. 477, dated the 21st August,<br>1885.<br>[Printed, <i>infra</i> , p. 223.] |
| Ditto                               | „        | Setting apart certain rooms in<br>the Qnetta Station Hospital<br>as part of the Military Prison. | No. 478, dated the 31st August,<br>1885.<br>[Printed, <i>infra</i> , p. 223.] |

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## A.—British-Indian Enactments.

## 2.-(b) LOCAL RULES AND ORDERS UNDER ACTS IN FORCE GENERALLY IN ALL NATIVE STATES.

| Act.                                                              | Section. | Subject of Notification.                                                                                                                                                                                                                                                             | Reference.                                                                                                                                                      |
|-------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Indian Christian Marriage Act, 1872 (XV of 1872).                 | 6        | Appointing certain officers to be Marriage Registrars for certain districts.                                                                                                                                                                                                         | No. 153-E, dated the 25th January, 1892, as amended by No. 191-E, dated the 22nd January, 1895.<br>[Printed, <i>infra</i> , p. 222.]                            |
| Ditto . . .                                                       | 66       | Delegating to the Agent to the Governor General in Baluchistan, as regards these territories, the powers and functions given to the Governor General in Council under sections 6, 8 and 9 of the Act.                                                                                | No. 3746-I.B., dated the 1st October, 1897.<br>[Printed, <i>infra</i> , p. 223.]                                                                                |
| Administrator General's Act, 1874 (II of 1874).                   | 6        | Directing that these territories shall for the purposes of this Act form part of the Presidency of Bombay.                                                                                                                                                                           | No. 812-E, dated the 19th April, 1890.<br>[Printed, <i>supra</i> , p. 223.]                                                                                     |
| Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879).     | 6        | Appointing Justices of the Peace.                                                                                                                                                                                                                                                    | Nos. 813-E. and 814-E., dated the 19th April, 1890, and No. 1799-E, dated the 9th September, 1891.<br>[Printed respectively on pp. 223 and 224. <i>infra</i> .] |
| Births, Deaths and Marriages Registration Act, 1886 (VI of 1886). | 13       | Appointing certain officers and other persons to be Registrars of Births and Deaths for certain districts or for certain classes of persons in those districts, and appointing the Registrar-General of Births, Deaths and Marriages in British Baluchistan to be Registrar-General. | No. 152-E, dated the 26th January, 1892, as amended by No. 191-E, dated the 22nd January, 1895.<br>[Printed, <i>infra</i> , p. 225.]                            |

CHAPTER II.—THE BALUCHISTAN AGENT TERRITORIES—*contd.**B.—British-Baluchistan, Agency Territories Enactments.*

## I-(a) BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED.

| Act.                                                                  | Extent of application.                                 | Reference.                                                                           |
|-----------------------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------------------------------------|
| <i>(1)-Acts of the Governor General in Council.</i>                   |                                                        |                                                                                      |
| Indian Slavery Act, 1843 (V of 1843).                                 | The whole Act, and see the Notification.               | No. 255-E., dated the 31st January, 1890.<br>[Printed, <i>infra</i> , p. 238.]       |
| <sup>1</sup> Judicial Officers Protection Act, 1850 (XVIII of 1850).  | Ditto . . . .                                          | Ditto.                                                                               |
| State Prisoners Act, 1850 (XXXIV of 1850).                            | Ditto . . . .                                          | Ditto.                                                                               |
| Penal Servitude Act, 1855 (XXIV of 1855).                             | Ditto . . . .                                          | Ditto.                                                                               |
| State Offences Act, 1857 (XI of 1857).                                | Ditto . . . .                                          | Ditto.                                                                               |
| State Prisoners Act, 1858 (III of 1858).                              | Section 5 . . . .                                      | Ditto.                                                                               |
| <sup>1</sup> Lunacy (District Courts) Act, 1858 (XXXV of 1858).       | The whole Act . . . .                                  | Ditto.                                                                               |
| <sup>1</sup> Indian Lunatic Asylums Act, 1858 (XXXVI of 1858).        | Ditto . . . .                                          | Ditto.                                                                               |
| <sup>1</sup> Forfeiture Act, 1859 (IX of 1859).                       | The whole Act except the last paragraph of section 18. | Ditto.                                                                               |
| <sup>1</sup> Employers and Workmen (Disputes) Act, 1860 (IX of 1860). | The whole Act . . . .                                  | Ditto.                                                                               |
| Indian Penal Code, 1860 (Act XLV of 1860).                            | Ditto . . . .                                          | Ditto.                                                                               |
| Police Act, 1861 (V of 1861)                                          | Ditto . . . .                                          | Ditto.                                                                               |
| Foreigners Act, 1864 (III of 1864).                                   | Ditto . . . .                                          | Ditto.                                                                               |
| Whipping Act, 1864 (VI of 1864).                                      | Ditto . . . .                                          | Ditto.                                                                               |
| Indian Succession Act, 1865 (X of 1865).                              | Ditto . . . .                                          | Ditto.                                                                               |
| Parsi Marriage and Divorce Act, 1865 (XV of 1865).                    | Ditto . . . .                                          | No. 572-E.A., dated the 23rd March, 1899.<br>[Printed, <i>infra</i> , p. 226.]       |
| Public Gambling Act, 1867 (III of 1867).                              | Ditto . . . .                                          | No. 255-E., dated the 31st January, 1890.<br>[Printed, <i>infra</i> , p. 238.]       |
| Murderous Outrages Act, 1867 (XXIII of 1867).                         | Ditto . . . .                                          | Ditto.                                                                               |
| Succession Act,                                                       | Ditto . . . .                                          | No. 1865(A)-E.A., dated the 11th October, 1899.<br>[Printed, <i>infra</i> , p. 232.] |

<sup>1</sup> were given by the Indian Short Titles Act, 1897 (XIV of 1897), printed, General Acts, Vol. VI, Ed. 1898, p. 331.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

*B.—British-Baluchistan Agency Territories Enactments.*

## I.-(s) BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—contd.

| Act.                                                              | Extent of application.  | Reference.                                                                            |
|-------------------------------------------------------------------|-------------------------|---------------------------------------------------------------------------------------|
| <i>(1)-Acts of the Governor General in Council—contd.</i>         |                         |                                                                                       |
| <b>Divorce Act, 1869 (IV of 1869).</b>                            | The whole Act . . . . . | <i>No. 255-E., dated the 31st January, 1890.</i><br>[Printed, <i>infra</i> , p. 288.] |
| <b>Indian Articles of War, 1869 (Act V of 1869).</b>              | Ditto . . . . .         | Ditto.                                                                                |
| <b>Prisoners' Testimony Act, 1869 (XV of 1869).</b>               | Ditto . . . . .         | Ditto.                                                                                |
| <b>Volunteers Act, 1869 (XX of 1869).</b>                         | Ditto . . . . .         | Ditto.                                                                                |
| <b>Court-fees Act, 1870 (VII of 1870).</b>                        | Ditto . . . . .         | Ditto.                                                                                |
| <b>Indian Coinage Act, 1870 (XXIII of 1870).</b>                  | Ditto . . . . .         | Ditto.                                                                                |
| <b>Cattle-trespass Act, 1871 (I of 1871).</b>                     | Ditto . . . . .         | Ditto.                                                                                |
| <b>Prisoners Act, 1871 (V of 1871).</b>                           | Ditto . . . . .         | Ditto.                                                                                |
| <b>Pensions Act, 1871 (XXIII of 1871).</b>                        | Ditto . . . . .         | Ditto.                                                                                |
| <b>Indian Evidence Act, 1872 (I of 1872)</b>                      | Ditto . . . . .         | Ditto.                                                                                |
| <sup>1</sup> <b>The Special Marriage Act, 1872 (III of 1872).</b> | Ditto . . . . .         | Ditto.                                                                                |
| <b>Indian Contract Act, 1872 (IX of 1872).</b>                    | Ditto . . . . .         | Ditto.                                                                                |
| <b>Indian Christian Marriage Act, 1872 (XV of 1872).</b>          | Ditto . . . . .         | Ditto.                                                                                |
| <b>Indian Oaths Act, 1873 (X of 1873).</b>                        | Ditto . . . . .         | Ditto.                                                                                |
| <sup>2</sup> <b>Lunatic Soldiers Act, 1873 (XIV of 1873).</b>     | Ditto . . . . .         | Ditto.                                                                                |
| <b>Administrator General's Act, 1874 (II of 1874).</b>            | Ditto . . . . .         | Ditto.                                                                                |
| <b>Foreign Recruiting Act, 1874 (IV of 1874).</b>                 | Ditto . . . . .         | Ditto.                                                                                |
| <b>European Vagrancy Act, 1874 (IX of 1874).</b>                  | Ditto . . . . .         | Ditto.                                                                                |
| <b>Unattested Sepoys Act, 1875 (V of 1875).</b>                   | Ditto . . . . .         | Ditto.                                                                                |

<sup>1</sup> These short titles were given by the Indian Short Titles Act, 1897 (XIV of 1897), printed, General Acta, Vol. VI, Ed. 1898, p. 631. The Act has been applied to these Territories by Notification No. 1565 (a)-B.A., dated the 11th October, 1898 see *infra*, p. 232.

<sup>2</sup> Virtually repealed by Art. 179 of Act V of 1889 as amended by Act XII of 1894; the latter Act was applied by Notification No. 1616 (E. A., dated the 17th September, 1896, printed, *infra*, p. 230. See also Regimental Debts Act, 1893 (56 Vict., cap. 5).

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd**B.—British-Baluchistan Agency Territories Enactments.*1.-(a) BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—*contd*.

| Act.                                                              | Extent of application.                                                      | Reference.                                                                                                                                       |
|-------------------------------------------------------------------|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)- <i>Acts of the Governor General in Council—contd.</i>        |                                                                             |                                                                                                                                                  |
| Indian Majority Act, 1875 (IX of 1875).                           | The whole Act . . . . .                                                     | No. 82 (a)-E. A., dated the 14th January, 1897.<br>[Printed, <i>infra</i> , p. 226.]                                                             |
| Specific Relief Act, 1877 (I of 1877).                            | Section 9 to the Agency Territories and the whole Act to the Quetta Tabail. | No. 255-E., dated the 31st January, 1890, and No 723-E., dated the 16th August, 1896.<br>[Printed, <i>infra</i> , pp. 238 and 226 respectively.] |
| Indian Registration Act, 1877 (III of 1877).                      | The whole Act . . . . .                                                     | No. 255-E., dated the 31st January, 1890.<br>[Printed, <i>infra</i> , p. 238.]                                                                   |
| Military Lunatics Act, 1877 (XI of 1877).                         | Ditto . . . . .                                                             | Ditto.                                                                                                                                           |
| Indian Limitation Act, 1877 (XV of 1877).                         | The whole Act, and <i>see</i> the Notification.                             | Ditto                                                                                                                                            |
| Opium Act, 1878 (I of 1878).                                      | Ditto . . . . .                                                             | Ditto.                                                                                                                                           |
| Indian Arms Act, 1878 (XI of 1878).                               | The whole Act, excepting certain sections.                                  | No. 1455-E., dated the 27th July, 1895.<br>[Printed, <i>infra</i> , p. 226.]                                                                     |
| Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879).     | The whole Act . . . . .                                                     | No. 255-E., dated the 31st January, 1890.<br>[Printed, <i>infra</i> , p. 238.]                                                                   |
| Vaccination Act, 1880 (XIII of 1880).                             | The whole Act, and <i>see</i> the Notification.                             | No. 733½-E. A., dated the 27th April, 1897.<br>[Printed, <i>infra</i> , p. 227.]                                                                 |
| Probate and Administration Act, 1881 (V of 1881).                 | The whole Act . . . . .                                                     | No. 255-E., dated the 31st January, 1890.<br>[Printed, <i>infra</i> , p. 238.]                                                                   |
| Indian Companies Act, 1882 (VI of 1882).                          | The whole Act, as amended by subsequent enactments.                         | No. 14-E., dated the 3rd January, 1895.<br>[Printed, <i>infra</i> , p. 227.]                                                                     |
| Salt Act, 1882 (XII of 1882).                                     | The whole Act . . . . .                                                     | No. 255-E., dated the 31st January, 1890.<br>[Printed, <i>infra</i> , p. 238.]                                                                   |
| Code of Civil Procedure, 1882 (Act XIV of 1882).                  | The whole Act, and <i>see</i> the Notification.                             | Ditto.                                                                                                                                           |
| Indian Paper Currency Act, 1882 (XX of 1882).                     | The whole Act . . . . .                                                     | Ditto.                                                                                                                                           |
| Indian Telegraphs Act, 1885 (XIII of 1885).                       | Ditto . . . . .                                                             | Ditto.                                                                                                                                           |
| Births, Deaths and Marriages Registration Act, 1886 (VI of 1886). | Ditto . . . . .                                                             | Ditto.                                                                                                                                           |
| Suits Valuation Act, 1887 (VII of 1887).                          | Ditto . . . . .                                                             | Ditto.                                                                                                                                           |

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.**B.—British-Baluchistan Agency Territories Enactments.*I.-(a) BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—*contd.*

| Act.                                                       | Extent of application.                                                                              | References.                                                                    |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| (1)-Acts of the Governor General in Council— <i>contd.</i> |                                                                                                     |                                                                                |
| Provincial Small Cause Courts Act, 1837 (IX of 1837).      | The whole Act . . . . .                                                                             | No. 255-E., dated the 31st January, 1890.<br>[Printed, <i>infra</i> , p. 238.] |
| Sindh Pishin Railway Act, 1867 (XI of 1867).               | Ditto . . . . .                                                                                     | Ditto.                                                                         |
| Punjab Land Revenue Act, 1887 (XVII of 1887).              | The whole Act to the tahsil of Quetta so far as it may be suitable, and see the Notification.       | No. 977-E., dated the 17th May, 1895.<br>[Printed, <i>infra</i> , p. 228.]     |
| Wild Birds Protection Act, 1887 (XX of 1887).              | The whole Act . . . . .                                                                             | No. 1365-E., dated the 21st July, 1892.<br>[Printed, <i>infra</i> , p. 229.]   |
| Police Act, 1888 (III of 1888).                            | Ditto . . . . .                                                                                     | No. 255-E., dated the 31st January, 1890.<br>[Printed, <i>infra</i> , p. 238.] |
| Indian Reserve Forces Act, 1888 (IV of 1888).              | Ditto . . . . .                                                                                     | Ditto.                                                                         |
| Inventions and Designs Act, 1888 (V of 1888).              | Ditto . . . . .                                                                                     | Ditto.                                                                         |
| Debtors Act, 1888 (VI of 1888).                            | Sections 2 to 8 . . . . .                                                                           | Ditto.                                                                         |
| Succession Certificates Act, 1889 (VII of 1889).           | The whole Act . . . . .                                                                             | Ditto.                                                                         |
| Cantonments Act, 1889 (XIII of 1889).                      | Ditto . . . . .                                                                                     | Ditto.                                                                         |
| Official Secrets Act, 1889 (XV of 1889).                   | Ditto . . . . .                                                                                     | Ditto.                                                                         |
| Revenue Recovery Act, 1890 (I of 1890).                    | Ditto . . . . .                                                                                     | No. 1415-I., dated the 30th April, 1890.<br>[Printed, <i>infra</i> , p. 445.]  |
| Charitable Endowments Act, 1890 (VI of 1890).              | Ditto . . . . .                                                                                     | No. 956-E., dated the 10th May, 1890.<br>[Printed, <i>infra</i> , p. 229.]     |
| Guardians and Wards Act, 1890 (VIII of 1890).              | Ditto . . . . .                                                                                     | Ditto.                                                                         |
| Railways Act, 1890 (IX of 1890).                           | Ditto and see the Notification .                                                                    | No. 910-E., dated the 2nd May, 1890.<br>[Printed, <i>infra</i> , p. 371.]      |
| Cruelty to Animals Act, 1890 (XI of 1890).                 | The whole Act . . . . .                                                                             | No. 925-E., dated the 19th May, 1892.<br>[Printed, <i>infra</i> , p. 229.]     |
| Repealing and Amending Act, 1890 (XII of 1890).            | The whole Act, so far as it affects any enactment for the time being in force in these territories. | No. 926-E., dated the 19th May, 1892.<br>[Printed, <i>infra</i> , p. 230.]     |



CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES-*contd.**B.—British-Baluchistan Agency Territories Enactments.*I.-(a) BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—*contd.*

| Act.                                                                               | Extent of application.     | Reference.                                                                              |
|------------------------------------------------------------------------------------|----------------------------|-----------------------------------------------------------------------------------------|
| (1)- <i>Acts of the Governor General in Council—contd.</i>                         |                            |                                                                                         |
| Indian Paper Currency Act, 1890 (XV of 1890).                                      | The whole Act . . . . .    | No. 925-E., dated the 19th May, 1892.<br>[Printed, <i>infra</i> , p. 229.]              |
| Births, Deaths and Marriages Registration Act (1886) Amendment Act, 1890.          | Ditto . . . . .            | No. 1565(A)-E.A., dated the 11th October, 1899.<br>[Printed, <i>infra</i> , p. 232.]    |
| Jattle Trespass Act (1871) Amendment Act, 1891 (I of 1891).                        | Ditto . . . . .            | No. 925-E., dated the 19th May, 1892.<br>[Printed, <i>infra</i> , p. 229.]              |
| Indian Christian Marriage Act Amendment Act, 1891 (II of 1891).                    | Ditto . . . . .            | No. 153-E., dated the 26th January, 1892.<br>[Printed, <i>infra</i> , p. 230.]          |
| * Indian Evidence Act Amendment Act, 1891 (III of 1891).                           | Ditto . . . . .            | No. 925-E., dated the 19th May, 1892.<br>[Printed, <i>infra</i> , p. 229.]              |
| * Indian Criminal Law Amendment Act, 1891 (X of 1891). <sup>2</sup>                | Ditto . . . . .            | Ditto.                                                                                  |
| Bankers' Books Evidence Act, 1891 (XVIII of 1891).                                 | Ditto . . . . .            | No. 1615(A)-E. A., dated the 17th September, 1896.<br>[Printed, <i>infra</i> , p. 230.] |
| * Marriages Validation Act, 1892 (II of 1892).                                     | Ditto . . . . .            | Ditto.                                                                                  |
| * Indian Limitation Act and Civil Procedure Code Amendment Act, 1892 (VI of 1892). | Sections 1 and 5 . . . . . | Ditto.                                                                                  |
| Government Management of Private Estates Act, 1892 (X of 1892).                    | The whole Act . . . . .    | Ditto.                                                                                  |
| Bankers' Books Evidence Act, 1893 (I of 1893).                                     | Ditto . . . . .            | Ditto.                                                                                  |
| Capital Sentences Act, 1893 (V of 1893).                                           | Ditto . . . . .            | Ditto.                                                                                  |
| Indian Coinage and Paper Currency Act, 1893 (VIII of 1893).                        | Ditto . . . . .            | Ditto.                                                                                  |
| Land Acquisition Act, 1894 (I of 1894).                                            | Ditto . . . . .            | Ditto.                                                                                  |
| * Indian Criminal Law Amendment Act, 1894 (III of 1894). <sup>3</sup>              | Ditto . . . . .            | Ditto.                                                                                  |

<sup>1</sup> Repealed in British India by the Indian Paper Currency Act Amendment Act, 1896 (XXI of 1896).<sup>2</sup> These short titles were given by the Indian Short Titles Act, 1897 (XIV of 1897), printed, General Acts, Vol. VI, Ed. 1898, p. 231. The Act was applied to these territories by Notification No. 1506 (a)-E. A., dated the 11th October 1899, *see infra*, p. 232.<sup>3</sup> Repealed so far as it affects the Code of Criminal Procedure by Act V of 1898, which was applied by Notification No. 1096(a)-E. A., dated the 20th June, 1898, *see infra*, p. 234.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British- Baluchistan Agency Territories Enactments.

## I.-(a) BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—contd.

| Act.                                                                                          | Extent of application.                   | Reference.                                                                               |
|-----------------------------------------------------------------------------------------------|------------------------------------------|------------------------------------------------------------------------------------------|
| (1)-Acts of the Governor General in Council—contd.                                            |                                          |                                                                                          |
| <sup>1</sup> Prisoners Act (1871) Amendment Act, 1894 (VII of 1894).                          | The whole Act . . . . .                  | No. 1615(A)-E. A., dated the 17th September, 1896.<br>[Printed, <i>infra</i> , p. 280.]  |
| Prisons Act, 1894 (IX of 1894).                                                               | Ditto . . . . .                          | No. 1958-E., dated the 24th October, 1896.<br>[Printed, <i>infra</i> , p. 231.]          |
| Indian Articles of War Amendment Act, 1894 (XII of 1894).                                     | Ditto . . . . .                          | No. 1615 (A)-E. A., dated the 17th September, 1896.<br>[Printed, <i>infra</i> , p. 280.] |
| Repealing and Amending (Army) Act, 1894 (XIII of 1894).                                       | Ditto . . . . .                          | Ditto.                                                                                   |
| <sup>1</sup> Indian Criminal Law Amendment Act, 1895 (III of 1895). <sup>2</sup>              | Ditto . . . . .                          | Ditto.                                                                                   |
| Police Act Amendment Act, 1895 (VIII of 1895).                                                | Ditto . . . . .                          | Ditto.                                                                                   |
| Extradition (India) Act, 1895 (IX of 1895).                                                   | Ditto . . . . .                          | Ditto.                                                                                   |
| Indian Companies (Memorandum of Association) Act, 1895 (XII of 1895).                         | Ditto . . . . .                          | No. 1565 (A)-E.A., dated the 11th October, 1899.<br>[Printed, <i>infra</i> , p. 232.]    |
| Crown Grants Act, 1895 (XV 1895).                                                             | Ditto . . . . .                          | No. 1615 (A)-E.A., dated the 17th September, 1896.<br>[Printed, <i>infra</i> , p. 280.]  |
| <sup>1</sup> Foreign Jurisdiction and Extradition Act (1879) Amendment Act, 1896 (V of 1896). | The whole Act . . . . .                  | No. 1615 (A)-E.A., dated the 17th September, 1896.<br>[Printed, <i>infra</i> , p. 280.]  |
| <sup>1</sup> Indian Penal Code Amendment Act, 1896 (VI of 1896).                              | Ditto . . . . .                          | Ditto.                                                                                   |
| <sup>1</sup> Indian Railways Act (1890) Amendment Act, 1896 (IX of 1896).                     | Ditto . . . . .                          | Ditto.                                                                                   |
| Indian Volunteers Act Amendment Act, 1896 (X of 1896).                                        | Ditto . . . . .                          | No. 1565 (A)-E.A., dated the 11th October, 1899.<br>[Printed, <i>infra</i> , p. 232.]    |
| Panjab Land Revenue Act, 1857 Amendment Act, 1896 (XVII of 1896).                             | The whole Act to the Quetta tahsil only. | No. 1565 (B)-E.A., dated the 11th October 1899.<br>[Printed, <i>infra</i> , p. 232.]     |

<sup>1</sup> These short titles were given by the Indian Short Titles Act, 1897 (XIV of 1897), printed, General Acts, Vol. VI, Ed. 1898, p. 321. The Act was applied to these territories by Notification No. 1385 (A)-E. A., dated the 11th October, 1899, see *infra*, p. 232.

<sup>2</sup> Enacted so far as it relates to the Code of Criminal Procedure, 1862 (Act X of 1862), by the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied by Notification No. 1006 (a)-E. A., dated the 26th June, 1897, printed, *infra*, p. 234.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments.

## I.-(a) BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—contd.

| Act.                                                  | Extent of application.                                            | Reference.                                                                            |
|-------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| (1)-Acts of the Governor General in Council—contd.    |                                                                   |                                                                                       |
| Excise Act, 1896 (XII of 1896).                       | The whole Act, and see the Notification.                          | No. 2668(a)-E. A., dated the 21st August, 1896.<br>[Printed, <i>infra</i> , p. 232.]  |
| Epidemic Diseases Act, 1897 (III of 1897).            | The whole Act . . . . .                                           | No. 443-I. A., dated the 4th February, 1897.<br>[Printed, <i>infra</i> , p. 447.]     |
| Fisheries Act, 1897 (IV of 1897).                     | Ditto . . . . .                                                   | No. 1037-E. A., dated the 26th June, 1897.<br>[Printed, <i>infra</i> , p. 234.]       |
| Repealing and Amending Act, 1897 (V of 1897).         | So much as relates to Bengal Foreign Immigrants Regulation, 1812. | No. 1565 (A)-E.A., dated the 11th October, 1899.<br>[Printed, <i>infra</i> , p. 232.] |
| Provident Funds Act, 1897 (IX of 1897).               | The whole Act . . . . .                                           | Ditto.                                                                                |
| General Clauses Act, 1897 (X of 1897).                | Ditto . . . . .                                                   | Ditto.                                                                                |
| Indian Short Titles Act, 1897 (XIV of 1897).          | Ditto . . . . .                                                   | Ditto.                                                                                |
| Cantonment Act Amendment Act, 1897 (XV of 1897).      | Ditto . . . . .                                                   | No. 9½ E. A., dated the 4th January, 1898.<br>[Printed, <i>infra</i> , p. 234.]       |
| Lepers Act, 1898 (III of 1898).                       | Ditto . . . . .                                                   | No. 1565 (A)-E.A., dated the 11th October, 1899.<br>[Printed, <i>infra</i> , p. 232.] |
| Indian Penal Code Amendment Act, 1898 (IV of 1898).   | Ditto . . . . .                                                   | Ditto.                                                                                |
| Code of Criminal Procedure, 1898 (Act V of 1898).     | Ditto . . . . .                                                   | No. 1005(a)-E. B., dated the 29th June, 1898.<br>[Printed, <i>infra</i> , p. 234.]    |
| Indian Post Office Act, 1898 (VI of 1898).            | Ditto . . . . .                                                   | No. 1565 (A)-E.A., dated the 11th October, 1899.<br>[Printed, <i>infra</i> , p. 232.] |
| Indian Stamp Act, 1899 (II of 1899).                  | Ditto . . . . .                                                   | Ditto.                                                                                |
| Government Buildings Act, 1899 (IV of 1899).          | Ditto . . . . .                                                   | Ditto.                                                                                |
| Indian Evidence Act, 1899 (V of 1899).                | Ditto . . . . .                                                   | Ditto.                                                                                |
| Indian Contract Act Amendment Act, 1899 (VI of 1899). | Ditto . . . . .                                                   | Ditto.                                                                                |

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments,

## I.-(a) BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—contd.

| Enactment.                                                                             | Extent of application.                                                                            | Reference.                                                                                                |
|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| (1)-Acts of the Governor General in Council—contd.                                     |                                                                                                   |                                                                                                           |
| Indian Petroleum Act, 1899 (VIII of 1899).                                             | Ss. 1 to 3 and 25 and so much as relates to dangerous petroleum and the importation of petroleum. | No. 1565(A)-E.A., dated the 11th October, 1899.<br>[Printed, <i>infra</i> , p. 232.]                      |
| Court Fees Amendment Act, 1899 (XI of 1899).                                           | The whole Act . . . . .                                                                           | Ditto.                                                                                                    |
| Currency Notes Forgery Act, 1899 (XII of 1899).                                        | Ditto . . . . .                                                                                   | Ditto.                                                                                                    |
| Glanders and Farcy Act, 1899 (XIII of 1899).                                           | Ditto . . . . .                                                                                   | No. 1258-E.A., dated the 21st August, 1899.<br>[Printed, <i>infra</i> , p. 234.]                          |
| Indian Registration (Amendment) Act, 1899 (XVII of 1899).                              | Ditto . . . . .                                                                                   | No. 1565 (A)-E.A., dated the 11th October, 1899.<br>[Printed, <i>infra</i> , p. 232.]                     |
| Paper Currency Amendment Act, 1899 (XXII of 1899).                                     | Ditto . . . . .                                                                                   | <sup>1</sup> No. 179½ E. A., dated the 18th January, 1900.<br>[See Gazette of India, 1900, Pt. I, p. 60.] |
| (2)-Regulations of the Bengal Code.                                                    |                                                                                                   |                                                                                                           |
| <sup>2</sup> Bengal Foreign Emigrants Regulation, 1812 (Bengal Regulation XI of 1812). | The whole Regulation . . . . .                                                                    | No. 255-E., dated the 31st January, 1890.<br>[Printed, <i>infra</i> , p. 238.]                            |
| <sup>2</sup> Bengal State Prisoners Regulation, 1818 (Bengal Regulation III of 1818).  | Ditto . . . . .                                                                                   | Ditto.                                                                                                    |
| (3)-Regulations under the Government of India Act, 1870 (33 Vict., cap. 5).            |                                                                                                   |                                                                                                           |
| Panjab Frontier Jagir Revenue Collection Regulation, 1874 (VII of 1874).               | The whole Regulation . . . . .                                                                    | No. 1799(a) E. A., dated the 10th November, 1899.<br>[Printed <i>infra</i> , p. 235.]                     |
| Punjab Frontier Crimes Regulation (IV of 1887).                                        | Sections 3 to 48 and 50 to 54, and see the Notification.                                          | No. 255-E., dated the 31st January, 1890.<br>[Printed, <i>infra</i> , p. 238.]                            |
| Frontier Crossing and Disturbed Districts, 1887 (IX of 1887).                          | The whole Regulation . . . . .                                                                    | Ditto.                                                                                                    |

<sup>1</sup> This Notification issued while the volume was passing through the press, it is not therefore printed *in extenso*.<sup>2</sup> These short titles were given by the Repealing and Amending Act, 1887 (V of 1887), printed, General Acts, Vol. VI, Ed. 1898, p. 361. The Act was applied to these territories by Notification No. 1565 (A)-E. A., dated the 11th October, 1899, *see infra*, p. 232.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.**B.—British-Baluchistan Agency Territories Enactments.*

## I.-(b) SPECIAL LOCAL LAWS.

| When made.        | Subject of Law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Notification.                                                                                                                                                                                          | Reference.                                                                              |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | *                                                                                                                                                                                                      |                                                                                         |
| 1889              | Notifying all Civil Courts in the Agency territories, among other Courts, as having been established or continued by the Governor General in Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | No. 1361-I., dated the 29th March, 1889.                                                                                                                                                               | Printed, <i>infra</i> , p. 434.                                                         |
| „                 | Quetta Hackney Carriage Law . . . .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | No. 984-(A)E., dated the 18th May, 1889.                                                                                                                                                               | Printed, <i>infra</i> , p. 235.                                                         |
| 1889<br>&<br>1890 | Providing for—<br>(1) execution of decrees—<br>(a) of British-Indian Courts by the Civil Courts in the Agency territories.<br>(b) of the Civil Courts in the Agency territories by Courts established or continued by the Governor General in Council in other Native States and <i>vice versa</i> ;<br>(c) of certain Courts in Mysore and Bombay Native States by the Civil Courts in the Agency territories ;<br>(2) service of summonses—<br>(a) of British-Indian Civil and Revenue Courts by the Civil Courts in the Agency territories ;<br>(b) of the Civil Courts in the Agency territories by Courts established or continued by the Governor General in Council in other Native States and <i>vice versa</i> ;<br>(c) of certain Courts in Hyderabad, Mysore, Central India and Bombay Native States by the Civil Courts in the Agency territories. | Nos. 1362-I. to 1364-I., dated the 29th March, 1889, and No. 2183-I., dated the 2nd July, 1890.<br><br>Nos. 1366-I. to 1368-I., dated the 29th March, 1889, and No. 2182-I., dated the 2nd July, 1890. | Printed, <i>infra</i> , pp. 436 to 438.<br><br>Printed, <i>infra</i> , pp. 440 and 441. |
| 1890              | Baluchistan Agency Laws Law . . . .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | No. 255-E., dated the 31st January, 1890.                                                                                                                                                              | Printed, <i>infra</i> , p. 233.                                                         |
| „                 | Baluchistan Agency Forests Law . . . .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | No. 811-E., dated the 19th April, 1890.                                                                                                                                                                | Printed, <i>infra</i> , p. 245.                                                         |
| 1891              | Printing and publication of newspapers and other printed works.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | No. 2651-I., dated the 25th June, 1891.                                                                                                                                                                | Printed, <i>infra</i> , p. 446.                                                         |

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.**B.—British-Baluchistan Agency Territories Enactments—contd.*1.-(b) SPECIAL LOCAL LAWS—*contd.*

| When made. | Subject of Law.                                                                                                                                                                                                                                                                                       | Notification.                                                                                                                                        | Reference.                      |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| 1891       | Directing that the powers and duties imposed on a District Judge by section 64 of the Administrator General's Act (II of 1874) as amended by section 13 of Act II of 1890, shall, in the limits of the Bolan Pass District, be exercised by the Political Agent and District Judge, Kalat.            | No. 6555, dated the 15th October, 1891. <sup>1</sup>                                                                                                 | Printed, <i>infra</i> , p. 256. |
| "          | Directing that the powers and duties conferred and imposed on a District Judge by section 64 of the Administrator General's Act (II of 1874) as amended by section 13 of Act II of 1890, shall, in the limits of the Quetta District, be exercised by the Political Agent and District Judge, Quetta. | No. 6556, dated the 15th October, 1891. <sup>1</sup>                                                                                                 | Printed, <i>infra</i> , p. 257. |
| 1892       | Specially extending section 166 of the Indian Articles of War (Act V of 1869) <sup>2</sup> to the frontier posts of Fort Sandeman and New Chaman. <sup>3</sup>                                                                                                                                        | No. 785-I., dated the 12th August, 1892.                                                                                                             | Printed, <i>infra</i> , p. 257. |
| 1893       | Empowering British Courts beyond British India to send their warrants for the execution of capital sentences to jails in British India.                                                                                                                                                               | No. 1431-I., dated the 27th April, 1893.                                                                                                             | Printed, <i>infra</i> , p. 443. |
| 1896       | Directing that all the laws in force in the Bolan Pass District, by virtue of their application, under section 4 (2) of the Baluchistan Agency Laws Law, 1890, to the Baluchistan Agency territories, shall be deemed to be in force in the lands occupied by the Mushkaf-Bolan State Railway.        | No. 1460-(a)-E.A., dated the 20th August, 1896.                                                                                                      | Printed, <i>infra</i> , p. 257. |
| "          | Quetta Municipal Law, 1896 <sup>4</sup>                                                                                                                                                                                                                                                               | Nos. 1536-E.A., dated the 4th September, 1896, and 1153-E.A., dated the 4th August, 1898, as amended by No. 1901-E.A., dated the 8th December, 1899. | Printed, <i>infra</i> , p. 259. |
| "          | Baluchistan Agency Criminal Justice Law, 1896.                                                                                                                                                                                                                                                        | No. 1956-E.A., dated the 6th November, 1896.                                                                                                         | Printed, <i>infra</i> , p. 262. |
| "          | Baluchistan Agency Civil Justice Law, 1896                                                                                                                                                                                                                                                            | No. 1957-E.A., dated the 6th November, 1896, as amended by No. 1274-E.A., dated the 10th August, 1897.                                               | Printed, <i>infra</i> , p. 267. |

<sup>1</sup> These two notifications are not, properly speaking, "Special Local Laws," as they were made under the powers conferred by cl. (a) of Notification No. 3542-I., dated the 27th August, 1891, *see* p. 30 *supra*; but for the purposes of this volume it is convenient to treat them as such.

<sup>2</sup> The Act was applied to the Agency Territories by the Baluchistan Agency Laws Law, 1890, printed, *infra*, p. 238.

<sup>3</sup> New Chaman is in British Baluchistan.

<sup>4</sup> The Quetta Municipal Law has been declared to come into force on the 15th October, 1896, by Notification No. 4002, dated the 24th October, 1896, printed, *supra*, p. 124.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES.

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### A.—BRITISH INDIAN ENACTMENTS.

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#### 2—(a) Local Orders under a Statute in force generally in all Native States.

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##### Orders under the Army Act.

*No. 477, dated the 21st August, 1885.*—His Excellency the Governor General in Council is pleased, under the authority of section 133 of the Army Act, to set apart the undermentioned buildings as a Military Prison, namely :—

The buildings or parts of buildings used as Garrison cells in the Quetta Cantonment,

[See *Gazette of India*, 1885, Pt. I, p. 502.]

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*No. 478, dated the 1st August, 1885.*—His Excellency the Governor General in Council is pleased, under the authority of section 133 of the Army Act, to set apart the buildings or parts of buildings at the undermentioned station as part of the Military Prison at that station and hereby declares the same to be part of such Military Prison, namely :—

*Quetta*,—The two rooms in the centre of the south wing of the Station Hospital.

[See *Gazette of India*, 1885, Pt. I, p. 502.]

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#### 2.—(b) Local Rules and Orders under Acts of the Governor General in Council in force generally in all Native States.

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##### Appointment of Marriage Registrars.

*No. 155-E., dated the 26th January, 1892.*—In exercise of the powers conferred by section 8 of the <sup>1</sup> Indian Christian Marriage Act (XV of 1872), the Governor General in Council is pleased to appoint—

- (1) the person holding the office of Political Agent, Quetta, for the time being, being a Christian, to be the Marriage Registrar for the Quetta District ;
  - (2) the person holding the office of Political Agent, Zhob, for the time being, being a Christian, to be the Marriage Registrar for the Zhob District;
- 

<sup>1</sup> Printed, General Acts, Vol. II, Ed, 1898, p. 378.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**A.-British Indian Enactments-2.-(b) Local Rules and Orders under Acts—contd.***Appointment of Marriage Registrars—concl'd.*

- (8) the person holding the office of Political Agent, Kalat and the Bolau Pass, for the time being, being a Christian, to be the Marriage Registrar for the Bolan Pass District ; and
- (4.) the person holding the office of Political Agent,<sup>1</sup> [Sinjawi] and Railway District, for the time being, being a Christian, to be the Marriage Registrar for the <sup>1</sup> [Sinjawi] and Railway District.

[See *Gazette of India*, 1392, Pt. I, p. 70.]

Delegation of powers under the Indian Christian Marriage Act to the Agent to the Governor General.

No. 3746-I. B., dated the 1st October, 1897.—In exercise of the powers conferred by section 86 of the <sup>1</sup> Indian Christian Marriage Act, 1872 (XV of 1872) the Governor General in Council is pleased to delegate to the Agent to the Governor General in Baluchistan the powers and functions given to the Governor General in Council under sections 6, 8 and 9 of the said Act, as regards the territories administered by him as such Agent, and as regards the territories of His Highness the Khan of Kalat and those of the Jam of Las Bela.

[See *Gazette of India*, 1897, Pt. I, p. 873.]

## Inclusion of the Agency Territories in the Bombay Presidency for purposes of the Administrator General's Act, 1874.

No. 812-E., dated the 19th April, 1890.—In exercise of the powers conferred by section 3 of the <sup>2</sup> Administrator General's Act, II of 1874, and in supersession of Foreign Department Notification No. 510-E., dated the 2nd March, 1887, the Governor General in Council is pleased to direct, in continuation of Foreign Department Notification <sup>3</sup> No. 101 J., dated the 19th July, 1878, that the territories of His Highness the Khan of Khalat and the territories administered by the Agent to the Governor General in Baluchistan as such Agent shall, for the purposes of the said Act, as regards British subjects of Her Majesty in those territories, be deemed to be included in the Presidency of Bombay.

[See *Gazette of India*, 1890, Pt. I, p. 247.]

Appointment of Justices of the Peace and Court to which they are to commit for trial.

No. 813-E., dated the 19th April, 1890.—In exercise of the powers conferred by section 6 of the Foreign Jurisdiction and Extradition Act, XXI of 1879<sup>4</sup> the Governor General in Council is pleased to appoint the following officers, being European-British subjects, to be Justices of the Peace within the territories of His Highness the Khan of Khalat, and the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and to direct that the Chief Court of the Punjab shall be the Court to which the said Justices of the Peace shall commit European British subjects for trial :—

*The officers above referred to—*

*The Agent to the Governor General in Baluchistan.*

<sup>1</sup> " Sinjawi " was substituted for " Loralai " by Notification No. 191 E., dated the 2nd January, 1895, see *Gazette of India*, 1895 Pt. I, p. 34.

<sup>2</sup> Printed, General Acts, Vol. II, Ed. 1898, p. 419.

<sup>3</sup> Printed, *supra*, p. 17.

<sup>4</sup> Printed, General Acts, Vol. III, Ed. 1898, p. 288.



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### A.-British Indian Enactments-2.-(b) Local Rules and Orders under Acts—contd.

Appointment of Justices of the Peace and Court to which they are to commit for trial—contd.

The Political Agents—

(a) Quetta.

(b) Zhob.

(c) Kalat and Bolan Pass,

(d) South-Eastern Baluchistan.

(e) <sup>1</sup>[Sinjawi] and Railway District.

[See *Gazette of India*, 1890, Pt. I, p. 247.]

No. 814-E., dated the 19th April, 1890.—IN exercise of the powers conferred by section 6 of the <sup>2</sup>Foreign Jurisdiction and Extradition Act, X X I of 1879, the Governor General in Council is pleased to appoint the Cpnment Magistrate for the time being of the cantonment of Quetta, being a European British subject, to be a Justice of the Peace within the limits of that cantonment, and to direct that the Chief Court of the Punjab shall be the Court to which the said Justice of the Peace shall commit European British subjects for trial.

[See *Gazette of India*, 1890, Pt. I, p. 248.]

No. 1799-E., dated 9th September, 1891.—In exercise of the powers conferred by section 6 of the <sup>2</sup>Foreign Jurisdiction and Extradition Act, X X I of 1879, the Governor General in Council is pleased to appoint the following officers, being European British subjects, to be, by virtue of their respective offices, Justices of the Peace in and for the Quetta District :

The Assistant Political Agent, Quetta.

The Extra Assistant Commissioner, Quetta.

[See *Gazette of India*, 1891, Pt. I, p. 587.]

Appointment of Political Officers to be Income-Tax Collectors,

No. 4185-1., dated the 16th September, 1887.—In exercise of the powers conferred by section 40 of <sup>3</sup>Act II of 1886 (the Income-tax Act, 1886), the Governor General in Council is pleased to invest each of the Political Officers named below with the powers of a Collector under the said Act for the purpose of granting certificates in respect of interest on Government securities in Forms B, C and D, prescribed in rule 9 of the notification issued by the Government of India in the Department of Finance and Commerce, <sup>4</sup>No. 698, dated the 5th February, 1886 when such securities are held by persons residing outside of British India :—

\* \* \* \* \*

<sup>1</sup> " Sinjawi " was substituted for " Loralai " by Notification No. 191-E.. dated the 32nd January, 1895 See *Gazette of India*, 1895, Pt. I, p. 84.

<sup>2</sup> Printed, General Acts, Vol. I I I, Ed. 1898, p. 288.

<sup>3</sup> Printed, General Acts, Vol. V, Ed. 1898, p. 31.

<sup>4</sup> See now Notification No. 2763, dated the 6th June, 1890, *Gazette of India*, 1899, Pt. I, p. 409.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***A.—British Indian Enactments-2.-(b) Local Rules and Orders under Acts—*contd.***

Appointment of Political Officers to be Income-tax Collectors—*contd.*

<sup>1</sup>(24) The Political Agent, Quetta.

(25) The Political Agent, Zhob.

<sup>1</sup>(26) The Political Agent, Kalat and Bolan Pass.

<sup>1</sup>(27) The Political Agent in South-Eastern Baluchistan.

<sup>1</sup>(28) The Political Agent, <sup>2</sup>[Sinjawi] and Railway District.

\* \* \* \* \*

[See *Gazette of India*, 1887, Pt. I, p. 465.]

Appointment of Registrars of Births and Deaths and a Registrar General.

No. 152-E., dated the 26th January, 1892.—In exercise of the power conferred by section 13 of the <sup>3</sup> Births, Deaths and Marriages Registration Act (VI of 1886), the Governor General in Council is pleased to appoint—

- (1) the person holding the office of Political Agent, Quetta, for the time being, to be Registrar of Births and Deaths for the Quetta District;
- (2) the person holding the office of Political Agent, Zhob, for the time being to be Registrar of Births and Deaths for the Zhob District ;
- (3) the person holding the office of Political Agent, Kalat and the Bolan Pass, for the time being, to be Registrar of Births and Deaths for the Bolan Pass District;
- (4) the person holding the office of Political Agent, <sup>2</sup>[Sinjawi] and Railway District, for the time being, to be Registrar of Births and Deaths for the <sup>2</sup>[Sinjawi] and Railway District; and
- (5) every Minister of Religion who is authorised to solemnize marriages under the Indian Christian Marriage Act (XV of 1872), and every person who has been, or may hereafter be, under the said Act appointed Marriage Registrar or licensed to grant certificates of marriage between Native Christians, Within any or all of the districts specified above, to be a Registrar of Births and Deaths in such district or districts in respect of that class or those classes of the community for which he is in the habit of officiating at baptisms and burials.

II.—For the purposes of section 24, sub-section (2), of the said Act, the Governor General in Council is pleased to appoint the Registrar-General of Births, Deaths and Marriages in British Baluchistan to be Registrar-General of Births, Deaths and Marriages for the districts above specified.

III.—Foreign Department Notifications No. 344-I., dated the 25th January, 1889, and No. 2008-E., dated the 10th October, 1889, are hereby cancelled.

[See *Gazette of India*, 1892, Pt. I, p. 70.]

<sup>1</sup> As amended by Notification No. 1479-E., dated the 17th July, 1890, see *Gazette of India*, 1890, Pt. I, p. 630.

<sup>2</sup> "Sinjawi" was substituted for "Loralai" by Notification No. 191-E., dated the 22nd January, 1895, see *Gazette of India*, 1895, Pt. I, p. 84.

<sup>3</sup> Printed, General Acts, Vol V, Ed. 1898, p. 53.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.—British-Baluchistan Agency Territories Enactments—1.-(2) Notifications applying British-Indian Enactments.

Bengal Regulations and Acts.

No. 256.25., dated the 31st January, 1890, printed, *infra*, p. 238.

The Parsi Marriage and Divorce Act, 1885 (XV of 1886).

No. 572-E.A., dated the 23rd March, 1898.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the Parsi Marriage and Divorce Act, 1865 (XV of 1865), to the territories administered by the Agent to Governor General in Baluchistan as such Agent.

[See *Gazette of India*, 1898, Pt. I, p. 299.]

Notification applying the Majority Act, 1875 (IX of 1876).

No. 82 (A)—E. A., dated the 14th January, 1897.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the provisions of the Indian Majority Act (IX of 1875) to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, so far as they may be suitable :

Provided that for the purpose of facilitating the application of the provisions of the enactment hereby applied any Court in the said territories may construe them with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court :

Provided also that references to British India shall be read as referring to the said territories.

[See *Gazette of India*, 1897, Pt. I, p. 27.]

Applying the Specific Relief Act, 1877 (I of 1877), to the Quetta Tahsil.

No. 728-E., dated the 16th April, 1896.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the provisions of the<sup>1</sup> Specific Relief Act (I of 1877) to the tahsil of Quetta, so far as they may be suitable :

Provided that, for the purpose of facilitating the application of the provisions of the enactment hereby applied, any Court in the tahsil of Quetta may construe them with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court :

Provided also that references to the Local Government shall be read as referring to the Agent to the Governor General in Baluchistan, and references to British India as referring to the tahsil of Quetta.

[See *Gazette of India*, 1896, Pt. I, p. 276.]

The Indian Arms Act, 1878 (XI of 1878).

No. 1455-E., dated the 27th July, 1895.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879)

<sup>1</sup> S. 9 of the Act applies to the whole of the Agency Territories, see Notification No. 255-E., dated the 31st January, 1890, *infra*, p. 288.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—1.-(a) Notifications applying British-Indian Enactments—contd.**

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The Indian Arms Act, 1878 (XI of 1878)—concl'd.

and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply to the territories administered by the Agent to the Governor General in Baluchistan as such Agent the Indian Arms Act (XI of 1878), except the following portions thereof, namely :—

- (1) section 1, clause (a) ;
- (2) sections 2, 3, 7, 8, 9, 13 to 16 (both inclusive), 29 and 30 ;
- (3) in section 5, the words and figures from " but every " to the end ;
- (4) section 19, clauses (b), (e), (f), and (i) ; and
- (5) the schedules.

[See *Gazette of India*, 1895, Pt. I, p. 638.]

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The Vaccination Act, 1880 (XIII of 1880).

No. 733½-E.A., dated the 27th April, 1897.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the <sup>1</sup>Vaccination Act (XIII of 1880) to the territories administered by the Agent to the Governor General in Baluchistan as such Agent:

Provided that, for the purposes of facilitating the application of the said Act, any Court may construe its provisions with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Courts :

Provided also, that the expressions " Local Government," " local official Gazette," and " Official Gazette " shall be construed as referring to the Agent to the Governor General, and the *Gazette of India*, respectively.

[See *Gazette of India*, 1897, Pt. I, p. 303.]

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The Indian Companies Act, 1882 (VI of 1882).

No. 14-E., dated the 3rd January, 1895.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879) and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the following Act, as amended by subsequent enactments, so the territories administered by the Agent to the Governor General in Baluchistan as such Agent :—

Act VI of 1882 (The Indian Companies Act, 1882).

[See *Gazette of India*, 1895, Pt. I, p. 6.]

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<sup>1</sup> Under s. 4 of the Act as applied to the Agency Territories by this notification, the Act has been extended to the Cantonment of Quetta, see Notification No. 2340, dated the 27th April, 1897, *Gazette of India*, 1897, Pt. I I, p. 675, and under s. 101 of the Quetta Municipal Law, 1896, printed, *infra*, p. 279, it has been applied to the Quetta Municipality, see Notification No. 9088, dated the 16th December, 1896, *Gazette of India*, 1896, Pt. I I, p. 1300.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES- *contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(a) Notifications applying British Indian Enactments—*contd.*

Punjab Land Revenue Act, 1887 (XVII of 1887), to Quetta Tahsil.

*No 977-E., dated the 17th May, 1395.*— In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879) and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply to the tahsil of Quetta the provisions, so far as they may be suitable, of the Panjab Land Revenue Act (XVII of 1887) subject to the following modifications, that is to say :—

1. The expression " Local Government " in the said Act shall be construed to mean the Agent to the Governor General in Baluchistan,
2. The expressions " Financial Commissioner " and " Commissioner " in the said Act shall in each case be construed to mean the Revenue Commissioner in Baluchistan.
3. The following provisions of the said Act shall not be deemed to be in force, namely :—
  - Sub-sections (2) and (3) of section 1 ;
  - Sub-sections (1) and (3) of section 2 ;
  - Clauses (b) and (c) of sub-section (9) of section 3 ;
  - Sub-section (5) of section G ;
  - Section 7 ;
  - Section 42 ;
  - Clause (b) of sub-section (2) of section 73 ;
  - Proviso (a) in section 75 ;
  - Clause (c) of section 98 ;
  - Clause (c) of sub-section (2) of section 117 ;
  - Sub-section (1) of section 137.
4. In sub-section (2) of section 2, for the words " under any of the repealed enactments " the words " prior to the application of this Act " shall be read.
6. In sub-section (13) of section 3, for the words " Legal Practitioners Act, 1879, except a mukhtar " the words " section 12 of the Baluchistan Agency Civil Justice Law, 1890 " shall be read.
6. For section 5 the following words shall be read :—
  - " The Agent to the Governor General in Baluchistan may, by order in writing and with the previous sanction of the Governor General in Council, vary the limits of the tahsil of Quetta."
7. For sub-section (2) of section 6 the following words shall be read ;—
  - " The Political Agent for Quetta shall be the Collector of the tahsil of Quetta."
8. In sub-section (3) of section 6, for the words " Assistant Commissioner " the words " Assistant Political Agent " shall be read.
9. From section 8 the words " Commissioners, Deputy Commissioners, Assistant Commissioners and " shall be omitted.
10. From clause (a) of sub-section (1) of section 27 the words " Financial Commissioner, Commissioner or " shall be omitted.
11. From sub-section (3) of section 27 the words " Financial Commissioner," shall be omitted.
12. In sub-section (1) of section 43, for the words " either of the two last foregoing sections," the words " section 41 " shall be read.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.—British-Baluchistan Agency Territories Enactments—I.—(a) Notifications applying British Indian Enactments—*contd.*

Punjab Land Revenue Act, 1887 (XVII of 1887), to Quetta Tahsil—*concid.*

13. In clause (d) of sub-section (2) of section 117, for the words " Divisional Court or Chief Court " the words " Court of the Agent to the Governor General " shall be read,

14. In sub-section (1) of section 136 and in sub-section (2) of section 137, for the words and figures " Panjab Courts Act, 1884 " the words and figures " Baluchistan Agency Civil Justice Law, 1890,<sup>1</sup> as amended from time to time by subsequent orders " shall be read.

[See *Gazette of India*, 1895, Pt. I, p. 405.]

Wild Birds Protection Act, 1887 (XX of 1887).

No. J365-E., dated the 21st July, 1892.—In exercise of the powers enabling him in this behalf, the Governor General in Council is pleased to apply the Wild Birds Protection Act (XX of 1887) to the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent.

[See *Gazette of India*, 1892, Pt. I, p. 477.]

Charitable Endowments Act, 1890 (VI of 1890) and Guardian and Wards Act, 1890 (VIII of 1890).

No. 956-E., dated the 10th May, 1890.—The Governor General in Council, in exercise of the powers enabling him in this behalf, is pleased to apply the following enactments to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, with effect from the following dates, respectively, namely :—

The Charitable Endowments Act, VI of 1890, from the first day of October, 1890.

The Guardian and Wards Act, VIII of 1890, from the first day of July, 1890.

[See *Gazette of India*, 1890, Pt. I, p. 364]

Prevention of Cruelty to Animals Act, 1890 (XI of 1890), and other Acts.

No. 925-E., dated the 19th May, 1892.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (X XI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the following enactments to the territories administered by the Agent to the Governor General in Baluchistan as such Agent :—

Act XI of 1890 (Prevention of Cruelty to Animals).

Act XV of 1890 (an Act to amend the Indian Paper Currency Act, XX of 1882).

Act I of 1891 (Cattle Trespass).

\* Act III of 1891 (an Act to amend the Indian Evidence Act and the Code of Criminal Procedure).

<sup>2</sup> \* \* \* \* \*

<sup>2</sup> Act X of 1891 (an Act to amend the Indian Penal Code and the Code of Criminal Procedure).

[See *Gazette of India*, 1892, Pt. I, p. 316.]

<sup>1</sup> See now the Baluchistan Agency Civil Justice Law, 1898, printed, *infra*, p. 287.

<sup>2</sup> Acta I I I and X of 1891 are repealed by the Code of Criminal Procedure, 1898 (Act V of 1898), so far as they affect the Code of Criminal Procedure. Act IV of 1891 is omitted from the notification, having been repealed by the same Act.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—1.-(a) Notifications applying British-Indian Enactments—contd.****The Repealing and Amending Act, 1890 (XII of 1890).**

No. 926-E., dated the 19th May, 1892.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879) and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the Repealing and Amending Act (XII of 1890) to the territories administered by the Agent to the Governor General in Baluchistan as such Agent in so far as it affects any enactment for the time being in force therein.

[See *Gazette of India*, 1892, Pt. I, p. 316.]

**The Indian Christian Marriage Act Amendment Act, 1891 (II of 1891).**

No. 153-E., dated the 26th January, 1892.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply Act II of 1891 (an Act to amend the Indian Christian Marriage Act, 1872) to the territories administered by the Agent to the Governor General in Baluchistan as such Agent,

[See *Gazette of India*, 1892, Pt. I, p. 70.]

**Bankers' Books Evidence Act, 1891 (XVIII of 1891), Land Acquisition Act, 1894 (I of 1894), and other Acts.**

No. 1615 (a)-E.A., dated the 17th September, 1896.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the following enactments to the territories administered by the Agent to the Governor General in Baluchistan as such Agent:—

The Bankers' Books Evidence Act (XVIII of 1891) ;

Act II of 1892 (an Act to validate certain marriages solemnized under Part VI of the Indian Christian Marriage Act, 1872) ;

Act VI of 1892 (an Act to amend the Indian Limitation Act, 1877, and the Code of Civil Procedure), sections 1 and 5 ;

The Government Management of Private Estates Act (X of 1892) ;

The Bankers' Books Evidence Act (I of 1893) ;

Act V of 1893 (an Act to legalise in certain cases the execution within British India of capital sentences which have been passed by British Courts exercising in or with respect to territory beyond the limits of British India jurisdiction which the Governor General in Council has in such territory) ;

The Indian Coinage and Paper Currency Act (VIII of 1893) ;

The Land Acquisition Act (I of 1894) ;

Act III of 1894<sup>1</sup> (an Act to amend the Code of Criminal Procedure, 1882, and the Indian Penal Code) ;

<sup>1</sup> Act III of 1894 is repealed, so far as it amends the Code of Criminal Procedure, 1882 (Act X of 1882), by the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied by Notification No. 1005-E.B., dated the 29th June, 1898, printed, *infra*, p. 234. Acts X of 1894 and IV of 1895 are omitted from the notification, having been repealed by the same Act.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments-1.-(a) Notifications applying British-Indian Enactments—contd.**

Bankers' Books Evidence Act, 1891 (XVIII of 1891), Land Acquisition Act, 1894 (I of 1894). and other

Acts—concl'd,

1 \* \* \* \* \*  
Act V I I of 1894 (*an Act to amend the Prisoners Act, 1871*) ;  
2 \* \* \* \* \*

The Indian Articles of War Amendment Act (XII of 1894) ;  
The Repealing and Amending (Array) Act (XIII of 1894) ;

<sup>3</sup>Act I I I of 1895 (*an Act to amend the Indian Penal Code, Act VI of 1864, and the Indian Post Office Act, 1866*) ;

2 \* \* \* \* \*  
4 \* \* \* \* \*

Act VIII of 1895 (*an Act to amend Act 7 of 1861*) ;

The Extradition (India) Act (IX of 1895) ;

The Crown Grants Act (XV of 1895) ;

Act V of 1896 (*an Act to amend the Foreign Jurisdiction and Extradition Act, 1879*) ;

Act VI of 1896 (*an Act to amend the Indian Penal Code*) ; and

Act IX of 1896 (*an Act to amend the Indian Railways Act, 1890*).

[See *Gazette of India*, 1896, Pt. I, p. 742.]

Notification applying the Prisons Act, 1894 (IX of 1894).

No. 1958-E., dated the 24th October, 1895.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the provisions, so far as they may be suitable, of the Prisons Act (IX of 1894) to the territories administered by the Agent to the Governor General in Baluchistan as such Agent:

Provided that, for the purpose of facilitating the application of the provisions of the enactment hereby applied, any Court in the said territories may construe them with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court :

Provided also that references to the Local Government and to the Inspector-General shall be read as referring respectively to the Agent to the Governor General and to the Revenue Commissioner in Baluchistan,

[See *Gazette of India*, 1895, Pt. I, p. 867.]

<sup>1</sup> Act VI of 1894 is omitted as having been repealed by the Indian Stamp Act, 1899 (II of 1899), which was applied by Notification No. 1565 (a)-E.A., dated the 11th October, 1899, printed, *infra*,<sup>2</sup> p. 232.

<sup>2</sup> Act III of 1894 is repealed, so far as it amends the Code of Criminal Procedure, 1882 (Act X of 1882), by the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied by Notification No. 1005-E.B., dated the 29th June, 1898, printed, *infra*, p. 234. Acts X of 1894 and IV of 1895 are omitted from the notification, having been repealed by the same Act.

<sup>3</sup> So far as Act III. of 1895 affects the Indian Post Office Act, 1866 (X of 1866), it has been repealed by the Indian Post Office Act, 1898 (VI of 1898), which was applied by Notification No. 1565 (a)-E.A., dated the 11th October, 1899, printed, *infra*, p. 232.

<sup>4</sup> Act V of 1895 is omitted from the notification, having been repealed by Act XV of 1897, which was applied by Notification No. 9½-E., dated the 4th January, 1898, printed, *infra*, p. 234.



CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—1.-(a) Notifications applying British-Indian Enactments—*contd.***

Excise Act, 1896 (XII of 1896).

No.2668 (a)-/. A., dated the 21st August, 1896.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (X XI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the provisions of the Excise Act (XII of 1896) to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, so far as they may be suitable :

Provided that, for the purpose of facilitating the application of the provisions of the enactment hereby applied, any Court in the territories administered by the Agent to the Governor General as such Agent may construe them with such alterations not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court:

Provided also that references to the Local Government shall be read as referring to the Agent to the Governor General in Baluchistan, and references to British India or territories subject to a Local Government as referring to the territories administered by the Agent to the Governor General as such Agent:

Provided also that references to the Chief Revenue authority shall be read as referring to the Agent to the Governor General in Baluchistan.

[See *Gazette of India*, 1896, Pt. I, p. 648.]

Punjab Land-Revenue Act (1887) Amendment Act, 1896 (XVII of 1896), to Quetta Tahsil,

No. 1665 (b)-E. A., dated the 11th October, 1899.—In continuation of the Notification of the Government of India in the Foreign Department No. 977-E., dated the 17th May, 1895, and in exercise of the powers cited therein, the Governor General in Council is pleased to apply to the tahsil of Quetta in the territories administered by the Agent to the Governor General in Baluchistan as such Agent the provisions, so far as they may be suitable, of Act XVII of 1896 (*an Act to amend the Punjab Land-Revenue Act, 1887*) :

Provided that references in the said Act as so applied to the Local Government and the Financial Commissioner shall be read as referring, respectively, to the Agent to the Governor General and the Revenue Commissioner in Baluchistan.

[See *Gazette of India*, 1899, Pt. I, p. 909.]

General Clauses Act, 1807 (X of 1897), Indian Post Office Act, 1898 (V of 1898), and Indian Stamp Act, 1899 (II of 1899), and other Acts.

No. 1565 (a)-E. A., dated the 11th October, 1899.—In exercise of the powers conferred by sections 4s and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (X XI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply to the territories administered by the Agent to the Governor General in Baluchistan as such Agent the enactments set forth in the schedule to this notification :

Provided that, for the purpose of facilitating the application of the said enactments as so applied, any Court may construe their provisions with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court;

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES -*contd.*B.—British-Baluchistan Agency Territories Enactments—1.- (a) Notifications applying British-Indian Enactments—*contd.*

General Clauses Act, 1897 (X of 1897) Indian Post Office Act, 1898 (VI of 1898). and Indian Stamp Act, 1899 (II of 1899), and other Acts—*contd.*

Provided also that all references to the Local Government shall be read as referring to the Agent to the Governor General in Baluchistan.

## SCHEDULE.

| Year. | Number. | Short title or subject.                                                       | Whether whole or part applied.                                                                                                          |
|-------|---------|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| 1865  | XXI     | The Parsi Intestate Succession Act, 1865.                                     | The whole Act.                                                                                                                          |
| 1890  | XVI     | The Births, Deaths and Marriages Registration Act (1886) Amendment Act, 1890. | Ditto.                                                                                                                                  |
| 1895  | XII     | The Indian Companies (Memorandum of Association) Act, 1895.                   | Ditto.                                                                                                                                  |
| 1896  | X       | The Indian Volunteers Act Amendment Act, 1896.                                | Ditto.                                                                                                                                  |
| 1897  | V       | The Repealing and Amending Act, 1897.                                         | So much of it as relates to the Bengal Foreign Immigrants Regulation, 1812.                                                             |
| 1897  | IX      | The Provident Funds Act, 1897 .                                               | The whole Act.                                                                                                                          |
| 1897  | X       | The General Clauses Act, 1897 .                                               | Ditto.                                                                                                                                  |
| 1897  | XIV     | The Indian Short Titles Act, 1897 .                                           | Ditto.                                                                                                                                  |
| 1898  | III     | The Lepers Act, 1898 . .                                                      | Ditto.                                                                                                                                  |
| 1898  | IV      | The Indian Penal Code Amendment Act, 1898.                                    | Ditto.                                                                                                                                  |
| 1898  | VI      | The Indian Post Office Act, 1898 .                                            | Ditto.                                                                                                                                  |
| 1899  | II      | The Indian Stamp Act, 1899 .                                                  | Ditto.                                                                                                                                  |
| 1899  | IV      | The Government Buildings Act, 1899.                                           | Ditto.                                                                                                                                  |
| 1899  | V       | The Indian Evidence Act, 1899 .                                               | Ditto.                                                                                                                                  |
| 1899  | VI      | The Indian Contract Act, Amendment Act, 1899.                                 | Ditto.                                                                                                                                  |
| 1899  | VIII    | The Indian Petroleum Act, 1899 .                                              | Sections 1 to 3 and 25 and all the provisions of the Act so far as they relate to dangerous petroleum and the importation of petroleum. |
| 1899  | XI      | The Court-fees Amendment Act, 1899.                                           | The whole Act.                                                                                                                          |
| 1899  | XII     | The Currency-Notes Forgery Act, 1899.                                         | Ditto.                                                                                                                                  |
| 1899  | XVII    | The Indian Registration (Amendment) Act, 1899.                                | Ditto.                                                                                                                                  |

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—1.-(a) Notifications applying British-Indian Enactments—contd.

The Epidemic Diseases Act, 1897 (III of 1897).

No. 443-I. A., dated the 4th February, 1897, printed, *infra*, p. 447.

The Fisheries Act, 1897 (IV of 1897).

No. 1037-E. A., dated the 26th June, 1897.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XX of 1879), and of all other powers enabling him in this behalf, the\* Governor General in Council is pleased to apply the provisions of the Indian Fisheries Act, 1879 (IV of 1897), to the territories administered by the Agent to the Governor General in Baluchistan as such Agent.

[See *Gazette of India*, 1897, Pt. I, p. 591.]

The Cantonment Act Amendment Act, 1897 (XV of 1897).

No. 9½-E. A., dated the 4th January, 1898.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the Cantonments Act, 1897 (XV of 1897), to the territories administered by the Agent to the Governor General in Baluchistan as such Agent.

[See *Gazette of India*, 1898, Pt. I, p. 31.]

Code of Criminal Procedure, 1898 (Act V of 1898).

No. 1005 (a)-E. B., dated the 29th June, 1898.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the Code of Criminal Procedure, 1898 (Act V of 1898), to the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent, on and with effect from the first day of July, 1898:

Provided that all references in the Baluchistan Agency Criminal Justice Law, 1896, to the Code of Criminal Procedure, 1882 (Act X of 1882), shall be construed as referring to the corresponding provisions of the Code of Criminal Procedure, 1898 (Act V of 1898); and that the said Code as now applied shall be subject to the provisions of the said law so construed,

[See *Gazette of India*, 1898, Pt. I, p. 702.]

Glanders and Farcy Act, 1899 (XIII of 1899).

No. 1258-E. A., dated the 21st August, 1899.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the provisions of the Glanders and Farcy Act, 1899 (XIII of 1899), to the territories administered by the Agent to the Governor General in Baluchistan as such Agent:

Provided that references in the said Act as so applied to the Local Government shall be read as referring to the Agent to the Governor General in Baluchistan.

[See *Gazette of India*, 1899, Pt. I, p. 786.]

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—1.-(a) Notifications applying British Indian Enactments—concl'd.**

Punjab Frontier Jagir Revenue Collection Regulation, 1874 (VII of 1874).

No. 1799(a)-E.A., dated the 10th November, 1899.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to apply the provisions of the Panjāb Frontier Jagir Revenue Collection Regulation, 1874 (VII of 1874), to the territories administered by the Agent to the Governor General in Baluchistan as such Agent.

[See *Gazette of India*, 1899, Pt. I, p. 1023.]

For other Regulations, see Notification No. 255-E., dated the 31st January, 1890, *infra*, p. 238.

**1.-(b) Special Local Laws.**

Orders as to Courts established or continued by the Governor General in Council and the reciprocal execution of decrees and service of summons between such Courts, British Indian Courts and certain Courts in Native States.

Nos. 1361-1. to 1364-1., dated the 29th March, 1889, Nos. 1366-1. to 1368-1., dated *idem*, and Nos. 2162-1. and 2183-1., dated the 2nd July, 1890, printed, *infra*, pp. 434 to 441.

**The Quetta Hackney Carriage Law, 1889.<sup>1</sup>**

No. 984 (A)-E., dated the 18th May, 1889.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to make the following Law for the regulation and control of hackney carriages in the district, including the cantonment and town, of Quetta :—

Short title, local extent, and commencement. 1. (1) This Law may be called the Quetta Hackney Carriage Law, 1889.

(2) It extends to the district, including the cantonment and town, of Quetta ; and

(3) It shall come into force at once.

2. In this Law "hackney carriage" means any wheeled vehicle drawn by animals and used for the conveyance of passengers, which is kept, or offered, or plies for hire.

**Definition of hackney carriage.**

3. (i) The Agent to the Governor General in Baluchistan may, from time to time, make rules for the regulation and control of hackney carriages within the limits of the district, including the cantonment and town, of Quetta.

(2) Every rule made under this section shall, when published for such time and in such manner as the Agent to the Governor General may, from time to time prescribe, have the force of law :

Provided that the Governor General in Council may, at any time, rescind any such rule.

<sup>1</sup> This Law, which was made before the enactment of the Baluchistan Agency Laws Law, 1890, has been validated and continued in force by a. 8 of that Law as amended by the Baluchistan Agency Potest Law, 1890, s. 47, printed, *infra*, p. 266.

<sup>2</sup> Printed, General Acts, Vol. III, Ed. 1898, p. 288.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments-1.-(b) Special Local Laws—*contd.*****The Quetta Hackney Carriage Law, 1889—*contd.***

What rules may provide for.

4. The <sup>1</sup>rules to be made under section 3 may, among other matters,—

- (a) direct that no hackney carriage, or DO hackney carriage of a particular description, shall be let to hire, or taken to ply, or offered for hire, except under a license granted in that behalf ;
- (b) direct that no person shall act as driver of a hackney carriage except under a license granted in that behalf ;
- (c) provide for the issue of the licenses referred to in clauses (a) and (b), prescribe the conditions (if any) on which such licenses shall be granted, and fix the fees (if any) to be paid therefor ;
- (d) regulate the description of animals, harness and other things to be used with licensed carriages, and the condition in which such carriages, and the animals, harness and other things used therewith, shall be kept and the lights (if any) to be carried after sunset and before sunrise ;
- (e) provide for the inspection of such carriages, animals and harness, and also provide for the inspection of the premises on which any such carriages, animals, harness and other things are kept ;
- (f) fix the time for which such licenses shall continue in force, and the events (if any) upon which within that time they shall be subject to revocation or suspension ;
- (g) provide for the numbering of such carriages ;
- (h) determine the time at which, and the circumstances in which, any person keeping a hackney carriage shall be bound to let or refuse to let the carriage to any person requiring the same ;
- (i) appoint places as stands for hackney carriages, and prohibit such carriages waiting for hire except at such places ;
- (j) limit the rates or fares, as well for time as distance, which maybe demanded for the hire of any hackney carriage, and prescribe the minimum speed at which such carriages when hired by time shall be driven ;
- (k) limit the number of persons, and the weight of property, which may be conveyed by any such carriage ;
- (l) require the owner or person in charge of any such carriage to keep a printed list of fares in English and such other language as may be prescribed, affixed inside such carriage in such place as may be determined by the rules, and prohibit the destruction or defacement of such list ;
- (m) require drivers to wear a numbered badge or ticket (or a certain uniform) and to produce their licenses when required by a Magistrate or other person authorized by the rules in this behalf, and prohibit the transfer or lending of such licenses, badges, tickets or uniform ; and
- (n) provide for the deposit of property found in such carriages, and the payment of a fee by the owner of such property on the delivery thereof to him.

<sup>1</sup> For such rules, see p. 405, *infra*.

## CHAPTER. II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.-British-Baluchistan Agency Territories Enactments-i-(b) Special Local Laws—contd****Quetta Hackney Carriages Law, 1889—concl'd.**

- Penalty for breach of rules.      5. Any person breaking any rule made under this Law will be punished with fine which may extend to fifty rupees.
6. The amount of any fees received and the amount of any expenses incurred in giving effect to this Law shall be credited and debited respectively in such proportions as the Disposal of fees.      Agent to the Governor General may, from time to time, direct to the Quetta Town Fund and to the Quetta Cantonment Fund.
7. (1) If any dispute arises between the hirer of any hackney carriage and Power of Magistrate to decide the owner or driver of such carriage as to the disputes regarding fares.      amount of the fare payable by such hirer under any rule made under this Law, such dispute shall, upon application made in that behalf by either of the disputing parties, be heard and determined by any Magistrate within the local limits of whose jurisdiction such dispute has arisen; and such Magistrate may, besides determining the amount so in dispute, direct that either party shall pay to the other such sum as compensation for loss of time as such Magistrate thinks fit.
- (2) Any sum determined to be due or directed to be paid under this section shall be recoverable under the provisions of the Code of Criminal Procedure, X of 1882,<sup>1</sup> as if it were a fine.
- (3) The decision of any Magistrate in any case under this section shall be final.
8. (1) If at the time of any dispute mentioned in section 7 any Magistrate In case of dispute, hirer may having jurisdiction in respect of such dispute is require driver to take him to Court.      sitting, the hirer of the carriage may require the driver thereof to take him in the same to the Court of such Magistrate for the purpose of making an application under that section.
- (2) Any driver neglecting or refusing to comply with such requisition shall be punished with imprisonment for a term which may extend to one month, or with fine not exceeding fifty rupees or with both.

[See *Gazette of India*, 1889, Pt. I, p. 297.]

**The Baluchistan Agency Laws Law, 1800.****CONTENTS.****SECTIONS.**

1. Title and commencement.
2. Definitions.
3. Division of Baluchistan Agency into districts and tahsils.
4. Law in force in Baluchistan Agency.
5. Modification of certain enactments in force in Baluchistan Agency.

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed, General Acts, Vol. VI, Ed. 1898, p. 380. It was applied by Notification No. 1005-E.B., dated the 29th June, 1898, printed, *supra*, p. 234.

## CHAPTER II.-THB BALUCHISTAN AGENCY TERRITORIES—contd.

### B.-British-Baluchistan Agency Territories Enactments-1.-(b) Special Local LaWS—contd.

The Baluchistan Agency Laws Law, 1890—contd.

#### SECTIONS.

6. Power to construe enactments with necessary alterations.
7. Validation of acts done after 1st January, 1876.
8. Validation of rules made before commencement of this Law.

#### THE SCHEDULE.—ENACTMENTS TO BE DEEMED IN FORCE IN THE BALUCHISTAN AGENCY.

The Baluchistan Agency Laws Law, 1890.

No. 255-E., dated the 31st January, 1890.—Whereas it is expedient to declare the law in force in the territories administered by the Agent to the Governor General in Baluchistan as such Agent; It is hereby enacted as follows :—

Title and commencement.

1. (1) This Law may be called the Baluchistan Agency Laws Law, 1890 ; and

(2) It shall come into force on such day<sup>1</sup> as the Agent to the Governor General in Baluchistan may, by notification in the *Gazette of India*, appoint in this behalf.

Definitions.

2. In this Law—

(1) the expression " Agent to the Governor General " means the Agent to the Governor General in Baluchistan ; and

(8) the expression " the said territories " means the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent.

8. The Agent to the Governor General, with the previous sanction of the Division of Baluchistan Agency into Governor General in Council, may, for administrative purposes, divide<sup>2</sup> the said territories into districts, and each of those districts into tahsils, and vary the limits of those districts and tahsils.

4. (1) So much of each of the enactments specified in the schedule as is at the commencement of this Law in force in the Law in force in Baluchistan Agency. local area to which the enactment, generally extends shall, in the form in which, as amended by subsequent enactments if any, it is so in force, be deemed to be in force in the said territories or in the part thereof specified in the enactment as its local extent.

(2) An enactment not comprised in the schedule shall not be deemed to be, or to have been, in force in the said territories or in any part thereof unless it is expressed, by special mention of the said territories or a part thereof, to apply thereto, or after the commencement of this Law is applied thereto in exercise of the powers of the Governor General in Council in that behalf.

Modification of certain enactments in force in Baluchistan Agency.

5. The following enactments specified in the schedule shall in the said territories be read subject to the following modifications, namely :—

(1) Act XXIII of 1867<sup>3</sup> (*an Act for the suppression of murderous outrages in certain districts of the Panjab*) shall be read as if references to the Panjab and

<sup>1</sup> The 19th April, 1890, see *Gazette of India*, 1890, Pt. II, p. 161.

<sup>2</sup> For divisions notified under s. 8, see *infra*, p. 410.

<sup>3</sup> Printed, Baluchistan Code, Ed. 1899.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.-British-Baluchistan Agency Territories Enactments-1.-(b) Special Local Laws—contd.***The Baluchistan Agency Laws Law, 1890—contd.*

the Lieutenant-Governor of the Panjab were references to the said territories and to the Agent to the Governor General, respectively;

I of 1872.

(2) the Indian Evidence Act, 1872,<sup>1</sup> shall be read as if after the words " police-officer " in section 25 the words " who is not a Magistrate " were inserted ;

(3) the provisions of the Indian Stamp Act, 1879,<sup>2</sup> with respect to the consequences of instruments not being duly stamped, shall be read as not applying to any instrument which may have been executed in the said territories before the commencement of this Law;

(4) the Panjab Frontier Crimes Regulation, 1887,<sup>3</sup> shall be read as if references to the Commissioner were references to the Agent to the Governor General;

(5) the Upper Burma Frontier Crossing and Disturbed Districts Regulation, 1887,<sup>4</sup> shall be read as if the expressions " or Shan States," " except the Shan States " and " or Shan. State " were omitted therefrom, and the references therein to Upper Burma and the districts mentioned in section 2, sub-section (2), and to the Commissioner, shall be read as references to the said territories and to the Agent to the Governor General, respectively.

<sup>5</sup>(6) The Cantonments Act, 1889,<sup>6</sup> shall be read as if after the words " territories administered by such Government," each time they occur in section 17, the words " or in British India " were added, and as if sub-section (1) of section 17 were omitted from the Act.

6, (1) A Court may, for the purpose of facilitating the application of Power to construe enactments any enactment for the time being in force in the said territories, 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; and

(2) The expression " Local Government " in any such enactment shall, in relation to the said territories, be construed to mean the Agent to the Governor General.

7. All acts of executive authority, proceedings, decrees and sentences which Validation of acts done after 1st have been done, taken or passed in the said territories since the first day of January, 1876, and before the commencement of this Law, by any officer of the Government or by any person acting under his authority or otherwise in pursuance of an order of the Government, or which have been or shall be ratified by the Governor General in Council, shall be as valid and operative as if they had been done, taken or passed in accordance with law ; and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that any such acts, proceedings, decrees or sentences were not done, taken or passed in accordance with law.

<sup>1</sup> Printed, General Acts Vol. I I, Ed. 1898, p. 222.

<sup>2</sup> See now the Indian Stamp Act, 1890 (I I of 1899), which was applied by Notification No. 1565 (a)-E. A., dated the 11th October 1899, printed, *supra*, p. 282.

<sup>3</sup> Printed, Baluchistan Code, Ed. 1899.

<sup>4</sup> Printed, Baluchistan Code, Ed. 1899.

<sup>5</sup> Cl. (6) of s. 5 was added by the Baluchistan Agency Forest Law, 1890, s. 46, printed, *infra*, p. 256.

<sup>6</sup> Printed, General Acts, Vol V, Ed, 1898, p. 385.



CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B -British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*The Baluchistan Agency Laws Law, 1890—*concl'd.*

8. All rules, orders or instructions made or issued after the first day of January, 1876, and before the commencement of this Law, for the guidance of officers engaged in the administration of the said territories [including the Quetta Hackney Carriage Law, 1889, published in the Notification of the Foreign Department, No, 984 (A)-E., dated the 18th May, 1889,] shall be deemed to have had the force of law, and shall, so far as they are consistent with this Law, have the force of law until they are withdrawn by the Governor General in Council or are superseded by any enactment applied or applicable to the said territories, or by any rules, orders or instructions made or issued under any such enactment or otherwise.

## THE SCHEDULE.

(See section 4.)

## ENACTMENTS TO BE DEEMED IN FORCE IN THE BALUCHISTAN AGENCY.

| Number and year.                                                           | Subject.                                |
|----------------------------------------------------------------------------|-----------------------------------------|
| <b>BENGAL REGULATIONS.</b>                                                 |                                         |
| XI of 1812 . . . . .                                                       | Removal of Foreign Emigrants.           |
| III of 1818 . . . . .                                                      | State Prisoners.                        |
| <b>ACTS OF THE GOVERNOR GENERAL IN COUNCIL.</b>                            |                                         |
| V of 1843 . . . . .                                                        | Slavery.                                |
| XIII of 1850 . . . . .                                                     | Protection of Judicial Officers.        |
| XXIV of 1850 . . . . .                                                     | State Prisoners.                        |
| XXIV of 1853 . . . . .                                                     | Penal Servitude.                        |
| XI of 1857 . . . . .                                                       | State Offences.                         |
| III of 1858 (s. 5) . . . . .                                               | State Prisoners.                        |
| XXXV of 1858 . . . . .                                                     | Lunatic.                                |
| XXXVI of 1858 . . . . .                                                    | Lunatic Asylums.                        |
| XX of 1859 (except the last paragraph of s. 18) . . . . .                  | Forfeited Property.                     |
| X of 1860 . . . . .                                                        | Disputes between Workmen and Employers. |
| XLV of 1860 . . . . .                                                      | Penal Code.                             |
| V of 1861 . . . . .                                                        | Police.                                 |
| III of 1864 . . . . .                                                      | Foreigners.                             |
| VI of 1864 . . . . .                                                       | Whipping.                               |
| X of 1865 . . . . .                                                        | Succession.                             |
| III of 1867 . . . . .                                                      | Gambling.                               |
| XXIII of 1867 (the preamble and sections 2 to 15, both inclusive). . . . . | Murderous Outrages.                     |

<sup>1</sup> The words were inserted by the Baluchistan Agency Forest Law, 1890, s. 47, printed, *infra*, p. 268.

<sup>2</sup> The Indian Post Office Act, 1866 (XIV of 1866), and the General Clauses Act, 1858 (I of 1858), are omitted as having been repealed by the Indian Post Office Act, 1898 (VI of 1898), and the General Clauses Act, 1897 (X of 1897), which were applied by Notification No. 1898 (a)-E.A., dated the 11th October, 1898, printed, *supra*, p. 232.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.-British-Baluchistan Agency Territories Enactments—I.-(b) Special Local Laws—contd.

The Baluchistan Agency Laws Law, 1890—contd.

## THE SCHEDULE—contd.

| Number and year.                                                                                                                              | Subject.                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| <b>ACTS OF THE GOVERNOR GENERAL IN COUNCIL—contd.</b>                                                                                         |                                   |
| IV of 1869 . . . . .                                                                                                                          | Divorce.                          |
| V of 1869 . . . . .                                                                                                                           | Indian Articles of War.           |
| XV of 1869 . . . . .                                                                                                                          | Prisoners' Testimony.             |
| XX of 1869 . . . . .                                                                                                                          | Volunteers.                       |
| VII of 1870 . . . . .                                                                                                                         | Court-fees.                       |
| XXIII of 1870 . . . . .                                                                                                                       | Coinage.                          |
| I of 1871 . . . . .                                                                                                                           | Cattle-trespass.                  |
| V of 1871 . . . . .                                                                                                                           | Prisoners.                        |
| XXIII of 1871 . . . . .                                                                                                                       | Pensions.                         |
| I of 1872 . . . . .                                                                                                                           | Evidence.                         |
| III of 1872 . . . . .                                                                                                                         | Marriage.                         |
| IX of 1872 . . . . .                                                                                                                          | Contract.                         |
| XV of 1872 . . . . .                                                                                                                          | Christian Marriage.               |
| X of 1873 . . . . .                                                                                                                           | Oaths.                            |
| XIV of 1873 . . . . .                                                                                                                         | Lunatic Soldiers.                 |
| II of 1874 . . . . .                                                                                                                          | Administrator General.            |
| IV of 1874 . . . . .                                                                                                                          | Foreign Recruiting.               |
| IX of 1874 . . . . .                                                                                                                          | European Vagrancy.                |
| V of 1875 . . . . .                                                                                                                           | Native Soldiers.                  |
| I of 1877 (s. 9) . . . . .                                                                                                                    | Specific Relief. <sup>1</sup>     |
| III of 1877 . . . . .                                                                                                                         | Registration.                     |
| XI of 1877 . . . . .                                                                                                                          | Military Lunatics.                |
| XV of 1877 . . . . .                                                                                                                          | Limitation.                       |
| I of 1878 . . . . .                                                                                                                           | Opium.                            |
| <sup>1</sup> IV of 1879 (subject to the provisions of the Sindh-Pishin Railway Act, 1887 applied to the said territories). . . . .            | Railway.                          |
| XXI of 1879 . . . . .                                                                                                                         | Extradition.                      |
| V of 1881 . . . . .                                                                                                                           | Probate and Administration.       |
| <sup>2</sup> X of 1882 (subject to the modifications set forth in the schedule to the Baluchistan Agency Criminal Justice Law, 1890). . . . . | Code of Criminal Procedure, 1882. |
| XII of 1882 . . . . .                                                                                                                         | Salt.                             |
| XIV of 1882 . . . . .                                                                                                                         | Code of Civil Procedure.          |

<sup>1</sup> The Land Acquisition Act, 1870 (X of 1870), is omitted, as it is repealed by the Land Acquisition Act, 1894 (I of 1894), which was applied by Notification No. 1815 (a)-E. A., dated the 17th September, 1896, printed, *supra*, p. 230.

<sup>2</sup> The Prisons Act, 1870 (XXVI of 1870), is omitted, as it is repealed by the Prisons Act, 1894 (IX of 1894), which was applied by Notification No. 1855-E., dated the 24th October, 1896, printed, *supra*, p. 231.

<sup>3</sup> The whole Act is in force in the Taluk of Quetta in virtue of Notification No. 729-E., dated the 16th April, 1896, printed, *supra*, p. 228.

<sup>4</sup> The Indian Stamp Act, 1879 (I of 1879), is omitted, as it is repealed by the Stamp Act, 1899 (II of 1899), which was applied by Notification No. 1885 (a)-E. A., dated the 11th October, 1896, printed, *supra*, p. 232.

<sup>5</sup> See now the Indian Railways Act, 1890 (IX of 1890), applied by Notification No. 910-E., dated the 2nd May, 1896, printed, *supra*, p. 231.

<sup>6</sup> The Excise Act, 1881 (XXII of 1881), is omitted, as it is repealed by the Excise Act, 1896 (XII of 1896), which was applied by Notification No. 2668 (a)-I. A., dated the 21st August, 1896, printed, *supra*, p. 232.

<sup>7</sup> Superseded by Notification No. 1856-E. A., dated the 6th November, 1896, printed, *supra*, p. 232.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*The Baluchistan Agency Laws Law, 1890—*concl.*THE SCHEDULE—*concl.*

| Number and year. | Subject. |
|------------------|----------|
|------------------|----------|

ACTS OF THE GOVERNOR GENERAL IN COUNCIL—*concl.*<sup>1</sup> The following portions, namely :—

- (1) Sections 15—24, both inclusive (Place of suing);
- (2) Sections 223—229 B, both inclusive (Court by which Decrees may be executed);
- (3) Section 266 (Attachment of Property);
- (4) Sections 320—326, both inclusive (Restrictions and sale of Land);
- (5) Sections 344—360, both inclusive (Insolvent Judgment-debtors);
- (6) Sections 383—400, both inclusive (Commissions);
- (7) Sections 401—415, both inclusive, and 592 and 593 (Pauper Suits and Appeals);
- (8) Sections 416—429, both inclusive (Suits by or against Government or Public Officers);
- (9) Sections 465—468, both inclusive (Suits by and against Military Men);
- (10) Sections 477—485, both inclusive, and 488, 490 and 491 (Arrest and Attachment before Judgment);
- (11) Sections 527—530, both inclusive, and the second paragraph of section 531 (Proceedings on Agreement of Parties); and
- (12) Such portions as are referred to in, and affected by, the Debtors Act, 1888, and can be made applicable to proceedings under the Baluchistan Agency Civil Justice Law, 1890.

|                                         |   |   |   |   |   |   |   |   |   |                                            |
|-----------------------------------------|---|---|---|---|---|---|---|---|---|--------------------------------------------|
| XX of 1882                              | . | . | . | . | . | . | . | . | . | Paper Currency.                            |
| XIII of 1885                            | . | . | . | . | . | . | . | . | . | Telegraphs.                                |
| VI of 1886                              | . | . | . | . | . | . | . | . | . | Births, Deaths and Marriages Registration. |
|                                         | * |   | * |   | * |   | * |   | * |                                            |
| VII of 1887                             | . | . | . | . | . | . | . | . | . | Suits Valuation.                           |
| IX of 1887                              | . | . | . | . | . | . | . | . | . | Provincial Small Cause Courts.             |
| XI of 1887                              | . | . | . | . | . | . | . | . | . | Sindh-Pishin Railway.                      |
| III of 1888                             | . | . | . | . | . | . | . | . | . | Police.                                    |
| IV of 1888                              | . | . | . | . | . | . | . | . | . | Indian Reserve Forces.                     |
| V of 1888                               | . | . | . | . | . | . | . | . | . | Inventions and Designs.                    |
| VI of 1888 (ss. 2 to 8, both inclusive) | . | . | . | . | . | . | . | . | . | Debtors.                                   |
| VII of 1889                             | . | . | . | . | . | . | . | . | . | Succession Certificates.                   |
| XIII of 1889                            | . | . | . | . | . | . | . | . | . | Cantonments.                               |
| XV of 1889                              | . | . | . | . | . | . | . | . | . | Official Secrets.                          |

REGULATIONS UNDER 33 VICT., C. 3.<sup>2</sup>

|                                                                                                 |   |   |   |   |   |   |   |   |   |                                                        |
|-------------------------------------------------------------------------------------------------|---|---|---|---|---|---|---|---|---|--------------------------------------------------------|
| IV of 1887 (ss. 3 to 48, both inclusive, and 50 to 54, Punjab Frontier Crimes, both inclusive). | . | . | . | . | . | . | . | . | . |                                                        |
| IX of 1887                                                                                      | . | . | . | . | . | . | . | . | . | Upper Burma Frontier Crossing and Disturbed Districts. |

[See Gazette of India, 1890, Pt. I, p. 77.]

<sup>1</sup> Superseded by Notification No. 1967-E. A., dated the 6th November, 1896, printed, *infra*, p. 287.<sup>2</sup> Act I of 1897 is omitted, as it is repealed by the General Clauses Act, 1897 (X of 1897), which was applied by Notification No. 1585(a)-E. A., dated the 11th October, 1899, printed, *supra*, p. 232.<sup>3</sup> A further portion of the schedule relating to "Other Laws made by the Governor General in Council" has been omitted, see the Baluchistan Agency Forest Law, 1890, s. 48, *infra*, p. 256.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd..

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—contd.

The Baluchistan Agency Forest Law, 1890.

## THE BALUCHISTAN AGENCY FOREST LAW, 1890.

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25. Procedure as to perishable property seized under section 20.
26. Appeal from orders under sections 22, 24 and 25.
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CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Forest Law, 1890—*contd.***

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## THE BALUCHISTAN AGENCY FOREST LAW, 1890.

No. 811-E., dated the 19th April, 1890.—Whereas it is expedient to declare the law relating to forests in the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and to amend the Baluchistan Agency Laws Law, 1890; It is hereby enacted as follows :—

## CHAPTER I.

## PRELIMINARY.

## Title and extent.

1. (1) This Law may be called the Baluchistan Agency Forest Law, 1890.

(2) It extends to the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent :

Provided that the said Agent to the Governor General may, by notification in the *Gazette of India*, exempt any place in those territories from the operation of the whole or any part of this Law, but not so as to affect anything done or any offence committed, or any fine or penalty incurred, or any proceedings commenced in such place before such exemption.

## Definitions.

2. In this Law, unless there is something repugnant in the subject or context,—

(1) "Agent to the Governor General" means the Agent to the Governor General in Baluchistan :

(2) "Political Agent" means the chief executive Revenue-officer of the district :

(3) "State forest" means any land which may be constituted a State forest under section 3 of this Law :

(4) "Forest-officer" means any person appointed, by name or as holding an office, by or under the orders of the Governor General in Council or the Agent to the Governor General, to be Chief Forest-officer or a Deputy Conservator, Assistant Conservator, Sub-Assistant Conservator, Forest-ranger, Forester or Forest-guard, or to discharge any function of a Forest-officer under this Law or any rule made hereunder:

(5) "Chief Forest-officer" means the Chief Forest-officer in the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent:

(6) "tree" includes palms, bamboos, stumps, brushwood and canes:

(7) "timber" includes trees when they have fallen or have been felled, and wood whether cut up or fashioned or hollowed out for any purpose or not:

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B-British-Baluchistan Agency Territories Enactments—1.-(D) Special Local Laws—*contd.*

#### The Baluchistan Agency Forest Law, 1800—*contd.*

(8) " Forest-produce " includes—

(a) the following, whether found in, or brought from, a forest or not, that is to say—

timber, charcoal, caoutchouc, catechu, wood-oil, resin, natural varnish bark, lac, mahua flowers and myrabolams ; and

(b) the following when found in, or brought from, a forest, that is to say —

- (i) trees and leaves, flowers and fruits, and all other parts or product not hereinbefore mentioned of trees,
- (ii) plants not being trees (including grass, creepers, reeds and moss), and all parts or produce of such plants,
- (iii) wild animals, and skins, tusks, horns, bones, silk, cocoons, honey and wax, and all other parts or produce of animals, and
- (iv) pent, surface-oil, rock and minerals (including limestone, laterite, mineral oils and all products of mines or quarries) :

(9) " Forest-offence " means an offence punishable under this Law :

(10) " Cattle " includes also elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids : and

(11) " Magistrate " means a Magistrate of the first or second class, and includes a Magistrate of the third class when he is specially empowered by the Agent to the Governor General to try forest-offences.

## CHAPTER II.

### OF STATE FORESTS.

3. (1) The Agent to the Governor General may, by notification in the Constitution of State forests. Gazette of India, declare any woodland, permanent grazing-ground or other land which is the property of the Government to be a State forest from a date to be fixed in the notification.

(2) The notification shall specify as nearly as possible the situation and limits of the land in respect of which the declaration is made ; and from the date fixed therein the said land shall be deemed to be a State forest.

(3) The Political Agent shall, before that date, cause a translation of the notification in the language of the country to be published in the towns and villages in the neighbourhood of the land and in any other villages of which the residents have been accustomed to graze their flocks in, or in the vicinity of, the land.

4. Whenever a State forest is not bounded by a road, stream or other existing well-defined boundary-mark, it shall be demarcated by cleared lines, or in such other manner as the Agent to the Governor General may direct.

## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.-British Baluchistan Agency Territories Enactments —1.(b) Special Local Laws—contd.**

## The Baluchistan Agency Forest Law, 1890—contd.

5. No right of any description adverse to Government shall be acquired in or over a State forest by lapse of time or otherwise than under a grant or contract in writing made by, or on behalf of, the Government.

6. In any State forest the Chief Forest-officer may, from time to time, with the previous sanction of the Agent to the Governor General, determine what roads and pathways shall be authorised for public traffic, and cause all other roads and pathways to be closed either permanently or for a time only. The Chief Forest-officer shall cause public notice to be given of the closing of any existing road or pathway.

Penalties for trespass or damage in State forests.

7. Any person who in a State forest—

- (a) trespasses, or pastures cattle or permits cattle to trespass, off any road or pathway authorised for public traffic, or
- (J) causes any damage by negligence in felling any tree, or cutting or dragging any timber, or
- (c) lops, notches, strips off the leaves from, or otherwise damages, any tree, or
- (d) hunts, shoots, fishes, poisons water, or sets traps or snares,

shall be punished with fine which may extend to fifty rupees, or, when the damage resulting from his offence amounts to more than twenty-five rupees, to double the amount of such damage.

Acts prohibited in State forests.

8. Any person who—

- (a) sets fire to a State forest, or
- (6) in contravention of any rules made by the Agent to the Governor General kindles any fire, or leaves any fire burning in such manner as to endanger a State forest, or

who in a State forest—

- (c) kindles, keeps or carries any fire except at such seasons, and in such manner, as a Forest-officer specially empowered in tide behalf may from time to time notify, or
- (d) fells, girdles, marks, taps, strips off the bark from, or uproots or burns, any tree, or
- (e) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes any forest-produce, or
- (f) clears, cultivates or breaks up any land for cultivation or any other purpose,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, and shall also be liable to pay such sum as compensation for damage done to the forest as the convicting Magistrate may direct.



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

#### The Baluchistan Agency Forest Law. 1890—*contd.*

Exceptions from prohibitions contained in sections 7 and 8.

9. (1) Nothing: in section 7 or section 8 shall be deemed to prohibit any act done—

- (a) with the permission of a Forest-officer specially empowered to give such permission ; or
- (5) in pursuance of any permission granted by the Agent to the Governor General ; or
- (c) in accordance with any rule made by the Agent to the Governor General with the previous sanction of the Governor General in Council.

(8) The permission of the Forest-officer referred to in sub-section (1), clause (a), shall be in writing, and shall only authorise the doing of some particular act on some particular occasion.

(3) The permission referred to in sub-section (1), clause (b), may be a general permission to a person to pasture his cattle, or to collect and remove any forest produce for the use of himself and his family but not for the purposes of trade.

(4) The <sup>1</sup>rules referred to in sub-section (1), clause (c), may be applied by the Agent to the Governor General, by notification in the Gazette of India to all or any State forests, or to any part of a State forest, and may, with respect thereto,—

- (i) regulate the cutting, sawing, conversion and removal of trees and timber, the cutting of grass and pasturing of cattle, and the collection and removal of forest-produce;
- (ii) regulate the quarrying of stone, the prospecting for, and extracting of oil, the boiling of cutch, and the burning of lime or charcoal ;
- (iii) regulate hunting, shooting, fishing, poisoning water, and setting traps or snares;
- (iv) prescribe, or authorise any Forest-officer to prescribe, subject to the control of the Agent to the Governor General, the fees, royalties or other payments for timber or other forest-produce, and the mode in which such fees, royalties or other payments shall be levied, whether in transit or partly in transit, or otherwise.

In making any such rule the Agent to the Governor General may direct that a breach of it shall be punishable with fine which may extend to fifty rupees and, when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the first during which the breach continues.

(5) The Agent to the Governor General may cancel any permission given by a Forest-officer or withdraw any permission granted by himself, and may, by notification in the Gazette of India, cancel or modify, with the previous sanction of the Governor General in Council, all or any rules made under this section.

10. The Agent to the Governor General may, with the previous sanction of

Power to declare forest no longer State forest.

the Governor General in Council, by notification in the Gazette of India, direct that, from a date fixed by such notification, any State forest or any portion thereof shall cease to be a State forest. From the date so fixed such forest or portion shall cease to be a State forest.

<sup>1</sup> For snob rules see p. 419, *infra*.

CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES— *contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Forest Law, 1890—*contd.***

## CHAPTER III.

## OF THE PROTECTION OF CERTAIN TREES AND NATURAL PRODUCE.

11. The Agent to the Governor General may, by notification in the Gazette of India,—  
Power to declare reserved trees.

(a) declare that any tree or any specified class of trees standing on any land at the disposal of the Government shall, from a date to be fixed by such notification, be reserved trees ;

(b) vary or cancel any such notification.

12. (2) No person shall cut, mark, lop, girdle, tap or injure by fire or otherwise any reserved tree, except as provided by rules made by the Agent to the Governor General in this behalf, or with the permission in writing of a Forest-officer specially empowered to grant such permission,  
Acts prohibited in regard to reserved trees.

(2) Whoever cuts, marks, lops, girdles, taps or injures by fire or otherwise any reserved tree in contravention of sub-section (1) of this section shall be punished with fine which may extend to twenty rupees, or, when the damage resulting from his offence amounts to more than ten rupees, to double the amount of such damage.

## CHAPTER IV.

## OF FOREST-PRODUCE IN TRANSIT.

13. The Chief Forest-officer may, subject to the control of the Agent to the Governor General, establish stations within or outside any State forest for the examination of timber and other forest-produce, and for the collection of dues leviable in respect of the same.  
Power to establish forest stations.

14. (1) No timber or other forest-produce shall be taken out of any State forest except by a route on which such a station has been established, or of which the use for the removal of timber or other forest-produce has been specially authorised by the Chief Forest-officer.  
Power to prescribe routes for removal of timber and other forest-produce.

(2) A full description of every such route shall be fixed up by the Forest-officer in charge of the forest-division in the towns and villages in the neighbourhood of the forest served by the same.

15. No timber or other forest-produce, whether the produce of a State forest or of other lands, shall be taken along any route authorised for the removal of timber or other forest-produce under section 14 unless covered by a pass issued by a Forest-officer whom the Chief Forest officer has duly authorised in that behalf or by the owner of the land, as the case may be. Such pass shall  
Timber and other forest-produce in transit to be covered by pass.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws - contd.

The Baluchistan Agency Forest Law, 1890—contd.

state the quantity and kind of timber or other forest-produce BO taken, and the murks, if any, which it bears.

16. Any person who contravenes the provisions of section 14 or section 15 shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Penalties for breach of provisions of svotiona 14 and 15.

17. A general exemption from the operation of section 14 or section 15 or both sections—  
Power to exempt from operation of section 14 or section 15.

(a) with respect to any class of timber or other forest-produce, or

(b) with respect to all timber or other forest-produce, in favour of the inhabitants of any specified locality,

may be granted by a Forest-officer specially empowered in this behalf.

## CHAPTER V,

### Of BATTLE-TRESPASS.

18. Cattle-trespassing in a State forest shall be deemed to be cattle doing damage to a public plantation within the meaning of section 11 of the Cattle-trespass Act, 1871,<sup>1</sup> and I of Application of Cattle-trespass Act, 1871.  
Fo rest-officer or Police-officer specially authorised in this behalf by the Political Agent :

Provided that it shall be optional with the Forest-officer to proceed against the owner of such cattle under section 7 of this Law.

19. The Agent to the Governor General may, by notification in the Gazette of India, direct that there shall be levied Levy of fines.  
for each head of cattle impounded such fines as he thinks fit, but not exceeding the following (that is to say) :—

|                                                                                                | R s. |
|------------------------------------------------------------------------------------------------|------|
| For each elephant . . . . .                                                                    | 10 0 |
| For each bulbuloe or camel . . . . .                                                           | 2 0  |
| For each horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer . . . . . | 1 0  |
| For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid . . . . .                          | 0 8  |

## CHAPTER VI.

### PENALTIES AND PROCEDURE.

20. (1) When there is reason to believe that a forest-offence has been committed in respect of any timber or other forest-produce, such timber or produce, together with all tools, boats, carts and cattle used in committing such offence, may be seized by any Forest-officer or Police-officer.

Seizure of property liable to confiscation and report thereof to Magistrate.

<sup>1</sup> Printed, General Acts, Vol IT, Ed. 1808, p. 183. It was applied by the Baluchistan Agency Lawi Law, 1890, printed, *supra*, p. 238.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES —contd

**B.-British-Baluchistan Agency Territories Enactments—1.-(D) Special Local**

Laws—contd.

The Baluchistan Agency **Forest Law, 1800—contd.**

(2) Every officer seizing property under this section shall place thereon, or on the receptacle (if any) in which it is contained, a mark indicating that the same has been so seized; and shall, as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made:

Provided that, when the timber or other forest-produce with respect to which such offence is believed to have been committed is the property of Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

21. Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law,

Proceduro thereupon.

82, (1) When any person is convicted of a forest-offence, all timber or other forest-produce in respect of which such offence has been committed, and all tools, beats, carts and cattle used in committing such offence, shall be liable, by order of the convicting Magistrate, to confiscation.

Timber, forest-produce, tools, etc., when liable to confiscation.

(2) Such confiscation may be in addition to any other punishment prescribed for the offence.

23. When the trial of any forest-offence is concluded, any timber or other forest-produce in respect of which such offence has been committed shall, if it is the property of Government or has been confiscated, be taken possession of by a Forest-officer specially empowered in this behalf; and may, in any other case, be disposed of in such manner as the Court may order.

Disposal, on conclusion of trial for forest-offences, of timber or produce in respect of which the offence was committed.

24. (1) When the offender is not known or cannot be found, the Magistrate enquiring into the offence, if he finds that an offence has been committed, may, on application on this behalf, order the property in respect of which the offence has been committed to be confiscated and taken possession of by a Forest-officer specially empowered in this behalf, or to be made over to such Forest-officer or other person as the Magistrate considers entitled to receive the same:

Procedure when offender not known or cannot be found.

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

(2) The Magistrate shall either cause a notice of any application under this section to be served upon any person whom he has reason to believe to be interested in the property seized, or publish such notice in such manner as he thinks fit.

25. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section 20, which is subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with the property itself if it had not been sold.

Procedure as to perishable property seized under section 20.

CHAPTER I I . - THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Forest Law. 1800—*contd.***

26. Any person claiming to be interested in property seized under section 20 may, within one month from the date of any order passed by a Magistrate under section 22, section 23 or section 24, present an appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable; and the order passed on such appeal shall be final.

Appeal from orders under sections 22, 23 and 24.

27. When an order for the confiscation of property has been passed under section 22 or section 24, and no appeal from such order has been presented within the period prescribed by section 26, or when, on an appeal being presented, the Appellate Court confirms such order in respect of the whole or a portion of the property, such property or portion, as the case may be, shall vest in the Government free from all incumbrances.

Property when to vest in Government.

28. Nothing hereinbefore contained shall be deemed to prevent any officer specially empowered in this behalf from directing at any time the immediate release of any property seized under section 20, and the withdrawal of any charge made in respect of such property.

Saving of power to release property seized.

29. Whoever with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code,<sup>1</sup>—

Punishment for counterfeiting or defacing marks on trees and timber and for altering boundary-marks.

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(a) knowingly counterfeits upon any timber or standing tree a mark used by forest-officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person; or

(b) unlawfully affixes to any timber or standing tree a mark used by Forest-officers; or

(c) alters, defaces or obliterates any such mark placed on any timber or standing tree by or under the authority of a Forest-officer; or

(d) alters, moves, destroys or defaces any boundary-mark of any State forest; shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

30. (1) Any Forest-officer or Police-officer may, without orders from a Magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest-offence, if such person refuses to give his name and residence, or gives a name and residence which there is reason to believe to be false or if there is reason to believe that he will abscond.

Power to arrest without warrant.

(2) Every officer making an arrest under sub-section (1) shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case or to the officer in charge of the nearest police-station.

31. (1) Any Forest-officer or Police-officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Law, or who

Punishment for wrongful seizure or arrest.

<sup>1</sup> Printed, General Acts, Vol. I, Ed, 1898, p. 240. It was applied by the Baluchistan Agency Laws Law, 1890, printed, *supra*, p. 238.

CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B. British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.***The Baluchistan Agency Forest Law, 1890—*contd.*

vexatiously and unnecessarily arrests any person, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both,

X of J882. (2) Any fine so imposed or any portion thereof shall, if the convicting Magistrate so direct and the fine or portion be recovered, be given, subject to the direction of the last paragraph of section 545 of the <sup>1</sup> Code of Criminal Procedure, 1882, as compensation to the person aggrieved by such seizure or arrest.

32. Every Forest-officer and Police-officer shall prevent, and may interfere for the purpose of preventing, the commission of any offence.

33. Nothing in this Law shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes a forest-offence, or from being liable under such other law to any other or higher punishment or penalty than that provided by this Law :

Provided that no person shall be punished twice for the same offence.

34. (1) The Agent to the Governor General may, by notification in the Gazette of India, empower a Forest-officer by name, or as holding an office,—

(a) to accept from any person against whom a reasonable suspicion exists that he has committed any forest-offence other than an offence specified in section 29 or section 31, a sum of money by way of compensation for the offence which such person is suspected to have committed, and

(b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.

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

(3) A Forest-officer shall not be empowered under this section unless he is a Forest-officer of a rank not inferior to that of a Ranger and is in receipt of a monthly salary amounting to at least one hundred rupees, and the sum of money accepted as compensation under sub-section (1), clause (a), shall in no case exceed the sum of fifty rupees.

35. When, in any proceedings taken under this Law, or in consequence of anything done under this Law, a question arises as to whether any timber or other forest-produce is the property of the Government, such timber or produce shall be presumed to be the property of the Government until the contrary is proved.

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed, General Acts, Vol. VI, Ed. 1898, p. 380. It was applied by Notification No. 1005 (a) E. B., dated the 29th June, 1898, printed, *supra*, p. 234.

## CHAPTER II. - THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

#### The Baluchistan Agency Forest Law. 1890—*contd.*

#### CHAPTER VII.

##### OF FOREST-OFFICERS.

86. (1) The Agent to the Governor General may invest any Forest-officer by name, or as holding an office, with all or any of the following powers (that is to say) :—

**Governor General may invest Forest-Officers with certain powers.**

- (a) the powers of a Civil Court to compel the attendance of witnesses and the production of documents;
- (b) power to issue search-warrants under the Code of Criminal Procedure ;
- (c) power to hold enquiries into forest-offences, and in the course of such enquiries to receive and record evidence;
- (d) power to notify the seasons and manner in which fire may be kindled, kept, or carried in a State forest;
- (e) power to grant the permission referred to in section 9, sub-section (1), clause (a);
- (f) power to grant general exemptions under section 17 ;
- (g) power to take possession of property under sections 23, 24 and 43;
- (h) power to direct the release of property and withdrawal of charges under section 28;

and may withdraw any powers so conferred.

(2) Evidence recorded under clause (c) of this section shall be admissible in any subsequent trial of the alleged offender before a Magistrate :

Provided that it has been taken in the presence of the accused person, and recorded in the manner provided by section 355, section 356 or section 357 of the Code of Criminal Procedure.<sup>1</sup>

87. All Forest-officers shall be deemed to be public servants within the meaning of the Indian Penal Code.<sup>8</sup>

38. No suit or criminal prosecution shall lie against any public servant for anything done or omitted by him in good faith under this Law.

89. Except with the permission in writing of the Agent to the Governor General, no Forest-officer shall, as principal or agent, trade in timber or other forest-produce, or be or become interested in any lease or mortgage of any forest, or in any contract for working any forest whether in British or foreign territory.

**Forest-officer not to trade.**

<sup>1</sup> See now the Code of Criminal Procedure (Act V of 1898), printed, General Acts, Vol. VI, Ed. 1898, p. 880. It was applied by Notification No. 1006 (a)-E. B., dated the 29th June, 1898, printed, *supra*, p. 284.

<sup>8</sup> Printed, General Acts, Vol. III, Ed. 1898, p. 240. It was applied by the Baluchistan Agency Laws Law, 1890, printed, *supra*, p. 288.

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CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Forest Law, 1800—*contd.***

## CHAPTER VIII.

## MISCELLANEOUS.

**Additional power to make rules.** 40. The Agent to the Governor General may make rules consistent with this Law—

- (a) to declare by what Forest-officer or class of Forest-officers the powers or duties conferred or imposed by or under this Law on a Forest-officer shall be exercised or performed ;
- (b) to regulate the rewards to be paid to officers and informers from the proceeds of fines and confiscations under this Law or from the public treasury ; and
- (c) generally, to carry out the provisions of this Law.

41. Every person who is permitted by a Forest-officer, or to whom permission has been granted by the Agent to the Governor General, to pasture cattle in, or to collect and remove any forest-produce from, a State forest, and every person who is employed by any such person in such forest, and every person in any village contiguous to such forest who is employed by the Government or who receives emoluments from the Government for services to be performed to the community, shall be bound to furnish, without unnecessary delay, to the nearest Forest-officer or Police-officer any information he may possess respecting the occurrence of a fire in or near such forest, or the commission of, or intention to commit, any forest-offence; and shall assist any Forest-officer or Police-officer demanding his aid—

- (a) in extinguishing any fire occurring in such forest;
- (J) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest;
- (e) in preventing the commission in such forest of any forest-offence; and
- (d) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

42. All money, other than fines payable to the Government under this Law or under any rule made hereunder, or on account of the price of any timber or other forest-produce, or of expenses incurred in the execution of this Law in respect of such timber or produce, may, if not paid when due, be recovered, under the Law for the time being in force, as if it were an arrear of land revenue.

43. (1) When any such money is payable for, or in respect of, any forest-produce, the amount thereof shall be deemed to be a first charge on such produce; and the produce may be taken possession of by a Forest-officer specially empowered in this behalf, and may be retained by him until the amount has been paid,



CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Forest Law, 1890—*contd.***

(2) If the amount is not paid when due, the Forest-officer may sell the produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

(3) The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to Government

44. The Government shall not be responsible for any loss or damage which Government and its officers not may occur in respect of any timber or other liable for loss or damage in respect forest-produce while at a station established under of certain timber. section 13, or while detained elsewhere for the purposes of this Law, and no Forest-officer shall be responsible for any such loss or damage unless he causes the same negligently, maliciously or fraudulently,

45. When any person, in compliance with any rule under this Law, binds Recovery of penalties due under himself by any instrument to perform any duty bond. or act, or covenants by any instrument that he, or that he and his servants and agents, will abstain from any act, the whole sum mentioned in such instrument as the amount to be paid in case of a breach of the conditions thereof may, notwithstanding anything in section 74 of the Indian Contract Act, 1872,<sup>1</sup> be recovered from him in case of such breach as if it were IX of 1872. an arrear of land-revenue.

## CHAPTER IX.

## AMENDMENTS OF THE BALUCHISTAN AGENCY LAWS LAW, 1890.

Amendment of section 5 of Balu- 46. After clause (5) of section 5 of the Balu-  
chiBtan Agenoy Laws Law, 1890. chistan Agency Laws Law, 1890, the following  
shall be added :—

[Printed, *supra*, p. 238.]

47. In section 8 of the same Law, after the words "the said territories," Amendment of section 8 of same the first time they occur, the words " includ-  
Law. ing the Quetta Hackney Carriage Law, 1889,  
published in the Notification of the Foreign Department, <sup>2</sup>No. 984 (A)-E., dated the 18th May, 1889," shall be inserted.

48, In the schedule to the same Law the portion relating to " Other Laws Repeal of portion of schedule to made by the Governor General in Council " shall same Law. be repealed.

[See *Gazette of India*, 1898, Pt. I, p. 241.]

Printing and publication of newspapers and other printed works.

No. 2651-I., dated the 25th June, 1891, printed, *infra*, p. 446.

Orders regarding the exercise of the powers of a District Judge under the Administrator General's Act in the Bolan Pass and Quetta Districts.

No. 6555, doted the 15th October, 1891.—In exercise of the powers conferred,

<sup>1</sup> 1 rinted, General Acts, Vol. I I , Ed. 1898, p. 299. It was applied by the Baluchistan Ageaoy Laws Law, 1890, printed, *supra*, p. 288.  
<sup>1</sup> Printed, *supra*, p. 235.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.***

Orders regarding the exercise of the powers of District Judge under the Administrator-General's Act in the Bolan Pass and Quetta Districts—*contd.*

by sub-section (a) of Foreign Department Notification<sup>1</sup> No. 8542-I., dated Simla, 27th August, 1891, the Agent to the Governor General, as Judge of the High Court in Baluchistan, is pleased to direct that the powers and duties conferred and imposed on a District Judge by section 64 of the Administrator-General's Act (II of 1874), as amended by section 13 of Act II of 1890, shall, in the limits of the Bolan Pass District, be exercised by the Political Agent and District Judge, Ealut.

[See *Gazette of India*, 1891, Pt. II, p. 558.]

No. 6556, dated the 15th October, 1891.—In exercise of the powers conferred by sub-section (a) of Foreign Department Notification<sup>1</sup> No. 8542-L, dated Simla, 27th August, 1891, the Agent to the Governor General, as Judge of the High Court in Baluchistan, is pleased to direct that the powers and duties conferred and imposed on a District Judge by section 64 of the Administrator-General's Act (II of 1874), as amended by section 18 of Act II of 1890, shall, in the limits of the Quetta District, be exercised by the Political Agent and District Judge, Quetta.

[See *Gazette of India*, 1891, Pt. II, p. 559.]

Order extending section 166 of the Indian Articles of War to Fort Sandeman and New Chaman.

No. 785-J., dated the 12th August, 1892.—The Governor General in Council is pleased specially to extend article 166 of the Indian Articles of War (Act V of 1869) to the following frontier posts at which troops are stationed, namely :—

Fort Sandeman.

New Chaman.<sup>2</sup>

[See *Gazette of India*, 1892, Pt. I, p. 581.]

Order as to the Laws in force on lands occupied by the Mushkaf-Bolan Railway.

No. 1460 (a)-E. J., dated the 20th August, 1896.—Whereas His Highness the Khan of Kalat has ceded to the British Government full jurisdiction in respect of certain lands which lie within his territory and are occupied by the Mushkaf Bolan State Railway (including the lands occupied as stations, out-buildings and for all other railway purposes):

In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that all enactments which are deemed in force in the Bolan Pass District by virtue of their application, under section 4, sub-section (2), of the Baluchistan Agency Laws Law, 1890, to the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent, shall be deemed to be likewise in force in the said lands.

[See *Gazette of India*, 1896, Pt. I, p. 648.]

<sup>1</sup> Printed, *supra*, p. 20.

<sup>2</sup> New Chauian is in British Baluchistan.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

The Quetta Municipal Law, 1896.

No. 1536-E. A., dated the 4th September, 1896.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council has been pleased to make the following Law for the administration of the Quetta Municipality:—

#### CHAPTER I.

##### PRELIMINARY.

Title and commencement.

1. (1) This Law may be called the Quetta Municipal Law, 1896; and

(8) It shall come into force on such day as the Agent to the Governor General in Baluchistan may by notification in the Gazette of India appoint in that behalf.

Definitions.

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

- (i) "Municipality" means the Municipality of Quetta within such limits as may be defined from time to time by order of the Agent to the Governor General:
- (ii) "Committee" means the Committee constituted under this Law:
- (iii) "Agent to the Governor General" means the Agent to the Governor General in Baluchistan; "Commissioner" means the Revenue Commissioner in Baluchistan; and "Extra Assistant Commissioner" means the Extra Assistant Commissioner in Quetta:
- (iv) "inhabitant" includes any person ordinarily residing or carrying on business or owning or occupying immoveable property in the Municipality:
- (v) "street" includes any way, road, lane, square, court, alley, passage or open space, whether a thoroughfare or not, over which the public have a right of way, and also the roadway and footway over any public bridge or causeway:
- (vi) "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, or who would so receive the same if the land or building were let to a tenant:
- (vii) "notification" means a notification published by authority of the Agent to the Governor General in the Gazette of India:
- (viii) "notified" means published as aforesaid:
- (ix) "prescribed" means prescribed by rules made by the Agent to the Governor General under this Law: and
- (x) "Political Agent" means the Political Agent for Quetta and Pishin, and, in the absence of the Political Agent, such officer as may be appointed, by name or by virtue of his office, for the Agent to the Governor General to discharge the duties of the Political Agent under this Law.

CHAFFEE II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

**B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.***

**The Quetta Municipal Law, 1806—*contd.***

CHAPTER II.

ORGANIZATION AND CONSTITUTION OF THE COMMITTEE.

3. There shall be established for the Municipality a Committee consisting of—  
**Constitution of Committee.** (a) the Political Agent, and  
(b) such persons, not fewer than six, as the Agent to the Governor General may appoint in that behalf.

4. (i) The term of office of a member of the Committee shall be fixed by the  
**Term of office of an appointed member.** Agent to the Governor General by rule, made under this Law and may be so fixed as to provide for the retirement of members by rotation, but shall not exceed three years.

(ii) An outgoing member shall, if otherwise qualified, be again eligible for appointment.

5. Any member may resign by notifying in writing his desire to do so to the  
**Resignation of an appointed member.** Political Agent, and, on his resignation being accepted by the Agent to the Governor General, he shall be deemed to have vacated his office.

**Powers of Agent to the Governor General to remove appointed members.** 6. The Agent to the Governor General may remove any appointed member of the Committee—

(a) if he refuses to act, or becomes, in the opinion of the Agent to the Governor General, incapable of acting, or is declared insolvent, or is convicted of any such offence, or subjected by a Criminal Court to any such order as implies, in the opinion of the Agent to the Governor General, a defect of character which unfits him to be a member;

(J) if he has been declared by notification to be disqualified for employment in the public service;

(c) if he, without an excuse sufficient in the opinion of the Agent to the Governor General, neglects for more than three consecutive months to be present at the meetings of the Committee;

(d) if his continuance in office is, in the opinion of the Agent to the Governor General, dangerous to the public peace or order: or

(e) when he is a salaried officer of the Government, if his continuance in office is, in the opinion of the Agent to the Governor General, unnecessary or undesirable,

7. The Committee shall come into existence at such time as the Agent to the  
**Time of Committee coming into existence.** Governor General may, by notification, appoint in that behalf.

*Chairman and Vice-Chairman.*

**The duties of the Political Agent.** 8. (i) The Political Agent shall be *ex-officio* Chairman of the Committee.

(ii) The Political Agent shall be responsible for the proper maintenance of the accounts: he shall prepare the annual budget and such supplementary budgets as may from time to time be necessary, and the annual administration report, and lay the same before the Committee:

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Quetta Municipal Law. 1886—*contd.***

Provided that the Political Agent shall not incur any expenditure not provided for in the budget without the sanction of the Commissioner.

**Appointment of Vice-Chairman,** 9. (i) The Agent to the Governor General shall appoint a member of the Committee to be its Vice-Chairman.

(ii) The term of office of a Vice-Chairman shall be one year:

Provided that, if at the time of his appointment as Vice-Chairman the residue of his term of office as member of the Committee is less than one year, his term of office as Vice-Chairman shall be the residue of his term as member.

(iii) An outgoing Vice-Chairman shall, if otherwise qualified, be again eligible for appointment as Vice-Chairman.

(iv) The Vice-Chairman may resign by notifying in writing his intention to do so to the Political Agent, and, on his resignation being accepted by the Agent to the Governor General, he shall be deemed to have vacated his office.

*Conduct of Business.*

10. (i) The Committee shall meet for the transaction of business at least once in every month on such day as may, from time to time, be fixed by the rules made under section 102.

(ii) The Chairman may, whenever he thinks fit, convene a meeting at any other time.

11. The quorum necessary for the transaction of business at a meeting of the Committee shall be one-third of the whole Committee.

**Quorum.****Chairman of meeting.**

12. (i) At every meeting of the Committee the Chairman, if present, shall preside.

(ii) In the absence of the Chairman, the Vice-Chairman shall preside,

(iii) If both Chairman and Vice-Chairman are absent, the members present shall elect one of their number to be Chairman of the meeting.

18. (i) Except as otherwise provided by this Law, or by any rule made by the

**Vote of majority decisive.** Agent to the Governor General under this Law, all questions which may come before any meeting of the Committee shall be decided by the majority of the votes of the members present.

(ii) In case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

14. The following are the powers and duties of the Committee :

(a) to submit through the Political Agent for the Commissioner's approval or orders and for the sanction of the Agent to the Governor General the budget and supplementary budgets prepared by the Political Agent with such remarks as may appear to it advisable;

(6) to consider the annual administration report prepared by the Political Agent, and to submit it through that officer to the Commissioner with such remarks as may appear to it advisable;

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.****The Quetta Municipal Law, 1896—contd.*

- (c) to express an opinion on all matters laid before it by the Political Agent;
- (d) to assist the Political Agent in carrying out the provisions of this Law; to call his attention to neglect of its provisions, to any waste of property under the management of the Committee, and to the wants of any locality, and to suggest any improvement that may seem desirable.

15. The Residency Surgeon and the Secretary to the Agent to the Governor General in the Public Works Department, when <sup>Certain officers entitled to attend and speak.</sup> not members, shall be entitled to attend any meeting of the Committee, and to address the Committee on any matter affecting respectively sanitation and public works.

16. (i) Every resolution passed by the Committee at a meeting shall be <sup>Resolutions to be recorded.</sup> recorded in a book kept for the purpose and shall be signed by the Chairman.

(ii) A copy of every resolution passed by the Committee at a meeting shall, within ten days from the date of the meeting, be forwarded to the Commissioner,

*Officers and Servants.*

17. Subject to the other provisions of this Law and to the general control of the Commissioner and of the Agent to the Governor General, the appointment of such officer\* <sup>Employment of officers and servants-</sup> and servants as may be necessary or proper for the efficient execution of the provisions of this Law shall rest with the Political Agent.

18. (1) In the case of an officer or servant appointed under the preceding section or employed before the commencement of this Law who is not a Government official, the <sup>Pensions and other allowances of officials not being Government servants.</sup> Political Agent may—

- (a) grant him leave allowances ;
- (b) if his monthly pay does not exceed *ten* rupees, grant him a gratuity on resignation or retirement ;
- (c) with the sanction of the Agent to the Governor General, grant him a gratuity or subscribe on his behalf for pension or gratuity under the rules contained in any general or special orders of the Governor General in Council for the time being in force, or purchase for him from the Government or otherwise an annuity on his retirement:

Provided that no pension, gratuity, leave allowance or annuity shall exceed the sum to which, under any general or special orders of the Governor General in Council for the time being in force, the officer or servant would be entitled if the service had been service under the Government.

(2) In the case of an officer or servant, being a Government official, the Political Agent may,—

- (a) if his services are wholly lent to the Committee, meet any charges prescribed or authorised by any general or special orders of the Governor General in Council for the time being in force, regarding contributions towards pension or gratuity and leave allowances; and,

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES-*contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

#### *The Quetta Municipal Law. 1896-contd.*

- (b) if he devotes only a part of his time to the performance of duties in behalf of the Committee, meet any such charges as aforesaid in such proportion as may be determined by the Agent to the Governor General.

#### *Contracts.*

19. (1) The Political Agent may on behalf of the Committee enter into any Authority to contract and mode of contract whereof the value or amount does not exceed two hundred rupees.

(9) A contract whereof the value or amount exceeds two hundred rupees shall not be executed until it has been sanctioned by the Committee at a meeting.

(3) Every contract made by or on behalf of the Committee, whereof the value or amount exceeds fifty rupees, shall be in writing.

(4) Every such contract shall be signed by the Political Agent.

(5) If a contract to which this section applies is executed otherwise than in conformity therewith, it shall not be binding on the Committee.

#### *Delegation of authority.*

80. The Political Agent may, by general or special order, delegate to the Delegation of authority. Extra Assistant Commissioner all or any of his powers under Chapters VI and VII of this Law:

Provided that from any order passed by the Extra Assistant Commissioner under these Chapters, an appeal shall lie to the Political Agent.

## CHAPTER III.

### TAXATION.

81. (i) Subject to any general rules or special orders which the Governor Taxes which may be imposed. General in Council may make in this behalf, the Agent to the Governor General may, from time to time, for the purposes of this Law and in the manner by this Law directed, impose ill the area to which this Law extends any of the following taxes :—

(a) a tax on buildings and lands not exceeding seven-and-a-half per centum on the annual value;

(ft) a tax on persons practising any profession or art or carrying on any trade or calling in the Municipality, not exceeding two-and-a-half per centum on the annual income derived from, such practice, trade or call\* ing

(c) a tax not exceeding Rs. 4 a quarter on every vehicle, animal used for riding, driving, draught or burden, or dog kept within the Municipality ;

(d) a toll not exceeding one anna on every vehicle and every animal used as aforesaid entering the Municipality ;

(e) an octroi on animals for slaughter, or goods, or both, brought within the Municipality for consumption or use therein, such octroi not exceeding

CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*The Quetta Municipal Laws. 1896—*contd.*

one anna on each animal and not exceeding Rs. 4 a maund or 4 per centum *ad valorem* on any such goods as aforesaid ;

and, with the previous sanction of the Governor General in Council, any other tax :

Provided that any person may compound for exemption from all tolls leviable in respect of any animal or vehicle under clause (d) of this sub-section by paying the tax which would have been leviable in respect thereof under clause (c) if the same had been kept within the area to which this Law extends :

Provided also that goods, which are the property of Government at the time of import, shall pass free of any octroi imposed under clause (e) if accompanied by an invoice, with an endorsement signed by the proper Government officer certifying that they are the property of the Government.

(2) In this section "annual value" means the gross annual rent for which buildings or lands liable to taxation may reasonably be expected to let.

22. When the Committee has, with regard to any buildings or lands, in exercise of the powers conferred by this Law, provided for the performance by its agents of the duties usually performed by sweepers, it may, with the previous sanction of the Agent to the Governor General and in the manner by this Law directed, impose upon those buildings and lands, in addition to any other tax imposed upon them under this Law, a tax, to be called the scavenging-tax, at such rate or of such amount as it thinks fit:

Provided that in fixing the rate or amount of such tax regard shall be had to the principle that the total net proceeds of the tax should not exceed the cost of the performance of the said duties.

23. Besides the taxes mentioned in the foregoing sections, the Committee, with the previous sanction of the Agent to the Governor General, may, for the purpose of constructing or maintaining works for the supply of water or paying the principal or interest of any loan raised for the construction of such works, impose, in the manner by this Law directed, a tax, to be called the water-tax, upon buildings or lands which are so situated that their occupiers can benefit by the works:

Provided that, in fixing the rate of such tax, regard shall be had to the principle that the total net proceeds of the tax, with the estimated income from payments for water supplied from the works under special contracts, should not exceed the amount required for the said purpose.

24. (1) No tax shall come into force until one month after it has been notified.

(2) The Agent to the Governor General may, by notification, abolish or reduce in amount any tax imposed under the foregoing sections.

25. (2) The Committee may by resolution exempt in whole or in part from the payment of any such tax any person who by reason of poverty may in its opinion be unable to pay the same.

(2) The Governor General in Council may, by order, 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.



## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—contd.

#### The Quetta Municipal Law, 1896—contd.

26. No tax imposed under this Law shall be invalid merely for defect of form; and it shall be enough in the case of 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.

27. Any tax imposed under the foregoing sections and payable periodically shall be payable on such dates and in such instalments (if any) as the Commissioner may, from time to time, prescribe.

28. For all sums paid on account of any tax under this Law a receipt stating the amount and the tax on account of which it is paid, shall be given, on his application, to the person making the payment.

Receipts to be given.

29. (1) An appeal against the assessment or levy of any tax under this Law shall lie to the Commissioner.

(2) Subject to revision by the Agent to the Governor General, the order of the appellate authority shall be final.

80. (i) No appeal shall lie in respect of a tax on any building or land unless it is preferred within one month after the publication of the notice of assessment to be prescribed under section 102, and no appeal shall lie in respect of any other tax unless it is preferred within one month from the time when the demand for the tax is made :

Limitation for appeals.

Provided that an appeal may be admitted after the expiration of the period prescribed therefor by this section if the appellant satisfies the appellate authority that he had sufficient cause for not presenting it sooner.

(2) No appeal shall be entertained unless the amount of the tax to which it relates is deposited with the Committee before the appeal is preferred.

81. 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 in this Law provided.

Taxation not to be questioned except under the Law.

82. Every person bringing or receiving within the Municipality any article on which octroi is payable, shall, when required by an officer authorized by the Political Agent in that behalf and so far as may be necessary for ascertaining the amount of tax chargeable—

Power to examine article liable to octroi.

(a) permit that officer to inspect, examine, weigh or otherwise deal with the article, and

(b) communicate to that officer any information and exhibit to him any bill, invoice or document of a like nature that he may possess relating to the article.

83. If after the imposition of an octroi tax any person bringing or receiving a conveyance or package within the Municipality refuses, on the demand of an officer authorized by the Power to search where octroi is leviable.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Quetta Municipal Law, 1896—*contd.***

Political Agent in this behalf, to permit such officer to inspect the contents of the conveyance or package for the purpose of ascertaining whether it contains any articles in respect of which octroi is payable, such officer may cause the conveyance or package to be taken without unnecessary delay before a Magistrate, who shall cause the inspection to be made in his presence.

34. Every officer demanding octroi by authority of the Political Agent shall tender to every person introducing or receiving any article on which the tax is claimed, a bill specifying the article taxable, the amount claimed, and the rate at which the tax is calculated.

35. (i) In case of non-payment of octroi on demand, the officer empowered to collect the same may seize any article on which it is chargeable, or any part thereof of sufficient value to satisfy the demand.

(ii) The Political Agent may, after the lapse of five days from the seizure and the issue of a proclamation fixing the time and date of sale, cause property so seized, or so much thereof as is necessary, to be sold by auction to satisfy the demand, with the expenses occasioned by the seizure, custody and sale thereof, unless the demand and expenses are in the meantime paid:

Provided that articles of a perishable nature may be sold after the lapse of such shorter time as the Political Agent, having regard to the nature of the articles, may think necessary in order to avoid serious risk or damage.

36. All taxes leviable in the Municipality under the orders of the Agent to the Governor General or of the Governor General in Council at the time when the Committee comes into existence under this Law, shall, so far as their imposition and assessment are consistent with this Law and within the powers conferred thereby, be deemed to have been imposed and assessed under this Law.

## CHAPTER IV.

## MUNICIPAL FUND AND PROPERTY.

37. (1) There shall be formed a Municipal Fund, and there shall be placed to the credit thereof—  
**Constitution of Municipal Fund.**

(a) all sums received by or on behalf of the Committee under this Law or otherwise;

(b) all fines realised in cases in which prosecutions are instituted under this Law or the rules made thereunder, or under section 34 of Act <sup>1</sup> V of 1861, or under the <sup>2</sup> Prevention of Cruelty to Animals Act (XI of 1890) for offences committed within the Municipality;

<sup>1</sup> Printed, General Acts, Vol. I, Ed, 1898, p. 879. It was applied to the Agency Territories by the Baluchistan Agency Laws Law, 1890, printed, *supra*, p. 238.

<sup>2</sup> Printed, General Acta, Vol. V, hid. 1898, p. 465. It was applied to the Agency Territories by notification No. 925-B., dated the 19th May, 1893, printed, *supra*, p. 229.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—1896—contd.

### B-British Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—contd.

#### The Quetta Municipal Law, 1896—contd

- (c) the balance (if any) standing at the credit of the excluded local fund, hitherto known and administered as the Quetta Municipal Fund, at the time when the Committee comes into existence ; and
- (d) the proceeds of such property, moveable and immoveable, as may for the time being be administered by or on behalf of the Committee for the benefit of the Municipal Fund ;

and this fund, together with all property purchased at its expense, shall be vested in the Agent to the Governor General for the time being ; and, subject to the provisions of this Law and of the rules made thereunder, and to the control of the Agent to the Governor General, the management thereof shall be entrusted to the Committee.

(2) The property referred to in clause (d) of sub-section (1) includes—

- (a) land or other property acquired by the Committee for local public purposes or under competent authority constituted the property of the Municipality,
- (b) dust, dirt, sewage, refuse, filth and rubbish of any kind, collected by the Committee from the streets, houses, privies, sewers, cesspools or elsewhere, or deposited in any place set apart by them for that purpose.

38. (J) The Political Agent shall, subject to the provisions of this Law, set apart and apply annually out of the Municipal Fund—

#### **Application of funds.**

- (a) first, such sum out of the net proceeds of the octroi receipts as the Governor General in Council may from time to time direct to be paid as a contribution to the Quetta Cantonment Fund;
- (b) secondly, such sum as may be required for the payment of any amounts falling due on any loan legally contracted for, or on behalf of, the Committee;
- (c) thirdly, such sum as may be required to meet the charges of the Committee's establishment, including such subscriptions, contributions and payments as are referred to in section 18, and such sum as may be required for the maintenance of a police establishment under Chapter V of this Law.

(3) Subject to the charges specified in sub-section (1) and to such rates as the Agent to the Governor General may make with respect to the priority to be given to the several duties of the Committee, the Municipal Fund shall be applicable to the payment, in whole or in part, of the charges and expenses incidental to the following matters within the Municipality, namely :—

- (a) the construction, maintenance, improvement, cleansing and repair of public streets, bridges, drains, latrines and water-courses;
- (b) the watering and lighting of such streets or any of them;
- (c) the construction, establishment and maintenance of rest-houses, markets, pounds and other works of public utility;
- (d) grants-in-aid to schools, hospitals, dispensaries, poor-houses, leper-asylums and other educational or charitable institutions;
- (e) the supply, storage and preservation from pollution of water for the use of men or animals ;

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Quetta Municipal Law, 1896—*contd.***

- (f) the planting and preservation of trees;
- (g) the taking of a census, the registration of births, marriages and deaths, public vaccination and any other sanitary measure ;
- (A) the destruction of stray and ownerless dogs ;
- (\*) all acts and things which are likely to promote the safety, health, welfare or convenience of the inhabitants, or expenditure which may be declared by the Committee, with the sanction of the Agent to the Governor General, to be an appropriate charge on the Municipal Fund.

**Custody of Municipal Fund.**

39. The Municipal Fund shall be kept in the Government treasury at Quetta.

40. (1) The Committee may, from time to time, with the previous sanction of the Agent to the Governor General, invest any portion of the Municipal Fund in securities of the

**Investment of same.**

Government of India or such other securities as the Governor General in Council may, from time to time, approve in this behalf, and may vary such investments for others of a like nature, and may with like sanction realise any investments made under this sub-section.

(2) The income resulting from the securities and the proceeds of the sale of the same shall be credited to the Municipal Fund.

## CHAPTER V.

## MUNICIPAL POLICE.

41. There shall be maintained out of the Municipal Fund a police establishment for watch and ward and the prevention and suppression of crime within the Municipality, and for

**Police establishment.**

the enforcement of this Law and of the rules and orders thereunder. This establishment shall be a part of the general police force under the Agent to the Governor

**Constitution of establishment.**

General within the meaning of section 2 of Act V of 1861, and shall consist of such number of officers and men, and the officers and men shall receive such pay, leave allowances, gratuities and pensions, as the Agent to the Governor General may direct.

42. The Agent to the Governor General may, notwithstanding anything

**Duties of Municipal police enrolled under Act V of 1861.**

contained in Act V of 1861 or in any other law for the time being in force, define the duties which the officers and men of the establishment may or may not be required to perform.

## CHAPTER VI.

## POWERS FOR SANITARY AND OTHER PURPOSES.

*Streets and Buildings.*

43. When any land is required for a new street or for the improvement of an

**Power to acquire land for building sites adjoining new streets.**

existing street, the Committee may cause to be acquired, in addition to the land to be occupied by the street, the land necessary for the sites of the buildings to be erected on the sides of the street.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—contd.

#### The Quetta Municipal Law, 1886—contd.

44. The Political Agent, with the concurrence of the Committee, may **close** temporarily any streets or parts thereof for any public purpose, and with the Agent to the Governor General's permission may divert, discontinue or permanently close any street.

**Power to close streets.**

45. The Political Agent may grant permission in writing for the temporary occupation of any street for the purpose of depositing any building materials or making any temporary excavation therein or erection thereon, subject to such conditions and the payment of such fees as the Commissioner may prescribe, and may at his discretion withdraw such permission.

**Power to permit temporary occupation of streets, etc.**

46. The Political Agent may attach to the outside of any building, brackets for lamps in such manner as not to cause injury thereto or inconvenience.

**Power to attach brackets for lamps.**

47. The Committee at a meeting may name any street, and the Political Agent may cause that name and likewise any number to be affixed on any building, and may from time to time cause the same to be altered.

**Names of streets and numbers of buildings.**

Whoever destroys, pulls down, alters or defaces any such name or number shall, on conviction by a Magistrate, be punished with a fine that may extend to twenty rupees.

48. Every person intending to erect, re-erect, alter or repair any upper storey or other building shall give notice in writing of his intention to the Political Agent and shall, if required to do so, submit a plan showing the levels at which the foundations and lowest floor are proposed to be laid and specifications of the works intended to be constructed and the materials to be used, and shall obey any written directions consistent with this Law given by the Political Agent thereupon; and the Political Agent, with the concurrence of the Committee, may prohibit such erection, re-erection, alteration or repair, if in his opinion it is likely to be injurious to the neighbourhood or in respect of free passage or roadway, free circulation of air, facilities of scavenging, ventilation, drainage level, stability, line of frontage or any other matter which the Agent to the Governor General may from time to time prescribe :

**Notice of new buildings.**

Provided that no compensation shall be claimable on account of any direction or prohibition under this section.

If the erection, re-erection, alteration or repair of any building is begun, without the permission of the Political Agent, or in disobedience to any direction issued by the Political Agent, under this section, or continued contrary to those directions, the Political Agent may, by notice in writing, require such building to be altered or demolished, and the person so erecting, re-erecting, altering or repairing shall, on conviction by a Magistrate, be liable to a fine not exceeding five hundred rupees.

49. The Political Agent, with the concurrence of the Committee, may, by notice in writing, require the owner or occupier of any building to remove or alter any projection, encroachment or obstruction built or placed against or in front thereof, if the same **overhangs or projects into or encroaches on any street, public drain, aqueduct or sewer.**

**Removal of obstructing projection And encroachments.**

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES-*contd.*

### **B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.***

#### *The Quetta Municipal Law, 1896 -contd.*

50. The Committee may set apart suitable places for the purpose of bathings 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 purpose connected with the health, cleanliness and comfort of the inhabitants; and may, by public notice, prohibit bathing, or the washing of animals or clothes, in any public place not so set apart or at times or by persons other than those specified, and all other acts by which water in public places may be rendered foul or unfit for use.

#### *Deposit of Offensive Matter and Slaughtering-places.*

51. The 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 the dead bodies of animals may be removed along any street and deposited at such places.

52. (1) The Committee may fix and abolish places either within, or, with the approval of the Commissioner, beyond, the limits of the Municipality for the slaughter of animals or any specified description of animals for sale, and may with the like approval grant and withdraw licenses for the use of such places, or, if they belong to the Committee, charge rent or fees for the use of the same.

(2) When any such place has been fixed, no person shall slaughter any such animal for sale within the Municipality at any other place.

(3) Whoever slaughters any such animal at any other place for sale within the Municipality shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

#### *Burial and Burning places.*

53. (1) The Committee may by public notice order any burial or burning ground which is, in its opinion, dangerous to the health of persons living in the neighbourhood, to be closed from a date to be specified in the notice.

(2) Private burial-places in such burial-grounds 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 after the passing of this Law without the permission in writing of the Committee.

(4) If any person buries or burns, or causes or permits to be buried or burnt, any corpse in any burial or burning ground made or formed contrary to the provisions of this section, or after the date fixed thereunder for closing the same, he shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

(5) The Committee may by public notice prescribe routes for the removal of corpses to burial or burning places.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—contd.

#### The Quetta Municipal Law, 1896—contd.

##### *Inflammable Materials.*

64. The Political Agent may, where it appears to him to be necessary for the prevention of danger to life or property, by public notice, prohibit all persons from stacking or collecting wood, straw or other inflammable materials, or placing mats, erecting booths or thatched huts, or lighting fires in any place or within any limits specified in the notice.

##### *Powers of Entry and Inspection.*

55. (1) The Political Agent, or any person authorised by him in this behalf, may, after giving six hours' notice in writing to the occupier of any land or building in which any drain, privy or cesspool is situated, inspect any such drain, privy or cesspool at any time between sunrise and sunset and may, if necessary, cause the ground to be opened wherever he may think fit for the purpose of preventing or removing any nuisance arising therefrom.

(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 of the land or building or by the occupier, as the Political Agent may direct; but if it is found that no nuisance exists, or but for such opening would have existed, the ground shall be closed and made good as soon as may be, and the expense of opening, closing and making it good shall be paid from the Municipal Fund.

56. The Political Agent, or any person authorised by him in this behalf, may, after giving twenty-four hours' notice in writing to the occupier, or, if there is no occupier, to the owner, of any building at any time between sunrise and sunset enter and inspect the building, and may by notice direct all or any part thereof to be forthwith internally or externally lime-washed, disinfected or otherwise cleansed for sanitary reasons.

57. The Political Agent, or any person authorised by him in this behalf, may, after giving twenty-four hours' notice in writing to the occupier, or if there is no occupier, to the owner, of any building or land at any time between sunrise and sunset,—

(a) enter on and survey and take levels of any land;

(6) enter, inspect and measure any building for the purpose of valuation; or

(c) enter into any building or any land for the purpose of examining works under construction, of ascertaining the course of sewers or drains, or of executing or repairing any work authorised by this Law.

58. The Political Agent, or any person authorised by him in this behalf, may, at any time between sunrise and sunset, enter and inspect any stable, coach-house or other place where there is reason to believe that there is any vehicle or animal liable to taxation under this Law, for which a license has not been duly taken out.

CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.****The Qnetta Municipal Law, 1896—contd.*

59. The Political Agent, or any person authorised by him in writing in this behalf, may, at all reasonable times, enter into and inspect any market, building, shop, stall or place used for the sale of food or drink for human consumption, or as a slaughter-house, or for the sale of drugs, and inspect and examine any food or drink, animal or drug which may be therein, and if any article of food or drink or any animal therein appears to be intended for human consumption and to be unfit therefor, may seize and remove the same or may cause it to be destroyed, or to be so disposed of as to prevent its being exposed for sale or used for such consumption ;

and, in case any drug is reasonably suspected to be adulterated in such manner as to lessen its efficacy or to change its operation or to render it noxious<sup>^</sup> may remove the same, giving a receipt therefor, and may cause it to be brought before a Magistrate for enquiry whether any offence has been committed in respect thereof and for his orders as to its disposal.

60. (i) The Committee may provide for the performance by its Agents of the duties usually performed by sweepers in respect of any buildings or lands or of any drains, privies, cesspools or other receptacles for offensive matter pertaining to buildings or land.

(9) Such provision may be made in respect of individual buildings or lands or of buildings or lands generally.

(3) Nothing in this section or section 22 shall be deemed to preclude the Committee from making provision of a different nature for different buildings or lands, and charging scavenging-tax at different rates therefor, or from exempting wholly or in part from such tax at its discretion any individual who has made arrangements to its satisfaction for the performance of the duties aforesaid.

(4) When the Committee has undertaken to provide for the performance by its Agents of such duties as aforesaid, the persons employed by it to perform the same may enter on the property at all reasonable times so far as may be necessary for the proper discharge of those duties; and the Political Agent, or any person authorized by him in this behalf, may enter on the property at all reasonable times for the purpose of ascertaining that such duties have been duly performed.

61. When any building used as a human dwelling is entered under this Law, due regard shall be paid to the social and religious sentiments of the occupiers, and before any apartment in the actual occupation of any woman who, according to custom, does not appear in public, is entered under this Law, notice shall be given to her that she is at liberty to withdraw, and every reasonable facility shall be afforded to her for withdrawing.

*Water-pipes, Privies and Drains.*

62. The Political Agent may, by notice in writing, require the owner of any building in any street to put up and keep in good condition proper troughs and pipes for receiving and carrying the water from the roof and other parts thereof and for discharging the same, so as not to inconvenience persons passing along the street.



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) **Special Local Laws—** *contd.*

#### The Quetta Municipal Law, 1896—*contd.*

68. (1) The Political Agent may, by notice in writing, require the owner of any building to provide any privy or cesspool or additional privies or cesspools which should, in his opinion, be provided for the building, in such manner as to satisfy the general requirements of the Committee.

Provision of privies, etc.

(2) The Political Agent may, by notice in writing, require the owner or occupier of any building or land to have any privy 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 directs, any door or trap-door of a privy opening on to any street or drain.

(3) The Political Agent may, by notice in writing, require any person employing more than twenty workmen or labourers to provide such latrines and urinals as the Political Agent may think fit and to cause the same to be kept in proper order and to be daily cleaned.

64. (2) The Political Agent may, by notice in writing, require the owner or occupier of any building or land to repair or alter and put in good order any drain, privy or cesspool or to close any cesspool belonging thereto.

Construction, repairing and closing of drains, privies and cesspools.

(2) The Political Agent may, by notice in writing, require any person who constructs any new drain, privy or cesspool without his permission in writing or contrary to his directions or rules or to the provisions of this Law, or who constructs, rebuilds or opens any drain, privy or cesspool which has been ordered to be demolished or closed or not to be made, to demolish such drain, privy or cesspool, or to make such alteration therein as he thinks fit.

65. The Political Agent may, by notice in writing, require any person who without his permission in writing newly erects or rebuilds any building over any public sewer, drain, culvert, water-course or water-pipe, to pull down or otherwise deal with the same as he thinks fit.

Unauthorised buildings over drains, etc.

66. The Political Agent may, by notice in writing, require any owner or occupier on whose land any drain, latrine, urinal, cesspool or other receptacle for filth or refuse for the time being exists within fifty feet of any spring, well, reservoir or other water source, to remove or close the same within one week.

Removal of latrines, etc., near any source of water-supply.

67. The Political Agent may, by notice in writing, require any owner or occupier of any land or building to cleanse, repair, cover, fill up or drain off any private land, well, reservoir, pool or excavation therein which appears to him to be injurious to health or offensive to the neighbourhood.

Power to require drainage, etc., of unwholesome land, etc.

#### *Dangerous buildings and places.*

68. If any building or any well, tank or other excavation is for want of sufficient repair, protection or enclosure, dangerous to persons passing by, or dwelling or working in the neighbourhood, the Political Agent may, by notice in writing, require the owner or occupier thereof to repair, protect or enclose the same; and if it appears to him to be necessary in order to prevent imminent danger, he shall forthwith take such steps as are necessary to avert the danger.

Power to require buildings, wells, tanks, etc., to be secured.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Quetta Municipal Law, 1898—*contd.***

69. If any building, wall or structure, or anything affixed thereto, is deemed by the Political Agent to be in a ruinous state or in any way dangerous, he may, with the concurrence of the Committee, by notice in writing, require the owner or occupier thereof forthwith either to remove the same or to cause such repairs to be made to it as the Committee considers necessary for the public safety; and, if it appears to him to be necessary in order to prevent imminent danger, the Political Agent may forthwith take such steps as are necessary to avert the danger.

*Buildings and Grounds in Unsanitary Condition.*

70. The Political Agent may, by notice in writing, require the owner or occupier of any land to clear away and remove any thick or noxious vegetation, jungle or undergrowth which may appear to be injurious to health or offensive to the neighbourhood.

71. The Political Agent may, by notice in writing, require the owner or occupier of any land within three days to cut or trim the hedges thereof bordering on any street, or branches of trees growing thereon which overhang any street and obstruct the same or cause danger therein, or which so overhang any well, tank or other water source as to be likely to pollute the water thereof.

72. If the owner or occupier of any building or land suffers the same to be in a filthy or unwholesome state, the Political Agent may, by notice in writing, require him within twenty-four hours to cleanse the same or otherwise put it in a proper state.

73. If any building appears to the Political Agent 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 Political Agent may, by notice in writing, prohibit the owner or occupier thereof from using the same for human habitation or suffering it to be so used until the Political Agent is satisfied that it has been rendered fit for such use.

74. The Political Agent may, by notice in writing, require the owner or person claiming to be the owner of any building or land which, by reason of abandonment, of disputed ownership or other cause, remains untenanted and thereby becomes a resort of idle and disorderly persons or otherwise a nuisance, to secure or enclose the same within a reasonable time to be fixed in the notice.

75. (J) The Political Agent, with the concurrence of the Committee, may on the report of the Civil Surgeon 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 in any place within the limits of the Municipality is injurious to the health of persons dwelling in the neighbourhood, by notification prohibit the cultivation of the crop, the use of the manure, or the

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### **B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—contd.**

#### *The Quetta Municipal Law, 1896—contd.*

irrigation so reported to be injurious, or regulate such cultivation, use or irrigation by imposing such conditions thereon as may prevent injury :

Provided that when on any land to which such notification applies the act prohibited has been practised during the five years next preceding the notification 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 notification.

(2) If any person cultivates, uses manure or irrigates in disregard of the prohibition or conditions notified under sub-section (1), he shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees, and with a further fine which may extend to five rupees for every day after the date of such conviction during which the offence is proved before a Magistrate to have been persisted in.

#### *Registration of Trades.*

76. (1) The owner or occupier of every place within the Municipality used for any of the following purposes, namely :—

Regulation of offensive and dangerous trades.

- melting tallow, or boiling bones, offal or blood;
- as a soap house, oil-boiling house, dyeing house or tannery;
- as a brick-kiln, pottery or lime-kiln ;
- as any other manufactory or place of business from which offensive or unwholesome smells arise;
- as a yard or depôt for trade in hay, straw, thatching grass, wood, coal or other highly inflammable material; or
- as a store-house for kerosine, petroleum, naphtha or any inflammable oil, spirit or explosive substance ;

shall register the same in a book to be kept by the Political Agent for the purpose.

(2) No place shall be newly used for any of the said purposes except under a license from the Political Agent, which shall be renewable annually.

(3) The license shall not be withheld unless the Political Agent considers that the business which it is intended to establish or maintain would be offensive or dangerous to persons residing in or frequenting the immediate neighbourhood.

(4) The Political Agent may charge such fees for such licenses and may impose such conditions in respect thereof as the Commissioner may approve.

(5) Whoever without such registration or without a license uses any place for any such purpose shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees, and with further fine which may extend to ten rupees for every day during which the offence is proved before a Magistrate to have been persisted in after he has been convicted thereof; and the Political Agent may, after conviction, by notice in writing, direct that the use of such place for such purpose shall be discontinued.

The Political Agent, or any person specially authorized by him in writing in this behalf, may at any time enter and inspect any place or building which there is

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES— *contd.***B. British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Quetta Municipal Law, 1893—*contd.***

reason to believe is used without license for any of the purposes enumerated in this section.

77. (1) If it is shown to the satisfaction of the Committee at a meeting that any place licensed under section 76 is a nuisance to the neighbourhood or likely to be dangerous to life, health or property, it may, by notice in writing, require the occupier thereof to discontinue the use of the place, or to use it in such manner as will in the opinion of the Committee render it no longer a nuisance or dangerous.

(2) Whoever after such notice has been given uses the place or permits it to be used in disregard of such requisition shall on conviction be punished with fine which may extend to two hundred rupees and with further fine which may extend to forty rupees for every subsequent day during which the offence is proved before a Magistrate to have been persisted in.

78. (1) When any notice under this Chapter requires any act to be done for which no time is fixed by this Law, it shall fix a reasonable time for doing the same.

Execution of acts required to be done by any notice.

(2) When the owner or occupier of any land or building fails to comply with the terms of any notice under this Chapter requiring him to do any act upon that land or building, the Political Agent may, after six hours' notice in writing, cause that act to be done, and may recover the expenses incurred in so doing from the person in default.

79. The 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 and servants under this Law, and shall make such compensation where the person sustaining the damage was not himself in default in respect of the matter in respect of which the power was exercised: where the compensation is claimable on account of injury to buildings or land, it shall be calculated with due regard to the provisions of the Land Acquisition Act for the time being in force in British India.<sup>1</sup>

Compensation for damage caused by exercise of powers under this Law.

*Restraint of Infection.*

80. 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 cholera or small-pox in any dwelling other than a public hospital, or, in default of such medical practitioner or person practising the medical profession,

(b) being the owner or occupier of such dwelling, and being cognizant of the existence of cholera or small-pox therein or in default of such owner or occupier,

(c) being the person in charge of or in attendance on any person suffering from cholera or small-pox in such dwelling, and being cognizant of the existence of the disease therein,

<sup>1</sup> The Act now in force in British India is Act I of 1894. It has also been applied to the Agency Territories by Notification No. 1616 (A)-E.A., dated the 17th September, 1896, printed, *supra*, p. 280, cf. fl.103 *infra*.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*The Quetta Municipal Law, 1896—*contd.*

fails to give information, or gives false information, to the Committee respecting the existence of such disease, shall be punishable with fine which may extend to fifty rupees:

Provided that a person not required to give information in the first instance, but only in default of some other person, shall not be punishable if it be shown that he had reasonable cause to suppose that the information had been, or would be, duly given.

81. "When any person suffering from cholera or small-pox is—

Removal to hospital of cholera and small-pox patients. (a) without proper lodging or accommodation, or

(b) living in a sarai or other public hostel, or

(c) living in a room or house which he neither owns nor pays rent for, or

(d) lodged in premises occupied by members of two or more families<sup>1</sup> and any of such occupiers 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, remove the patient to any hospital or place at which persons suffering from such diseases are received for medical treatment, and may do anything necessary for such removal.

82. Should the Committee consider that the water in any well, tank or other

Prohibition by Committee of use of unwholesome water.

place is likely, if used for drinking, to engender or cause the spread of any dangerous disease, it may, by public notice, prohibit the removal or use of

such water for drinking.

<sup>1</sup> 82A. The Committee may, by bye-law and with the previous sanction of the Agent to the Governor General—

(a) prohibit the manufacture or preparation for sale of any specified articles of food or drink in any premises not licensed by the Committee;

(S) regulate the grant and withdrawal of licenses to premises for the manufacture or preparation for sale of such specified articles of food or drink;

(c) regulate the hours and manner of transport within the Municipality of any specified articles of food or drink ;

(d) fix the places in which any specified article of food or drink may be sold or exposed for sale or the places in which it may not be sold or exposed for sale;

(e) fix the conditions on which licenses under this section are to be granted and may be revoked :

Provide that no person shall be punishable for breach of any bye-law made under clause (a) or clause (d) of this section by reason of the continuance of such manufacture, preparation or exposure for sale or sale upon any premises which are, at the time of the making of such bye-law, used for such purpose until he has received from the Committee six months' notice in writing to discontinue such manufacture, preparation or exposure for sale or such sale in such premises.

<sup>1</sup> Section 82A was added by Notification No. 1y01-E.A., dated the 8th December, 1899. See *Gazette of India*, 1899, Pt. I, p. 1056.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Quetta Municipal Law, 1896—*contd.***

## CHAPTER VII.

## OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY OR CONVENIENCE.

83. Whoever, without the permission of the Political Agent or in disregard of his orders, throws or deposits, or permits his servants or members 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 public place, or into any public sewer or any drain communicating therewith, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

84. Whoever, without the permission of the Political Agent, causes or knowingly or negligently allows the water of any sink, sewer or cesspool or any other offensive matter, to pass or be put upon any street or public place, or into any sewer or drain not set apart for the purpose, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

85. Whoever, being the owner or occupier of any building or land, keeps or knowingly or negligently allows to be kept for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil or filth, or any noxious or offensive matter, in or upon such building or land, or suffers any such receptacle to be in a filthy or noxious state, or neglects to employ proper means to cleanse and purify the same, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

86. Whoever, without the permission of the Political Agent, makes or causes to be made, or alters or causes to be altered, any drain leading into any public sewer or drain under the management of the Committee, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

87. Whoever, without the permission of the Committee, makes or keeps for a longer time than one week after notice under section 66, any drain, 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, when a notice has been issued, 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 removal.

88. Whoever keeps any swine in disregard of any orders which the Political Agent may give to prevent them from becoming a nuisance, or keeps any other animals so as to be injurious to health or to become a nuisance, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees, and with a further fine which may extend to five rupees for every day after the date of the conviction during which the offence is proved before a Magistrate to have been persisted in.

89. Whoever feeds or allows to be fed any animal which is kept for dairy purposes or may be used for food on deleterious substances, filth or refuse of any kind, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—contd.****The Quetta Municipal Law, 1896—contd.**

90. Whoever drives any vehicle after dark in any public street or thoroughfare **Driving vehicles without proper lights.** unless the vehicle is properly supplied with lights, or there is sufficient moonlight to render lights unnecessary, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

91. Whoever discharges fire-arms or air-guns or lets off fire-works or fire- **Discharging fire-arms, fire-works, etc.** balloons, or engages in any game in such a manner as to cause danger to persons passing by or dwelling or working in the neighbourhood or risk of injury to property, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

92. Whoever, being a camel-driver, omits, on being requested to do so, to **Control of camels.** remove his camel so far as may be practicable to a safe distance on the approach of a horse, whether ridden or driven, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

93. Whoever, being the owner or person in charge of any dog which is likely **Suffering dogs to be at large.** to annoy or intimidate passengers, neglects to restrain it so that it shall not be at large without a muzzle in any street or public place, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

94. The Committee, by any person authorized by it in this behalf, may destroy **Destruction of mad dogs.** or cause to be destroyed or confined, or cause to be confined, for such period as the Committee may direct, any ownerless dog or any dog suffering from rabies or reasonably suspected to be suffering from rabies.

No damages shall be payable in respect of any dog destroyed under this section\*

95. Whoever, without the permission of the Political Agent, alters, obstructs **Altering, obstruction or encroaching upon, streets, etc.** or encroaches upon, any street or public drain, aqueduct or sewer, or displaces, takes up or alters the pavement or other materials or the fences or posts of any street or public place, or deposits building materials or makes any hole or excavation on or in any street, shall, on conviction by a Magistrate, be punished with fine which may extend to fifty rupees.

96. Whoever, contrary to the orders of the Political Agent, pickets animals or **Picketing animals and collecting carts.** collects carts on any public ground, or uses any such ground as a halting-place for vehicles or animals of any description or as a place of encampment, or causes or permits animals to stray, shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

97. Whoever carries a corpse along a prohibited route or in a manner likely to **Carrying corpses by prohibited routes or so as to cause annoyance.** cause annoyance to the public, shall, on conviction by a Magistrate, be punished with fine which may extend to ten rupees.

98. Whoever, without being authorized by the Political Agent, defaces or dis- **Destroying direction-posts, lamp-posts, etc.** turbs any direction-post or lamp-post, or extinguishes any light in any street or public place shall, on conviction by a Magistrate, be punished with fine which may extend to twenty rupees.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—contd.****The Quetta Municipal Law, 1896—contd.**

99. Whoever disobeys <sup>1</sup>[any bye-law issued under section'82 A or] any lawful directions given by public notice or disobeys any written notice lawfully issued under the powers conferred by Chapter VI or by rules under section 102 of this Law, or fails to comply with the conditions subject to which any permission was given to him under those powers, shall, if the disobedience or <sup>2</sup>[omission] is not an offence punishable under any other section, on conviction before a Magistrate, be punished 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 date of the conviction during which the offence is proved before a Magistrate to have been persisted in :

Provided that when the notice fixes a time within which a certain act is to be done and no time is specified in this Law, it shall rest with the Magistrate to determine whether the time so fixed was a reasonable time within the meaning of this Law—

## CHAPTER VIII.

## SUPPLEMENTAL.

100. The Political Agent and the Committee shall be subject in all respects to the control of the Commissioner and of the Agent to the Governor General.

101. The Agent to the Governor General may, by notification in the *Gazette of India*, declare that from a date to be fixed in the notification, the <sup>3</sup>Vaccination Act (XIII of 1880) shall apply, so far as it can be made applicable, to the Municipality.

102. (i) The Agent to the Governor General may from time to time frame forms for any proceedings of the Committee for which he considers that a form should be provided, and make rules consistent with this Law as to—

- (a) the appointment of members, and their term of office ;
- (b) the conduct of proceedings at meetings ;
- (c) the assessment and recovery of taxes, fees and moneys claimable under this Law, and for preventing evasion of the same ;
- (d) the authority on which money may be paid from the Municipal fund ;
- (e) the conditions on which property under management of the committee may be transferred by lease, or otherwise ;
- (f) the control of traffic, public processions and music ;
- (g) the registration of births and deaths, the regulation of vaccination, compulsory or otherwise, and the taking of a census ;
- (h) the offences under this Law or under rules made thereunder which shall be cognizable by the Police ; and
- (i) generally for the purpose of this Law.

<sup>1</sup> These words were inserted by Notification No. 1901-E.A., dated the 8th December, 1899. See *Gazette of India*, 1899, Pt. I, p. 1056.

<sup>2</sup> The word "omission" was substituted for the word "commission" by Notification No. 1153-E.A., dated the 4th August, 1898. See *Gazette of India*, 1898, Pt. I, p. 873.

<sup>3</sup> Applied to the Agency Territories by Notification No. 733½, dated the 27th April, 1897, printed, *supra*, p. 227.



## CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES--contd.

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—contd.

#### The Quetta Municipal Law. 1896—contd.

103. The Agent to the Governor General may make rules for the suppression of mendicancy and of loitering or importuning for the purpose of prostitution, and for the removal and exclusion from the Municipality of disorderly persons, of persons convicted under Chapter X V I I of the <sup>1</sup> Indian Penal Code, or ordered under the <sup>2</sup> Code of Criminal Procedure, 1882, to execute a bond for their good behaviour and of persons whom the Agent to the Governor General deems it necessary to exclude from the Municipality with or without assigning any reasons for excluding them therefrom.

XLV of 1860.  
X of 1882.

Rules with respect to disorderly persons.

Penalties for breaches of rules under sections 102 and 106, and commencement of such rules.

104.(1) In making any rule under either of the two last foregoing sections, the Agent to the Governor General may direct that a breach of it shall be punishable, on conviction by a Magistrate, with fine which may extend to fifty rupees, and, when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

(2) No rule under either of the said sections shall come into force until it has been notified by the Agent to the Governor General.

105. On the complaint of three or more inhabitants of the Municipality that a house, in their immediate neighbourhood and within the limits of the Municipality, is used as a brothel or by disorderly persons of any description to the annoyance of the respectable inhabitants of the vicinity, any Magistrate of the first class having, as such, jurisdiction in the place where the house is situated may summon the owner or tenant of the house to answer the complaint; and on being satisfied that the house is so used, and is a source of annoyance and offence to the neighbours, may order the owner or tenant to discontinue such use of it; and, if he shall fail to comply with such order within five days, may impose upon him a fine not exceeding twenty-five rupees for every day thereafter on which it is proved that the house has continued to be so used.

Brothels.

Penalty on member, officer or servant of Committee being interested in contract made with Committee.

XLV of 1800.

106. If any member, officer or servant of the Committee is, otherwise than with the permission in writing of the commissioner, directly or indirectly interested in any contract made with the Committee; he shall be deemed to have committed an offence under section 168 of the <sup>1</sup> Indian Penal Code.

Suits and prosecutions against Committee.

107. No suit or prosecution shall be entertained by any Court against the Committee or any officer or person for anything in good faith done or purporting to be done in pursuance of powers conferred by or under this Law on such Committee, officer or person, whether the thing done was or was not authorised by the power so conferred.

Acquisition of land under Act I of 1894.

108. Where any land, whether within or without the limits of the Municipality, is required for the purposes of this Law, the Agent to the Governor General may, at the request of the Committee, proceed to acquire it under the provisions of the Land Acquisition

\* Printed, General Acts, Vol. I, Ed. 1898, p. 240. It was applied to the Agency Territories by the Baluchistan Agency Laws Law, 1890, printed, *supra*, p. 288.

<sup>2</sup> See now the Code of Criminal Procedure, 1808 (Act V of 1898), printed, General Acts, Vol. VI, Ed. 1898, p. 380. It was applied to the Agency Territories by Notification No. 1005 (a) E. B., dated the 29th June, 1898, printed, *supra*, p. 234.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Quetta Municipal Law, 1896—*contd.***

Act, 1894<sup>1</sup>; and, on payment by the Committee of the compensation awarded under that Act, and of the charges incurred by the Government in connection, with the proceedings, the land shall vest in the Agent to the Governor General for the time being for the purposes of this Law.

109. No Judge or Magistrate shall be deemed to be a party to, or personally interested in, any prosecution for an offence punishable under this Law or any rule thereunder or any other law, within the meaning of section 555 of the <sup>2</sup> Code of Criminal Procedure, X of 1882, by reason only of his being or having been a member of the Committee by the order, or under the authority, of which it has been instituted, or because as Political Agent he merely approved the prosecution.

110. (1) Subject to such rules as the Agent to the Governor General may make under section 102 prescribing the offences which shall be cognizable by the police, no Court shall take cognizance of an offence punishable under this Law or rule made thereunder except on the complaint of the Political Agent or of some person authorised by him in this behalf.

(2) In default of payment of any fine imposed under this Law or rule made thereunder, the defaulter shall be liable to ample imprisonment for a term not exceeding eight days.

111. Nothing contained in this Law shall be construed to prevent any person from being prosecuted under any other law for any offence made punishable by this Law or from being liable under any other law to any higher penalty or punishment than is provided for such offence by this Law or by any rule made thereunder :

Provided that no person shall be punished twice for the same offence.

112. Any arrear of any tax or any fee or other money claimable by or on behalf of the Committee may, in addition to any manner provided under section 102, be recovered on application to a Magistrate having jurisdiction within the limits of the Municipality by the distress and sale of any moveable property within those limits belonging to the person from whom the money is claimable ; and if payable by the owner in respect of any property, moveable or immoveable, such arrear shall be a charge on the property.

113. No act done nor any proceeding taken under this Law shall be questioned on account merely of the existence of any vacancy in the Committee or on account of any defect or irregularity not affecting the merits of the case.

114. All acts of executive authority, proceedings, decrees and sentences which have been done, taken or passed in the civil station and town, hitherto known and administered as the Municipality of Quetta before this Law comes into force by any officer of the Government or by any person acting under his authority, or otherwise in pursuance of an order of the Government and which have been or may hereafter be ratified by the Agent to the Governor General, shall be as valid and operative as if they had

<sup>1</sup> Applied to the Agency Territories by Notification No. 1615 (A)-E.A., dated the 17th September, 1896, printed, *supra*, p. 230.

<sup>2</sup> See the second footnote on the preceding page.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Quetta Municipal Law. 1896—*concl'd.***

been done, taken or passed in accordance with law ; and no suit or other proceeding shall be maintained or continued against any person whatever on the ground that such acts, proceedings, decrees or sentences were not done, taken or passed in accordance with law.

[See *Gazette of India*, 1896, Pt. I, p. 674.]

**The Baluchistan Agency Criminal Justice Law, 1896.**

No. 1956-E.A., dated the 6th November, 1896.—In exercise of the powers enabling him in this behalf, the Governor General in Council is pleased, in supersession of the Notifications of the Government of India in the Foreign Department, Nos. 255-E. and 390-E., dated the 31st January, 1890, and the 10th February, 1893, respectively, to make the following Law to provide for the administration of Criminal Justice in the territories administered by the Agent to the Governor General in Baluchistan :—

**THE BALUCHISTAN AGENCY CRIMINAL JUSTICE LAW,  
1896.****CONTENTS.****SECTIONS.**

1. Title and commencement.
2. Saving.
3. Definitions.
4. Application of the Code of Criminal Procedure, 1882.

**THE SCHEDULE.****MODIFICATIONS SUBJECT TO WHICH THE CODE IS TO APPLY TO THE BALUCHISTAN AGENCY.**

1. High Court.
2. Pleader.
3. Court of Session.
4. Conferment of magisterial powers on police-officers.
6. Powers of Magistrates.
6. Power to any police-officer to act under section 55.
7. Detention by police.
8. Complement to the Baluchistan Agency Laws Law, 1890, s. 5, cl. (2).
9. State offences and false evidence by person to whom pardon has been tendered.
10. Tender of pardon.
11. Recording of evidence.
12. Execution of sentence of imprisonment for six months or less.
13. Appeal to High Court and limitation therefor.
14. Restrictions on appeal.
15. Enhancement of punishment on appeal.
16. Contempt and offences against public justice or relating to documents.
17. Conduct of prosecutions.
18. Transfer of cases.
19. Orders not reversible on technical grounds alone.
20. Process and copying fees, and admission of pleaders and petition-writers.]
- 81., Saving of provisions relating to European British subjects.

CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Criminal Justice Law, 1896—*contd.***

*J Law to consolidate and amend the law for the administration of Criminal Justice in the territories administered by the Agent to the Governor General in Baluchistan.*

Whereas it is expedient to consolidate and amend the law for the administration of criminal justice in the territories administered by the Agent to the Governor General in Baluchistan as such Agent; It is hereby enacted as follows :—

**Title and commencement.**

1. (1) This Law may be called the Baluchistan Agency Criminal Justice Law, 1896; and

(2) It shall come into force at once.

2. All proceedings commenced, officers appointed or authorized, powers conferred, rules made and orders issued in pursuance of

**Saving.**

any of the provisions (hereby superseded) of the Baluchistan Agency Criminal Justice Law, 1890, as amended by the Notification of the Government of India in the Foreign Department, No. 390-E., dated the 10th February, 1893, shall, as far as may be, be deemed to have been respectively commenced, appointed or authorized, conferred, made and issued under this Law, and any law or document referring to any of the said provisions shall, as far as may be, be construed to refer to this Law or to the corresponding portion thereof.

**Definitions.**

3. In this Law—

(1) the expression " Agent to the Governor General " means the Agent to the Governor General in Baluchistan;

(2) the expression " Judicial Commissioner " means the Judicial Commissioner in Baluchistan; and

(3) the expression " the said territories " means the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent.

4. Subject to the modifications set forth in the schedule, the <sup>1</sup> Code of Criminal Procedure, 1883 (hereinafter referred to as " the Code " ), shall apply to the whole of the said territories, so far as it can be made applicable in the circumstances for the time being.

X of 1882. Application of the Code of Criminal Procedure, 1882.

**THE SCHEDULE.**

(See section 4.)

**MODIFICATIONS SUBJECT TO WHICH THE CODE IS TO APPLY TO THE BALUCHISTAN AGENCY TERRITORIES.****" High Court. "**

(Section 4, cl. (i). See also section 6, Act XXI, 1879.)

1. " High Court " shall mean,—

(i) in reference to proceedings against European-British subjects or persons jointly charged with such subjects, the Chief Court of the Punjab ; and,

(it) in reference to proceedings against other persons, the Judicial Commissioner :

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed. General Acts, Vol. VI, Ed. 1898, p. 380. It WAS applied by Notification No. 1005 (a)-E.B., dated the 29th June, 1898, printed, *supra*, p. 234.'

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Criminal Justice Law, 1806—*contd.***

Provided that every sentence of death passed or confirmed by the Judicial Commissioner shall be submitted to the Agent to the Governor General and shall not be executed unless and until it has been confirmed by the said Agent to the Governor General, who, in every case so submitted to him, shall exercise all the powers of a High Court described in Chapter XXVII of the Code.

2. "Pleader," used with reference to any proceeding in any Court, means a legal practitioner having authority from the Agent to the Governor General to act in such proceeding or practise in such Court.

3. (1) Each district shall be a Sessions Division, the Court of the District Magistrate shall be the Court of Session for that Division, and the District Magistrate shall be the Judge of that Court.

(2) As Judge of a Court of Session, a District Magistrate may take cognizance of any offence as a Court of Original Jurisdiction without the accused person being committed to him by a Magistrate, and, when so taking cognizance of an offence, shall, subject to the provisions of this Law, follow the procedure prescribed for the trial of warrant-cases by Magistrates.

(6) A trial before a Court of Session may be without jury or aid of assessors.

4. Notwithstanding anything in Act V of 1861, or in any other enactment for the time being in force, the Agent to the Governor General may confer on any police-officer all or any of the powers conferred or conferable by or under the Code on any Magistrate, in regard to particular cases, or to a particular class or particular classes of cases, or to cases generally.

5. (1) Magistrates described in the first column of the following table shall have the powers severally specified against them in the second column thereof without being further empowered in that behalf :

| Magistrates,                                     | Powers.                                                                                                                                |
|--------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| 1                                                | 2                                                                                                                                      |
| Magistrates of the first class.                  | To require security for good behaviour, section 110;<br>To make orders as to loolul nuisances, section 133.                            |
| Magistrate of the first or second class.         | To make orders prohibiting repetition of nuisances, section 143;<br>To make orders under section 144.                                  |
| Magistrates of the first, second or third class. | To entertain complaints, section 191;<br>To receive police-reports, section 191;<br>To entertain cases without complaint, section 191. |
| Sub-divisional Magistrates.                      | To call for records, section 435.                                                                                                      |

<sup>1</sup> See now s. 190 of the Code of Criminal Procedure, 1898, Act X of 1898, which was applied by Notification No. 1005 (a)-E.B., dated the 29th June, 1898, printed, *supra*, p. 234.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—1.—(b) Special Local Laws—contd.**

The Baluchistan Agency Criminal Justice Law, 1896—contd.

(2) The Agent to the Governor General may empower a Magistrate of any class to try in a summary way under Chapter XXII any offence mentioned in section 60 which under section 29 he is competent to try.

Power to any police-officer to act under section 55.

(Section 55.)

6. Any police-officer may exercise the powers conferred by section 55 on an officer in charge of a police-station.

7. (1) Notwithstanding anything in section 57 or section 61, an officer in

Detention by police.

(Sections 57 and 61.)

charge of a police-station may detain a person arrested without warrant so long as in all the cir-

cumstances of the case is reasonable :

(2) But when the officer of his own authority detains any such person in custody for a longer period than twenty-four hours exclusive of the time necessary for the journey from the place of arrest to the nearest Magistrate's Court, he shall state in the report prescribed in section 62 his reasons for prolonging the detention of the person, and, where the detention extends beyond three days, shall submit further reports of the reasons therefor at such intervals as the Magistrate to whom the report under section 62 was submitted may by general or special order direct.

Complement to the Baluchistan Agency Laws Law, 1890, s. 5, cl. (2).  
(Section 162.)

8. Nothing in the first paragraph of section 162 shall be construed to apply to a statement made to a police-officer who is a Magistrate.

9. A prosecution for an offence against the State, or for the offence of giving

State offences and false evidence by person to whom pardon has been tendered.

(Sections 196 and 339.)

false evidence in respect of a statement made by a person who has accepted a tender of pardon, may be entertained upon complaint made by order of, or under authority from, the District Magistrate.

10. A Magistrate tendering a pardon to an accomplice under section 337 need

Tender of pardon.

(Section 337.)

not record his reasons for so doing, and, notwithstanding anything in that section, may try the

case himself.

11. In inquiries and trials (other than summary trials) by or before a Magis-

Recording of evidence.

(Chapter XXV.)

trate or Court of Session, it shall be sufficient if the Magistrate or Court makes a memorandum of

the substance of the evidence of each witness as the examination of the witness proceeds.

12. In the case of a sentence of imprisonment for a term not exceeding six

Execution of sentence of imprisonment for six months or less.

(Section 383.)

months, the Court passing the sentence may forward the accused with a warrant to the District Magistrate, who may in his discretion either cause

the prisoner to be employed in any part of the district as a labourer on roads or other works of public utility, or forward him to the nearest jail.

Appeal to High Court and limitation therefor.

(Section 408.)

13. (1) A person convicted on a trial held by a District Magistrate may appeal to the High Court.

XV of 1877. (2) Notwithstanding anything in the Indian Limitation Act, 1877,<sup>1</sup> the period of limitation for an appeal to the High Court shall, except in the cases provided for

<sup>1</sup> Applied to the Agency Territories by Baluchistan Agency Laws Law, 1890, printed, *supra*, p. 288. For Act XV of 1877, see General Acts, Vol. III, Ed. 1898, p. 75.

## CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

#### The Baluchistan Agency Criminal Justice Law, 1806—*contd.*

by No. 150 and No. 157 of the second schedule to that Act, be thirty days from the date of the conviction.

**Restrictions on appeal.**  
(Sections 413 and 414.)

14. (1) Notwithstanding anything in this schedule or in the Code, an appeal shall not lie—

- (a) in a case in which a Magistrate of the first class passes a sentence of imprisonment for a term not exceeding six months only, or of fine not exceeding five hundred rupees only, or of whipping only; or
- (5) in a case in which a District Magistrate or Court of Session passes a sentence of imprisonment for a term not exceeding one year, or of fine not exceeding one thousand rupees, or of whipping, or of all or any of those punishments combined.

(2) The Governor General in Council may at any time, by notification in the *Gazette of India*, direct that this section shall cease to be in force in any district with effect from a date to be specified in the notification.

15. In any case in which an appeal lies, the Appellate Court may enhance any punishment which has been awarded :  
**Enhancement of punishment on appeal\***  
(Section 423.)

Provided that, if the appeal is from the sentence of a Magistrate of any class\* the Appellate Court shall not inflict a greater punishment than might have been inflicted by a Magistrate of the first class.

16. Where an offence referred to in section 195 is committed before a Judge of a Criminal Court or Magistrate, or in contempt of his authority, or is brought to his notice in the course of a judicial proceeding, he may himself try for the offence the person accused thereof.  
**Contempt and offences against public justice or relating to documents.**  
(Section 487.)

17. Notwithstanding anything in section 495, a Court may allow any police-officer to conduct a prosecution.  
**Conduct of prosecutions.**  
(Section 495.)

18. Notwithstanding anything in section 526, the High Court may, of its own motion or on any representation, whether supported by affidavit or not, by special or general order, direct that any criminal case or appeal, or class of criminal cases or appeals, be transferred to, and tried before, itself, or that an accused person, or accused persons, be committed for trial to itself.  
**Transfer of cases.**  
(Section 526.)

19. Notwithstanding anything in the Code, 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.  
**Orders not reversible on technical grounds alone.**  
(Section 537.)

20. (1) With the previous sanction of the Agent to the Governor General rules may be made under section 558, clause (c), for the regulation of the following among other matters, namely :—  
**Process and copying fees, and admission of pleaders and petition-writers.**  
(Section 558.)

- (a) the fees to be paid for processes;
- (b)<sup>1</sup> the fees to be paid for copies and inspection of records;

<sup>2</sup> For such rules, see p. 391, *infra*.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### **B.-British-Baluchistan Agency Territories Enactments— 1.-(b) Special Local Laws—*contd.***

#### The Baluchistan Agency Criminal Justice Law, 1896—*concid.*

(c) the qualifications to be possessed by, and the conditions to be imposed on legal practitioners applying to the Agent to the Governor General for authority to practise in Criminal Courts, and the fees, if any, to be paid for the concession of such authority; and

(d) the licensing of petition-writers and regulation of their conduct.

(2) Whoever breaks any rule under clause (d) of sub-section (1) may, subject to the provisions of any rule under that clause, be suspended or removed from practice or be punished with fine which may extend to fifty rupees.

21. Nothing in this schedule with respect to procedure in inquiries or trials, or **Saying of provisions relating to** with respect to sentences or appeals therefrom or **European British subjects.** the enhancement or execution thereof, shall be construed to affect the Code in its application to European British subjects or persons jointly charged with such subjects.

[See *Gazette of India*, 1896, Pt. I, p. 895.]

#### The Baluchistan Agency Civil Justice Law, 1896.

No. 1957-E.A., dated the 6th November, 1896.—In exercise of the powers enabling him in this behalf, the Governor General in Council is pleased, in supersession of the Notifications of the Government of India in the Foreign Department, Nos. 255-E. and 391-E., dated the 31st January, 1890, and the 10th February, 1893, respectively, to make the following Law for the administration of Civil Justice in the territories administered by the Agent to the Governor General in Baluchistan:—

## THE BALUCHISTAN AGENCY CIVIL JUSTICE LAW, 1896.

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##### SECTIONS.

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2. Saving. \_\_\_\_\_

#### CHAPTER II.

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4. Appointment of presiding officers.
5. Number of Courts of second, third, fourth and fifth grades and power to fix local limits of their jurisdiction.
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## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

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#### **The Baluchistan Agency Civil Justice Law, 1896—contd.**

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*A Law to consolidate and amend the law relating to the administration of Civil Justice in the territories administered by the Agent to the Governor General in Baluchistan.*

WHEREAS it is expedient to consolidate and amend the law relating to the administration of civil justice in the territories administered by the Agent to the Governor General in Baluchistan as such Agent; It is hereby enacted as follows :—

## CHAPTER I.

## PRELIMINARY.

**Title, commencement and definitions.**

1. (2) This Law may be called the Baluchistan Agency Civil Justice Law, 1896; and

(2) It shall come into force at once.

(3) In this Law—

- (a) the expression " Agent to the Governor General " means the Agent to the Governor General in Baluchistan;
- (b) the expression " Judicial Commissioner " means the Judicial Commissioner in Baluchistan; and
- (c) the expression " the said territories " means the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent.

2. Subject to the provisions of section 88, all officers appointed or authorized, powers conferred, rules made and orders issued

**Saving.**

under any of the provisions (hereby superseded) of the Baluchistan Agency Civil Justice Law, 1890, as amended by the Notification of the Government of India in the Foreign Department, No. 391-E., dated the 10th February, 1894, shall, as far as may be, be deemed to have been respectively appointed or authorized, conferred, made and issued under this Law, and every law or document referring to any of the said provisions shall, as far as may be, be construed to refer to this Law or to the corresponding portion thereof.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

#### the Baluchistan Agency Civil Justice Law, 1896—*contd.*

### CHAPTER II.

#### THE COURTS.

8. Besides the Courts established under any other enactment for the time being in force, the Civil Courts in the said territories shall be of five grades, namely :—

**Grades of Civil Courts.**

- (J) the Court of the Judicial Commissioner;
- (2) the Court of the Political Agent ;
- (3) the Courts of the Assistant Political Agent, any Cantonment Magistrate or other officer vested by the Governor General in Council with the powers in respect of any local area of the Assistant Political Agent in this behalf, the Extra Assistant Commissioner and the Native Assistant;
- (4) the Courts of the Tahsildar and the Munsif; and
- (5) the Court of the Naib Tahsildar.

4. (1) The presiding officers of the Courts of the first, second and third graded shall be appointed and may be removed by the Governor General in Council.

**Appointment of presiding officers.**

(2) The presiding officers of the Courts of the fourth and fifth grades shall be appointed and may be removed by the Agent to the Governor General subject to the control of the Governor General in Council.

(3) Any appointment under this section may be made either by name or by virtue of office.

**Number of Courts of second, third, fourth and, fifth grades and power to fix local limits of their jurisdiction.**

5. (1) The Agent to the Governor General may, with the previous sanction of the Governor General in Council, fix and vary the number of Courts of the second, third, fourth and fifth grades.

(2) The Agent to the Governor General, by notification in the *Gazette of India*, may, with the previous sanction of the Governor General in Council, fix and vary the local limits of the jurisdiction of the Courts aforesaid.

**Original jurisdiction of Courts.**

6. Except as otherwise provided by any other enactment for the time being in force—

- (a) the Court of the Naib Tahsildar shall have jurisdiction to try suits of value not exceeding fifty rupees and of the nature cognizable by a Court of Small Causes established under the Provincial Small Cause Courts Act, 1887 ;
- (J) the Courts of the Tahsildar and the Munsif shall have jurisdiction to try original suits of such value, not exceeding one thousand rupees, as the Agent to the Governor General may in the case of each Tahsildar or Munsif direct, or if no such direction has been made, then original suits of value not exceeding three hundred rupees;
- (c) the Courts of the Assistant Political Agent, any Cantonment Magistrate or other officer vested by the Governor General in Council with the

IX of 1887.

<sup>1</sup> Printed, General Acts, Vol. V, Ed. 1898, p. 128, It was applied by the Baluchistan Agency Laws Law, 1890, printed, *supra*, p. 238.

CHATTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Civil Justice Law, 1896—*contd.***

powers of the Assistant Political Agent under section 8, clause (3), the Extra Assistant Commissioner and the Native Assistant shall have jurisdiction to try original suits of value not exceeding ten thousand rupees; and

- (d) the Court of the Political Agent, and the Court of any Assistant Political Agent, Extra Assistant Commissioner or Native Assistant whom the Agent to the Governor General may, by notification in the *Gazette of India*, specify in this behalf, shall have jurisdiction to try original suits without limit as regards the value.

7. (1) Subject to the provisions of this section and of any other enactment for the time being in force, the Court of the Judicial Commissioner shall, for the purposes of all enactments relating to civil jurisdiction for the time being in force, be deemed to be the High Court for the said territories.

(2) The Court of the Political Agent shall, for the same purposes, be deemed to be the principal Civil Court of original jurisdiction and the District Court for the local area within its jurisdiction.

(3) For the purposes of the Indian Divorce Act, the Chief Court of the Punjab IV of 1869. and the Political Agent shall be deemed to be the High Court and the District Judge, respectively.

8. (1) The general superintendence and control over all other Civil Courts shall be vested in, and all such Courts shall be subordinate to, the <sup>2</sup> [Court of the Judicial Commissioner].

(2) Subject to the general superintendence and control of the Court of the Judicial Commissioner, the Political Agent shall control all other Civil Courts in the local area within his jurisdiction.

## CHAPTER III.

## CIVIL PROCEDURE.

*General Rules.*

9. Except as otherwise provided by any other enactment for the time being in force, the provisions of this chapter shall apply to all suits and other proceedings in the Civil Courts of the said territories.

*Prior Adjudications and Pending Suits.*

10. A Court shall not try any suit in which the matter in issue has been heard and finally decided by a Court of competent jurisdiction in a former suit between the same parties in the same rights, or between parties under whom they, or any of them, claim.

<sup>1</sup> Printed, General Acts, Vol. I I, Ed. 1898, p. 4. It was applied by the Baluchistan Agency Laws Law, 1890, printed, *supra*, p. 238.

<sup>2</sup>The words "Court of the Judicial Commissioner" were substituted for the words "Court of the Agent to the Governor General" by Notification No. 1274-E. A., dated the 10th August, 1897, see *Gazette of India*, 1897. Pt. I., p. 720.

## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—contd.

#### The Baluchistan Agency Civil Justice Law, 1896—contd.

11. A Court shall not try any suit in which the matter in issue is also in issue in another suit between the same parties, or between parties under whom they, or any of them, claim, pending in the same or any other Court, whether superior or inferior, in British India or in the said territories.

Effect of pending suits.

#### *Appearances, Applications and Acts by Parties.*

12. (i) The Court may in its discretion, for any sufficient reason, permit any appearance, application or act required to be made or done by a party under this Law to be made or done by the party through an authorized agent, or through a legal practitioner having authority from the Agent to the Governor General to plead and act for parties with the permission of the Court under this sub-section.

Appearance in person or by representative.

(2) Permission under this section shall in all cases be granted to persons exempt from personal appearance in Court.

(3) Except with the permission of the Court granted under the foregoing provisions of this section, every appearance, application or act under this Law shall be made or done by a party in person.

(4) When the permission mentioned in this section is granted to a party, the agent or legal practitioner must, unless, in the case of a legal practitioner, he is an advocate of a High Court established by Royal Charter or of the Chief Court of the Punjab, be appointed by the party by instrument in writing, and that instrument must be filed in Court.

13. In any case in which the Court has permitted a party not being a person exempt from personal appearance in Court to appear by an agent or a legal practitioner, it may, for reasons to be recorded in writing, withdraw the permission at any stage of the proceedings, and require the party to attend in person.

Withdrawal of permission to appoint representative.

14. A party required to attend in person under the last foregoing section, and failing so to attend, shall be subject to the provisions of this Law applicable to parties who do not appear.

Consequence of not appearing in person when required.

#### *Institution of Suits.*

Mode of beginning suit.

15. The plaintiff must begin his suit by presenting to the Court a written plaint.

16. On a plaint being so presented, the Court shall register the suit and examine the plaintiff, or his agent or legal practitioner, as to the merits of the case.

Examination of plaintiff.

17. If upon the examination it appears that there is no substantial cause of action, or that the claim is one which from its nature is not a proper subject of litigation in a Civil Court, the Court may dismiss the suit.

Summary dismissal of suits.

18. If upon the examination it is found that the plaintiff sets forth a good cause of action, the Court shall issue a summons to the defendant to appear and answer at a certain time and place.

Issue of summons.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

#### The Baluchistan Agency Civil Justice Law, 1896—*contd.*

##### *Service of Summons on Defendants.*

19. Service of the summons shall be made by delivering or tendering a copy thereof signed by the Judge or such officer as he appoints in this behalf, and sealed with the seal of the Court, and, when there are more defendants than one, service of the summons shall be made on each defendant.

##### **Mode of service of summons.**

##### **Service on defendant in person.**

20. Whenever it is practicable, the service shall be on the defendant in person.

21. When the defendant cannot be found, the service may be on any adult male member of his family residing with him or, where the defendant is a member of a tribe, on the head of the tribe.

##### **Service when defendant cannot be found.**

22. (1) Where the summons is served on the defendant personally, or on any person on his behalf, the person on whom the service is made shall be required to sign an acknowledgment of service, to be endorsed on the original summons or on a copy thereof under the seal of the Court.

(V) If the person refuses to sign the acknowledgment, the service of the summons shall nevertheless be held sufficient if it is otherwise proved to the satisfaction of the Court.

23. When the defendant cannot be found, and there is no person on whom the service can be made, the service may be effected by posting the copy of the summons on the outer door of the house in which the defendant ordinarily resides, if he ordinarily resides at any place within the local limits of the jurisdiction of the Court.

##### **Service by posting copy of summons on door of ordinary residence.**

24. The person serving a summons shall, in all cases in which the summons has been served, endorse on the original summons, or on a copy thereof under the seal of the Court, the time when, and the manner in which, it was served.

##### **Endorsement of summons by person serving.**

25. (i) When a summons is returned to the Court without having been served, if the plaintiff satisfies the Court that there is reasonable ground for believing that the defendant is keeping out of the way for the purpose of avoiding the service of the summons, or that for any other reason the summons cannot be served in the ordinary way, the Court shall order the summons to be served—

##### **Substituted service when summons is returned unserved.**

(a) by posting a copy thereof on some conspicuous place in the court-house and also on the door of the house in which the defendant last resided, if it is known where he last resided, or

(b) in such other manner as the Court thinks proper.

(2) A service in the manner ordered by the Court under clause (b) of sub-section (1) shall be as effectual as if it had been made in the manner specified in clause (a) of that sub-section.

26. When service is substituted by order of the Court under the last foregoing section, the Court shall fix such time and place for the appearance of the defendant as the case may require.

##### **Fixing of time for appearance in case of substituted service.**



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

#### The Baluchistan Agency Civil Justice Law, 1896—*contd.*

27. If the defendant ordinarily resides beyond the local limits of the jurisdiction of the Court in which the suit is instituted, and has not within those limits an agent empowered to accept the service, the Court shall transmit the summons for service to a Court having jurisdiction at the place where the defendant resides.

28. (1) If the defendant resides out of British India and the said territories and has not therein an agent empowered to accept the service, the summons shall be addressed to the defendant at the place where he resides, and be forwarded to him by post or otherwise.

(2) If at the time fixed for the hearing of the suit, or at any time subsequent thereto to which the hearing may be adjourned, a defendant to whom a summons has been forwarded under sub-section (1) does not appear, the Court may, on the application of the plaintiff, direct that the plaintiff shall be at liberty to proceed with his suit in such manner, and subject to such conditions, as the Court thinks fit.

29. When the suit is for land or other immoveable property, and the summons for any reason cannot be served on the defendant in person, the summons may be served on any agent of the defendant in charge of the land or other property.

#### *Consequences of non-appearance of Parties.*

80. (1) If, at the time fixed for the defendant to appear and answer, or at any time subsequent thereto to which the hearing of the suit may be adjourned, neither party appears when called upon by the Court, the suit shall be dismissed.

(2) When a suit is dismissed under sub-section (i), the plaintiff may bring a fresh suit, or, if within a period of 30 days from the date of the dismissal of the suit, he satisfies the Court that there was sufficient cause for his failure to appear, the Court may issue a fresh summons upon the plaint already filed.

31. (J) If the plaintiff appears and the defendant does not appear, and it is proved to the satisfaction of the Court that the summons was duly served, the Court shall proceed to hear the suit *ex parte*.

(2) If the defendant appears at any subsequent time to which the hearing of the suit may be adjourned, and assigns good cause for his previous failure to appear, he may, upon such terms as the Court may direct as to payment of costs or otherwise, be heard in answer to the suit in like manner as if he had appeared at the time fixed for his appearance.

32. (1) If the plaintiff appears, and the defendant does not appear, and it is not proved to the satisfaction of the Court that the summons was duly served in any of the modes of service provided by this Law, the Court may direct a second summons to the defendant to be issued in any of those modes.

(2) If the plaintiff appears, and it is proved to the satisfaction of the Court that the summons was served on the defendant but was served on him too late to admit of his appearing and answering at the time fixed in the summons, the Court

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Civil Justice Law. 1896—*contd.***

shall postpone the hearing of the suit to a future time to be fixed by the Court and may direct notice of that time to be given to the defendant.

83. (1) If the defendant appears, and the plaintiff does not appear, the Court shall pass judgment against the plaintiff by default, unless the defendant admits the claim, in which case the Court shall pass judgment against the defendant upon the admission.

(5) When judgment is passed against a plaintiff by default, he shall be precluded from bringing a fresh suit in respect of the same cause of action.

34. If there are two or more plaintiffs, and appearance is made by one or more of them and not by the other or others, the Court may, at the instance of the plaintiff or plaintiffs appearing, proceed with the suit in the same way as if all the plaintiffs had appeared, and pass such order as is just and proper in the circumstances of the case.

35. If there are two or more defendants, and appearance is made by one or more of them and not by the other or others, the Court shall proceed with the suit to judgment and shall, at the time of passing judgment, make such order with respect to the defendant or defendants by whom appearance has not been made as is just and proper in the circumstances of the case.

36. (1) Where judgment is passed *ex parte* against a defendant, he may apply at any time, not later than thirty days from the date on which any process for enforcing the judgment has been executed, to the Court by which the judgment was passed, for an order setting it aside.

(2) If it is proved to the satisfaction of the Court that the summons was not duly served, or that the defendant was prevented by sufficient cause from appearing when the suit was called for, on hearing the Court shall pass an order setting aside the judgment and appoint a time for proceeding with the suit.

37. (1) Where judgment is passed against a plaintiff by default, he may apply, within thirty days from the date of the judgment, for an order setting it aside.

(2) If it is proved to the satisfaction of the Court that the plaintiff was prevented by sufficient cause from appearing when the suit was called on for hearing, the Court shall pass an order setting aside the judgment by default and appoint a time for proceeding with the suit.

38. A judgment shall not be set aside on an application under either of the two last foregoing sections unless notice of the application has been served on the opposite party.

*Fixing Issues and Preparations for the Hearing.*

39. If both parties are present at the time fixed for the defendant to appear and answer, or at any time subsequent thereto to which the proceedings are adjourned for the purposes of this section, the Judge shall examine them with a view to ascertaining upon what

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd*

### **B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.***

#### **The Baluchistan Agency Civil Justice Law, 1896—*contd.***

questions of law and fact the parties are at issue, and, having with his own hand made a note of the examination, shall frame and record the issues of law and fact on which the right decision of the case depends.

40. (i) If the parties are at issue on a question of fact, the Court shall then further examine them as to the evidence they intend to adduce upon the question, and shall either proceed at once to hear the suit or appoint a time and place for the hearing thereof.

(2) Upon such sums being deposited for the expenses of witnesses as, subject to any rules under this Law, the Court thinks reasonable, the Court shall issue such summonses for the attendance of witnesses and the production of documents as the parties may desire.

41. A summons to a witness shall be signed, sealed and served as nearly as may be in the manner provided by this Law for the signing, sealing and service of a summons on a defendant.

48. If a witness on whom a summons has been so served neglects or refuses to appear at the time and place appointed and does not offer reasonable excuse for the neglect or refusal, the Court may issue a warrant to bring the witness before it to give his evidence.

#### *The Hearing.*

43. (1) At the time for the hearing of the suit or at some time subsequent thereto to which the hearing may be adjourned, the evidence of the witnesses, and of any parties to the suit appearing as witnesses, shall be taken by the Judge orally in open Court and in presence of the parties.

(2) Any evidence given in a language not understood by a party to the suit shall be interpreted to that party as the examination proceeds.

(3) Each party may examine the opposite party and all witnesses.

44. A memorandum of all evidence taken shall be recorded by the Judge with his own hand as the examination proceeds, either in English or in the language prescribed by the Agent to the Governor General as the language of the Court, as the Judge thinks fit.

45. At any stage of the suit the Court may examine as a witness any person present in Court or call upon him to produce any document or other thing, or may summon any person to give evidence or produce any document or other thing, if it considers that the evidence of the person, or the production of the thing, is likely to aid it in the decision of the matters in dispute.

#### *Judgments.*

46. When the documentary evidence, if any has been perused, and the witnesses have been examined and the parties heard, the Court shall, either immediately or at some subsequent time of which due notice shall be given to the parties, deliver its judgment.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B. -British-Baluchistan Agency Territories Enactments-1.-(b) Special Local Laws—*contd.***

The Baluchistan Agency Civil Justice Law, 1896—*contd.*

47. The judgment shall be written by the Judge with his own hand either in English or in the language prescribed by the Agent to the Governor General as the language of the Court, as the Judge thinks fit, and it shall be dated and signed by the Judge at the time it is delivered.

48. The judgment shall contain the decision of the Court upon each issue, together with the grounds of the decision, and shall conclude with a decree clearly stating the relief granted or other determination of the suit:

Provided that, when the decision upon one or more issues is sufficient for the disposal of the suit, the Court may, in its discretion, abstain from pronouncing any decision upon the remaining issues.

49. (1) The decree shall specify the costs payable and the parties by whom they are to be paid.

(2) In determining the amount of costs the Court shall not allow the remuneration of agents or legal practitioners permitted under section 12 to plead or act.

50. When the suit is for a sum of money due to the plaintiff, the Court may in the decree order simple interest at such rate as it thinks fit to be paid on the principal sum adjudged from the date of suit to the date of decree in addition to any interest adjudged on the principal sum for any period prior to the date of suit, with further simple interest, at a rate not exceeding six per centum yearly, on the aggregate sum so adjudged and on the costs of the suit from the date of the decree to the date of payment.

51. In a decree for the payment of money the Courts may, for any sufficient reason, order that the amount due under the decree shall be paid by instalments with or without interest.

52. Where in a suit for moveable property the decree is for the delivery of the property, the Court shall fix an amount of money to be paid as an alternative if delivery cannot be made.

53. Certified copies of the judgment, and, in cases where the judgment is required to be translated, of the translation thereof, shall be furnished to the parties on their application and on payment by them of the cost of the copies.

*Procedure in Special Cases.*

54. If at any stage of a suit before judgment a Court is satisfied, upon such inquiry as it considers necessary, that any property which is in dispute in the suit is in danger of being wasted, damaged or alienated by a party to the suit, it may, on such terms as may appear to it to be just, issue an injunction to that party commanding him to refrain from the act of waste, damage or alienation, or make such order for the purpose of staying and preventing him from wasting, damaging or alienating the property, or for the care and custody thereof, as it thinks fit.

55. In any suit for restraining the defendant from the committal of any breach of contract or other injury, the Court may at any time after the commencement of the suit, and

## CHAPTER I I . - THE BALUCHISTAN AGENCY TERRITORIES-*contd*

### B.-British Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

The Baluchistan Agency Civil Justice Law, 1896—*contd.*

cither before or after judgment, and on such terms as may appear to it to be just, issue an injunction restraining the defendant from the repetition or continuance of the breach of contract or the injury or the committal of any similar breach of contract or injury.

50. In case of disobedience to an injunction issued under either of the two last **Enforcement of injunctions by** foregoing sections, the injunction may be enforced **attachment of property.** by attaching the property of the party to whom the injunction was addressed and retaining it under attachment until he obeys the injunction.

67. The Court may at any **Powers to vary or set aside orders** **under sections 54 and 55, and to ad-** **judge compensation to party injured.** time vary or set aside an order made by it under section 54 or section 55 ; and, if it is satisfied that any such order has been applied for and procured by any party on grounds known to the party to be insufficient, it may award against the party in its decree such amount as it deems a reasonable compensation to the party aggrieved by the order.

58. (1) If at any hearing of a suit it appears to the Court desirable that any **Power to add parties.** person not already a party to the suit should be made a party thereto, it may direct that the person be made a plaintiff or defendant, as the case may be.

(2) "Where a person is so made a plaintiff or defendant, the Court shall cause a summons to be served on him in the manner provided by this Law for the service of a summons on a defendant.

59. Where a suit involves any question regarding succession, inheritance, pre-emption, marriage or caste, or any religious usage **Certain suits triable with the aid of** **assessors.** or institution, it may be heard with the aid of assessors selected by the Court from the class to which the parties belong.

#### *Miscellaneous.*

60. Women who, according to the customs and manners of the class to which they belong, ought not to be compelled to appear **Exemption of women from appear-** **ance in person.** in public, shall be exempt from personal appearance in Court, whether as parties or as witnesses.

61. The Agent to the Governor General may, by notification in the *Gazette of India*, exempt from personal appearance in Court, **Power to Agent to the Governor** **General to exempt from appearance in** **pemon.** whether as a party or as a witness, any person whose rank appears to entitle him to the privilege of exemption, and may, by like notification, withdraw the privilege.

62. (1) All documents admitted as evidence in a suit, other than entries in **Filing of documents admitted in** **evidence.** shop-books or other books, shall be filed with the record and shall not be returned to the parties without the written permission of the Court.

(2) A certified copy of any document to be so returned within three months from the date of the disposal of the suit shall be made at the expense of the person applying for the return of the document, and be filed with the record.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Civil Justice Law, 1896—*contd.***

(3) No fee shall be payable under the <sup>1</sup>Court-fees Act, 1870, in respect of an application for the return of a document, or in respect of a certified copy to be filed with the record, under this section.

63. (1) When a party desires to put in evidence an entry in a shop-book or other book, he shall produce the book to the Court together with a copy of the entry on which he relies.

(2) The Court shall forthwith mark the entry for the purpose of identification, and, having examined and compared the copy with it, shall file the copy with the record and return the book to the party producing it, unless there seems to the Court to be cause for impounding it.

*'Execution of Decrees.*

64. (1) The Court shall, on application made by the decree-holder in writing, execute its decrees in the following manner, that is to say :—

- (a) a decree for property in the possession of the judgment-debtor, by giving possession of the property to the decree-holder, or when the property is moveable, and possession of it cannot from any cause be given, by levying in the manner provided by this sub-section for the execution of a decree for money the amount fixed as an alternative under section 52 ;
- (b) a decree for partition, by dividing the property and giving the decree-holder possession of his portion;
- (c) a decree for money, by arresting and imprisoning the judgment-debtor subject to the provisions of the Debtors Act, 1888, or by attaching VI of 1888. his property and selling it, or by both means;
- (d) a decree for the performance of any act by the judgment-debtor, by arresting and imprisoning him or by attaching his property and retaining it under attachment or by both means.

(2) No person shall be imprisoned in execution of a decree for a longer period than six months in any case, or for a longer period than six weeks if the decree is for a sum of money not exceeding fifty rupees.

(3) No property in land shall be sold in execution of any decree without the previous sanction of the Agent to the Governor General.

(4) In the last foregoing sub-section the word "land" means land which is not occupied as the site of any building in a town or village and is occupied or has been let for agricultural purposes or for purposes subservient to agriculture, or for pasture, and includes the sites of buildings and other structures on such land.

65. Whenever a person has become liable as surety for the performance of a decree or of any part of a decree, the decree may be executed against him to the extent to which he

<sup>1</sup> Printed, General Acts, Vol. I I , Ed. 1898, p. 124. Act V I I of 1870 was applied by the Baluchistan Agency Laws Law, 1890, printed, *supra*, p. 288.

<sup>1</sup> Printed, General Acts, Vol. V, Ed. 1898, p. 229. Ss. 2 to 8 of the Act were applied by the Baluchistan Agency Laws Law, 1880, printed, *supra*, p. 288.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.-British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

The Baluchistan Agency Civil Justioo Lav, 1890-*contd.*

has rendered himself liable, in the same manner as a decree may be enforced against a judgment-debtor.

66. When an application is made for the execution of an *ex parte* decree, the Court may in its discretion, before ordering execution, require the applicant to give such security as it deems sufficient for compensation for any injury that may be done in the course of the execution, or may issue a notice to the judgment-debtor to show cause why the decree should not be executed.

#### *Ajpjpea I.*

67. (1) A decree or order made in an original suit of value not exceeding fifty rupees by a Tahsildar or Munsiff, or in an original suit of value not exceeding one hundred rupees by an Assistant Political Agent, Extra Assistant Commissioner or Native Assistant, shall, subject to the provisions of this Law with respect to revision, be final.

(2) From every other decree or order of a Tahsildar, Munsiff, Assistant Political Agent, Extra Assistant Commissioner or Native Assistant in an original suit, and from every decree or order of a Naib Tahsildar in such a suit, an appeal shall lie to the Court of the Political Agent.

68. (1) A decree or order made in an original suit of value not exceeding five hundred rupees by a Political Agent shall, subject to the provisions of this Law with respect to revision, be final.

(2) From every other decree or order of a Political Agent in an original suit, an appeal shall lie to the Court of the Judicial Commissioner.

69. (1) Save as provided by this section, and subject to the provisions of this Law with respect to revision, an appellate decree or order of a Political Agent shall be final.

(2) An appeal from an appellate decree or order of a Political Agent in a suit of value exceeding one thousand rupees shall lie to the Court of the Judicial Commissioner.

#### *Revision.*

70. The Judicial Commissioner or, subject to any general or special directions of the Judicial Commissioner, the Political Agent may, of his own motion or otherwise, call for the record of any case decided by a Court under his control in which an appeal does not lie or in which, for cause shown to his satisfaction, an appeal has not been preferred within the time limited therefor, and may pass such order in the case as he thinks fit.

#### *Distribution of Business and Transfer of Proceedings.*

XIV of 1889. 71. Notwithstanding anything in the <sup>1</sup>Code of Civil Procedure or the <sup>2</sup>Provincial Small Cause Courts Act, 1887, as applied to the said territories, a Political Agent may, by order, Power for Political Agent to distribute business.

<sup>1</sup> Printed General Acts, Vol. IV, Ed. 1898, p. 262. It was applied by the Baluchistan Agency Laws Law, 1800, printed, *supra*, p. 238. But see the notification making this Law, *supra*, p. 238.

\* Printed, General Acts, Vol. V, Ed. 1898, p. 128. It was applied by the Baluchistan Agency Laws Law, 1890, printed, *supra*, p. 238.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***R -British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*****The Baluchistan Agency Civil Justice Law, 1896—*contd.***

direct that any civil business cognizable by his Court and the Courts under his control shall be distributed among those Courts in such manner as he thinks fit:

Provided that, except so far as it may affect the exclusive jurisdiction of a Court of Small Causes or Court invested with the jurisdiction of a Court of Small Causes, a direction given under this section shall not empower any Court to exercise any powers or deal with any business beyond the limits of its proper jurisdiction.

72. The Judicial Commissioner or Political Agent may withdraw any suit or other proceeding pending in any Court under his control and try it himself or refer it for disposal to any other Court under his control and competent to try it.

*Review.*

73. (1) The Judicial Commissioner may, for sufficient reason, review any decree or order which has been passed by himself and from which an appeal has not been preferred to Her Majesty in Council.

(2) A Court, subordinate to the Court of the Judicial Commissioner, shall not review any decree or order made by it, except for the purpose of correcting a clerical error or other error manifestly the result of an oversight, without previously obtaining,—

- (a) in the case of any Court subordinate to the Political Agent, the permission of the Political Agent;
- (b) in the case of the Court of a Political Agent, the permission of the Judicial Commissioner.

## CHAPTER IV.

## REFERENCE TO ARBITRATION.

*Making and Contents of References.*

74. Any Court may, with the consent of the parties, by order, refer any dispute before it to arbitration.

75. In referring any such dispute to arbitration, the Court making the reference shall specify, in the order of reference, the precise matter submitted to the arbitrators or arbitrator, and such period as it may think reasonable for the delivery of the award, and the Court may from time to time extend such period.

*References to several Arbitrators.*

76. The parties to the case may each nominate either one or two arbitrators: Provided that each party shall nominate the same number;

and a third or fifth arbitrator (as the case may be) shall be appointed by the Court making the reference.



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### **B,—British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.***

The Baluchistan Agency Civil Justice Law, 1896—*contd.*

77. Every Court making a reference under this Chapter may, on good cause shown, excuse any person from serving as an arbitrator, and may call on the party who nominated such person to nominate another in the place of the person so excused.

**Power to excuse arbitrator from serving and to call for nomination of substitute.**

78. If an arbitrator dies, desires to be discharged or refuses or becomes incapable to act, the party who nominated him shall nominate another person in his place.

**Nomination of new arbitrator in place of one dying or failing to act.**

79. If in any of the cases provided for by section 77 or section 78 any party fails for a week to nominate in manner aforesaid, the Court making the reference shall appoint some person to act as arbitrator.

**Nomination by Court on default of parties.**

80. The arbitrators shall determine and award concerning the matter referred to them for arbitration.

**Award.**

81. If the arbitrators require the presence of the parties, or any other persons whose evidence may be necessary, they may apply to the Court making the reference, and the Court shall summon such parties or persons;

**Summoning parties to give evidence.**

and all such parties or persons shall be bound to attend, either in person or by agent, as the arbitrators may require, and to state the truth and to produce such documents and other things as may be required before the arbitrators.

82. The award shall be made in writing under the hands of the arbitrators and shall be submitted by them to the Court making the reference; and the Court shall cause notice to be served on the parties to attend and hear the award.

**Preparation and submission of award.**

83. The Court making the reference may remit the award or any matter referred to arbitration to the re-consideration of the same arbitrators—

**Remission of award to arbitrators.**

- (a) if the award has left undetermined any matter referred to arbitration, or if it has determined a matter not referred to arbitration;
- (b) if the award is so indefinite as to be incapable of execution; or
- (c) if an objection to the legality of the award is apparent upon the face of the award.

84. (1) No award shall be liable to be set aside except on the ground of corruption or misconduct of all or any of the arbitrators.

**Ground for setting aside award.**

(2) Any application to set aside an award shall be made within ten days after the day appointed for hearing the award.

85. If the Court making the reference sees no cause for remitting or further remitting the award or any matter referred to arbitration for re-consideration in the manner aforesaid,

**Decision according to award.**

and if no application has been made to set aside the award, or if the Court has refused such application,

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.—British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

The Baluchistan Agency Civil Justice Law. 1896-*contd.*

the Court shall decide in accordance with the award of the majority of the arbitrators,

and shall fix the amount to be allowed for the expenses of the arbitration, and direct by and to whom, and in what manner, the same shall be paid.

86. Such decision shall not be open to appeal and shall be at once carried out;

and no Court shall entertain any suit for the purpose of setting it aside or against the arbitrators on account of their award.

#### *References to a single Arbitrator.*

87. If the parties desire that the matter in dispute be referred to one arbitrator

Reference to single arbitrator. instead of to three or five arbitrators under section 76, the matter may be so referred, and the provisions of sections 77 to 86, both inclusive, shall then apply, so far as they can be made applicable, to the single arbitrator and to the proceedings before him and his award.

## CHAPTER V.

### SUPPLEMENTAL PROVISIONS.

88. (2) Cases pending at the commencement of this Law shall be disposed of by such of the Courts under this Law as the Judicial Commissioner may direct, and shall be dealt with as nearly as may be in accordance with the provisions of this Law.

(2) But if in any such case it appears to the Court that the application of any provision in this Law would deprive any party of any right which, but for this Law, would have belonged to him, the Court may proceed as if this Law were not in force.

89. (1) When in any suit it is necessary for a Court under this Law to decide any question regarding succession, inheritance, pre-emption, marriage or caste, or any religious usage or institution—

the Muhammadan law in cases where the parties are Muhammadans, and the Hindu law in cases where the parties are Hindus,

shall form the rule of decision, except in so far as that law has been altered or abolished by any enactment, or is opposed to any custom having the force of law in the said territories.

(2) In cases not provided for by sub-section (1) or by any other law for the time being in force, the Court shall act according to justice, equity and good conscience.

90. (1) The Judicial Commissioner may make rules consistent with this Law for regulating the practice and proceedings of his own Court and the Courts subordinate thereto.

(2) With the previous sanction of the Agent to the Governor General, rules may be made under sub-section (1) for the regulation of the following among other matters, namely:—

(a) the fees to be paid for processes;

## CHAPTER II,—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.—British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*contd.*

#### The Baluchistan Agency Civil Justice Law, 1896-*contd.*

- (b) the fees to be paid for copies and inspection of records;
- (c) the travelling<sup>1</sup> and other expenses of witnesses;
- (d) the qualifications to be possessed by, and the conditions to be imposed on, legal practitioners applying to the Agent to the Governor General for authority to plead and act for parties under this Law, and the fees, if any, to be paid for the concession of such authority;
- (e) the licensing of petition-writers and regulation of their conduct; and
- (f) generally for the purpose of carrying into effect the provisions of this Law in matters not expressly provided for by this section.

(3) Whoever breaks any rule under clause (e) of sub-section (2) may, subject to the provisions of any rule under that clause, be suspended or removed from practice or be punished with fine which may extend to fifty rupees.

91. The procedure to be observed by any Court under this Law in suits shall be followed, so far as it can be made applicable, in all proceedings in that Court other than suits.

#### Miscellaneous proceedings.

92. Notwithstanding anything in this Law, a decree or order shall not be reversed or altered on appeal or revision on account of any irregularity of procedure unless the irregularity has occasioned, or is likely to occasion, a failure of justice.

93. (i) Subject to the other provisions of this Law, the Agent to the Governor General may, by order in writing, invest any Assistant Political Agent, Extra Assistant Commissioner or Native Assistant with all or any of the powers of a Political Agent under this Law and declare that the powers with which he is so invested are to be exercised within any specified local area and with respect to any particular class or particular classes of cases or with respect to cases generally.

(2) The Court of an Assistant Political Agent, Extra Assistant Commissioner or Native Assistant so invested shall, for all purposes connected with the exercise of the said powers, be deemed to be the Court of a Political Agent.

(3) The Judicial Commissioner may, by order in writing, direct how business is to be distributed between the Political Agent and any Assistant Political Agent, Extra Assistant Commissioner or Native Assistant invested as aforesaid.

94. (1) The Agent to the Governor General may confer, within such local limits as he may prescribe in this behalf, upon any Tahsildar, Munsiff, Assistant Political Agent, Extra Assistant Commissioner or Native Assistant, the jurisdiction of a Judge of a Court of Small Causes under the<sup>1</sup> Provincial Small Cause Courts Act, 1887, as applied to the said territories, for the trial of suits cognizable by such Courts up to such value not exceeding one hundred rupees in the case of a Tahsildar or Munsiff, or five hundred rupees in the case of an Assistant Political Agent, Extra Assistant Commissioner or Native Assistant, as the said Agent thinks fit, and may withdraw any jurisdiction so conferred.

(2) The Judicial Commissioner may make rules for regulating the distribution of business between any Tahsildar or Munsiff and any Assistant Political Agent,

<sup>1</sup> Printed, General Acts, Vol. V, Ed. 1898, p. 124. It was applied by the Baluchistan Agency Laws Law, 1890, printed, *supra*, p. 338.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B,—British-Baluchistan Agency Territories Enactments—1.-(b) Special Local Laws—*conoid*****The Baluchistan Agency Civil Justice Law, 1896—*conciJ*.**

Extra Assistant Commissioner or Native Assistant upon whom jurisdiction may be conferred within the same local limits under sub-section (1).

XIV of 1882.

95. Where the <sup>1</sup> Code of Civil Procedure or any part thereof is referred to in

XV of 1877.

Limitation for appeals and applica- the second or third division of the second schedule  
tiona under this Law. to the <sup>8</sup> Indian Limitation Act, 1877, as applied to  
the said territories, the reference shall be construed as applying to this Law or the  
corresponding part thereof, if any.

[See *Gazette of India*, 1896, Pt. I, p. 897.]

<sup>1</sup> Printed, General Acts, Vol. IV, Ed. 1898, p. 262.

<sup>9</sup> Printed, General Acts, Vol. III, Ed. 1898, p. 76. It was applied by the Baluchistan **Agency Lawi Jjaw**, 1890, printed, *supra*, p. 238.

## CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments.

## 8.-(a) LOCAL RULES AND ORDERS UNDER BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED.

| Act.                                               | Section.    | Subject of Notification.                                                                                                                                             | Reference.                                                                                                                                                                                                    |
|----------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) Acts of the Governor General in Council.       |             |                                                                                                                                                                      |                                                                                                                                                                                                               |
| Police Act, 1861 (Act V of 1861).                  | 34          | Extends section 34 of the Act to the Civil town of Quetta.                                                                                                           | No. 3835, dated the 4th July, 1892.<br>[Printed, <i>infra</i> , p. 317.]                                                                                                                                      |
| Ditto . . .                                        | "           | Extends section 34 to certain other towns.                                                                                                                           | No. 8046, dated the 12th December, 1895.<br>[Printed, <i>infra</i> , p. 317.]                                                                                                                                 |
| Parsi Marriage and Divorce Act, 1865 (XV of 1865). | 7           | Appointing a Registrar of Marriages for the Quetta District.                                                                                                         | No. 4171, dated the 15th June, 1898.<br>[Printed, <i>infra</i> , p. 317.]                                                                                                                                     |
| Ditto . . .                                        | "           | Appointing Registrar of Marriages for the Quetta District.                                                                                                           | No. 300-J, dated the 18th May, 1898.<br>[See Gazette of India, Pt. II, p. 548.]                                                                                                                               |
| Public Gambling Act, 1867 (III of 1867).           | 2           | Extending the whole Act to certain areas in the Quetta, Zhob and Bolan Pass Districts.                                                                               | No. 7364, dated the 23rd November, 1894.<br>[Printed, <i>infra</i> , p. 317.]                                                                                                                                 |
| Ditto . . .                                        | "           | Extending the whole Act to the Railway Stations and Bazars of Mushkaf and Panir.                                                                                     | No. 3262, dated the 11th May, 1898.<br>[Printed, <i>infra</i> , p. 318.]                                                                                                                                      |
| Court-fees Act, 1870 (VII of 1870).                | 27 & 34     | Rules for the supply and sale of Court-fee stamps and the duties and remuneration of persons engaged therein.                                                        | No. 408, dated the 16th January, 1899.<br>[Printed, <i>infra</i> , p. 318.]                                                                                                                                   |
| Indian Christian Marriage Act, 1872 (XV of 1872).  | 7           | Appointing certain officials to be Marriage Registrars for the Agency Territories.                                                                                   | No. 4133, dated the 29th August, 1892.<br>[Printed, <i>infra</i> , p. 322.]                                                                                                                                   |
| Ditto . . .                                        | 6, 8 & 9    | Delegating to the Agent to the Governor General the powers and functions given to the Governor General in Council under sections 6, 8 and 9 of the Act.              | No. 3746-I. B., dated the 1st October, 1897.<br>[Printed, <i>infra</i> , p. 322.]                                                                                                                             |
| Ditto . . .                                        | 62, 82 & 83 | Prescribing a scale of fees, making rules for their disposal, the keeping of register books and the deposit of extracts therefrom.                                   | No. 4135, dated the 29th August, 1892.<br>[Printed, <i>infra</i> , p. 323.]                                                                                                                                   |
| Indian Registration Act, 1877 (III of 1877).       | 4 to 7 & 9  | Conferring powers as an Inspector General of Registration, forming districts and sub-districts, appointing Registrars and Sub-Registrars and denoting their offices. | No. 2004, dated the 4th April, 1892, as amended by No. 5662, dated the 21st October, 1898, 88-C., dated the 19th January, 1895, and No. 2563, dated the 4th April, 1899.<br>[Printed, <i>infra</i> , p. 324.] |
| Ditto . . .                                        | 14          | Fixing the fees that may be received by Sub-Registrars appointed under the Act.                                                                                      | No. 2008, dated the 4th April, 1892.<br>[Printed, <i>infra</i> , p. 325.]                                                                                                                                     |
| Ditto . . .                                        | 69          | Applying with certain modifications the rules made for the Panjab.                                                                                                   | No. 727, dated the 20th April, 1892.<br>[Printed, <i>infra</i> , p. 326.]                                                                                                                                     |

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

*B.—British-Baluchistan Agency Territories Enactments.***2.—(a) LOCAL RULES AND ORDERS UNDER BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—contd.**

| Act.                                                      | Section.    | Subject of Notification.                                                                                                                                                                                                    | Reference.                                                                                                                      |
|-----------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| <i>(1) Acts of the Governor General in Council—contd.</i> |             |                                                                                                                                                                                                                             |                                                                                                                                 |
| Indian Registration Act, 1877 (III of 1877).              | 78 & 79     | Prescribing a table of fees for the Agency Territories.                                                                                                                                                                     | No. 2006, dated the 4th April, 1892.<br>[Printed, <i>infra</i> , p. 326.]                                                       |
| Opium Act, 1878 (I of 1878).                              | 5 & 13      | Rules for the manufacture, possession, sale, transport, import and export of opium.                                                                                                                                         | No. 378-C., dated the 22nd January, 1898.<br>[Printed, <i>infra</i> , p. 328.]                                                  |
| Indian Arms Act, 1878 (XI of 1878).                       | 17          | Rules for the possession, sale, transport, import and export of arms and ammunition.                                                                                                                                        | No. 1457-E., dated the 27th July, 1895.<br>[Printed, <i>infra</i> , p. 333.]                                                    |
| Vaccination Act, 1880 (XIII of 1880).                     | 20          | Rules for the regulation of vaccine operations within the limits of the Cantonment of Quetta.                                                                                                                               | No. 4471, dated the 17th July, 1897, as amended by No. 879, dated the 28th February, 1896.<br>[Printed, <i>infra</i> , p. 355.] |
| Indian Companies Act, 1882 (VI of 1882).                  | 320         | Appointing a Registrar of Joint Stock Companies.                                                                                                                                                                            | No. 3780, dated the 11th June, 1895.<br>[Printed, <i>infra</i> , p. 363.]                                                       |
| Ditto . . .                                               | ..          | Rules as to the duties to be performed by the Registrar of Joint Stock Companies.                                                                                                                                           | No. 3774, dated the 11th June, 1895.<br>[Printed, <i>infra</i> , p. 363.]                                                       |
| Sind-Pishin Railway Act, 1887 (XI of 1887).               | 3 (2) & (3) | Extending the Railways Act, 1890 (IX of 1890), to the Railway within these territories.                                                                                                                                     | No. 910-E., dated the 2nd May, 1890.<br>[Printed, <i>infra</i> , p. 371.]                                                       |
| Ditto . . .                                               | 5           | Declaration as to extent of Government responsibility for injury and damage to animals or goods on the part of the Sind-Pishin Section of the North Western Railway between the frontier of Sind and Sibi Junction Station. | No. 911-E., dated the 2nd May, 1890.<br>[Printed, <i>infra</i> , p. 372.]                                                       |
| Panjab Land Revenue Act, 1887 (XVII of 1887).             | 6           | Appointment of 1st and 2nd grade Collectors under the Act.                                                                                                                                                                  | No. 3568, dated the 5th June, 1895.<br>[Printed, <i>infra</i> , p. 372.]                                                        |
| Ditto . . .                                               | 10          | Declaring that certain Revenue officers shall discharge certain functions.                                                                                                                                                  | No. 2286, dated the 24th April, 1897.<br>[Printed, <i>infra</i> , p. 373.]                                                      |
| Wild Birds Protection Act, 1887 (XX of 1887).             | 3 (1) & (2) | Rules defining wild birds, and for the prevention of the sale of such birds in Cantonments and Municipalities during the breeding season.                                                                                   | No. 4859, dated the 13th August, 1892, as amended by No. 1507, dated the 12th March, 1895.<br>[Printed, <i>infra</i> , p. 374.] |
| Cantonments Act, 1889 (XIII of 1889).                     | 4           | Declaring the Cantonment of Loralai to be a Cantonment for the purposes of the Act and of all other laws for the time being in force in the Agency Territories.                                                             | No. 6889, dated the 3rd October, 1896.<br>[Printed, <i>infra</i> , p. 376.]                                                     |

<sup>1</sup> For order issued under Act II of 1889 as to officers who shall have charge of certified measures under the Act, see *Gazette of India*, 1890, Pt. II, p. 79. The Act has not however been applied to these territories and the Notification if in force is in force as a Special Local Law.

## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

*B.—British-Baluchistan Agency Territories Enactments.***2.-(a) LOCAL RULES AND ORDERS UNDER BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—contd.**

| Act.                                                      | Section. | Subject of Notification.                                                                                                                                                                                                                                                                | Reference.                                                                                                                     |
|-----------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <i>(1) Acts of the Governor General in Council—contd.</i> |          |                                                                                                                                                                                                                                                                                         |                                                                                                                                |
| Cantonments Act, 1889<br>(XIII of 1889).                  | 4 (2)    | Declaring the limits of the Cantonment of Loralai.                                                                                                                                                                                                                                      | No. 1540-E., dated the 24th July, 1890.<br>[Printed, <i>infra</i> , p. 375.]                                                   |
| Ditto . . .                                               | "        | Declaring the boundaries of the Military Station of Fort Sandeman.                                                                                                                                                                                                                      | No. 5325, dated the 27th August, 1892.<br>[Printed, <i>infra</i> , p. 376.]                                                    |
| Ditto . . .                                               | "        | Revising and declaring the boundaries on the east of the Quetta Cantonment.                                                                                                                                                                                                             | No. 3653, dated the 12th July, 1893.<br>[Printed, <i>infra</i> , p. 377.]                                                      |
| Ditto . . .                                               | 26       | Continuing in force the rules and regulations extended to the Cantonment of Quetta by Foreign Department No. 1255-E., dated the 21st May, 1884, as explained by No. 156-E., dated the 7th February, 1885.                                                                               | No. 818-E., dated the 19th April, 1890.<br>[Printed, <i>infra</i> , p. 378.]                                                   |
| Ditto . . .                                               | "        | Imposition of a Dog Tax in the Quetta Cantonment.                                                                                                                                                                                                                                       | <sup>1</sup> No. 2803-I., dated the 9th July, 1889.<br>[See Gazette of India, 1889, Pt. I, p. 387.]                            |
| Ditto . . .                                               | "        | Rules for the recovery of the above tax .                                                                                                                                                                                                                                               | <sup>1</sup> No. 2804-I., dated the 9th July, 1889.<br>[See Gazette of India, 1889, Pt. I, p. 398.]                            |
| Ditto . . .                                               | "        | Extending to the Cantonment of Quetta the rules and regulations framed under Act XXII of 1864.                                                                                                                                                                                          | <sup>1</sup> No. 1255-E., dated the 21st May, 1884.<br>[Printed, <i>infra</i> , p. 378.]                                       |
| Ditto . . .                                               | 27       | Applying to the Cantonments of Quetta and Loralai the rules made under the Act for all Cantonments in British India by Notifications <sup>1</sup> No. 1148 and No. 229-J., dated, respectively, the 15th October, 1897, and 3rd March, 1899, for the prevention of contagious diseases. | No. 1291-I. A., dated the 13th May, 1898, and No. 1098-I. A., dated the 28th April, 1899.<br>[Printed, <i>infra</i> , p. 379.] |
| Indian Railways Act, 1890 (IX of 1890).                   | 16 & 148 | Sanctioning the use of motive power and rolling stock on the Sind-Pishin Section of the North Western Railway within the Agency Territories.                                                                                                                                            | No. 1662-I., dated the 12th May, 1893.<br>[Printed, <i>infra</i> , p. 379.]                                                    |
| Ditto . . .                                               | 47       | Applying the General Rules for working open lines of Railway in force in British India to that portion of the North Western Railway which lies within the Agency Territories.                                                                                                           | No. 3143-I. B., dated the 9th October, 1896.<br>[Printed, <i>infra</i> , p. 381.]                                              |
| Ditto . . .                                               | 83       | Police Stations and Officers to which and to whom reports of accidents on the Sind-Pishin Section of the North Western Railway shall be made.                                                                                                                                           | Nos. 1683 and 1884, dated the 7th April, 1897.<br>[Printed, <i>infra</i> , p. 382.]                                            |
| Ditto . . .                                               | 84 & 85  | Applying to the North Western Railway in the Agency territories the rules in force in British India under the sections.                                                                                                                                                                 | No. 3143-I. B., dated the 9th October, 1896.<br>[Printed, <i>infra</i> , p. 381.]                                              |
| Ditto . . .                                               | 135      | Applying the provisions of notifications declaring Railway Administrations in British India to be liable to pay certain taxes in aid of funds of local authorities.                                                                                                                     | Ditto.                                                                                                                         |
| Ditto . . .                                               | 144      | Delegating certain powers and functions to the Agent to the Governor General.                                                                                                                                                                                                           | No. 1662-I., dated the 12th May, 1893.<br>[Printed, <i>infra</i> , p. 379.]                                                    |

<sup>1</sup> These notifications issued under Act III of 1880. They are kept in force by s. 2 (9) of Act XIII of 1889.<sup>2</sup> See Gazette of India, 1897 and 1899, Pt. I, pp. 474 and 34, respectively.

CHAPTBB II.—THE BALUCHISTAN AGENCY TERRITORIES -*contd.**B.—British-Baluchistan Agency Territories Enactments.*2.-(a) LOCAL RULES AND ORDERS UNDER BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—*contd.*

| Act.                                                      | Section.   | Subject of Notification.                                                                                                                                                                                                        | Reference.                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) <i>Acts of the Governor General in Council—contd.</i> |            |                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <sup>1</sup> Land Acquisition Act, 1894 (I of 1894).      | 6          | Acquisition of land in the village of Spanguli in the Quetta and Pishin Districts for defence works.                                                                                                                            | No. 5475, dated the 9th September, 1892.<br>[Printed, <i>infra</i> , p. 231.]                                                                                                                                                                                                                                                                                                                                         |
| Ditto . . .                                               | ...        | Acquisition of a stream of water for the water-supply of Fort Sandeman.                                                                                                                                                         | No. 7204, dated the 8th November, 1897.<br>[See Gazette of India, 1894, Pt. II, p. 1294.]                                                                                                                                                                                                                                                                                                                             |
| Excise Act, 1896 (XII of 1896).                           | 8, 10 & 55 | Rules for the working and licensing of breweries.                                                                                                                                                                               | <sup>2</sup> No. 4775, dated the 22nd July, 1892.<br>[Printed, <i>infra</i> , p. 366.]                                                                                                                                                                                                                                                                                                                                |
| Ditto . . .                                               | 56         | Exempting contracts for the supply of malt liquors to troops which were executed on or before 28th March, 1890, from the duty prescribed.                                                                                       | <sup>2</sup> No. 4774, dated the 22nd July, 1891.<br>[Printed, <i>infra</i> , p. 366.]                                                                                                                                                                                                                                                                                                                                |
| Epidemic Diseases Act, 1897 (III of 1897).                | 2 (3)      | Delegating to the Local Government the powers conferred by section 2 (2) (b) and section 2 (1).                                                                                                                                 | No. 444-I. A., dated the 4th February, 1897, and No. 809-I., dated the 1st March, 1897.<br>[Printed, <i>infra</i> , pp. 447 and 384, respectively.]                                                                                                                                                                                                                                                                   |
| Code of Criminal Procedure, 1898 (Act V of 1898).         | 8          | Dividing the Baluchistan Agency territories into districts and sub-divisions.                                                                                                                                                   | <sup>3</sup> No. 86-C., dated the 19th January, 1895.<br>[Printed, <i>infra</i> , p. 384.]                                                                                                                                                                                                                                                                                                                            |
| Ditto . . .                                               | 10         | Declaration as to the Courts which shall exercise jurisdiction within the districts of the Agency and that the Political Agent in each of these districts shall be a Magistrate of the first class and the District Magistrate. | <sup>3</sup> No. 291-C., dated the 19th April, 1890, and No. 697-C., dated the 8th February, 1898.<br>[Printed, <i>infra</i> , p. 335.]                                                                                                                                                                                                                                                                               |
| Ditto . . .                                               | 12         | Appointing Magistrates of the first and second class in certain districts.                                                                                                                                                      | <sup>3</sup> No. 295-C., dated the 19th April, 1890, as amended by No. 696-F. C., dated the 6th October, 1890, by No. 6484, dated the 10th October, 1891, No. 4644, dated the 24th June, 1896, and No. 88-Q., dated the 19th January, 1895.<br><sup>3</sup> No. 607-F. C., dated the 30th July, 1890, as amended by No. 5146, dated the 7th August, 1894.<br>[Printed, <i>infra</i> , pp. 385 and 387, respectively.] |
| Ditto . . .                                               | "          | Appointing Magistrates of the second and third class for certain local areas.                                                                                                                                                   | <sup>3</sup> No. 4362, dated the 23rd July, 1892.<br>[Printed, <i>infra</i> , p. 337.]                                                                                                                                                                                                                                                                                                                                |

<sup>1</sup> Several other notifications of this kind have been issued, but they are not of sufficient importance to be included in this volume. This notification issued under Act X of 1879, it is kept in force by s. 2 (2) of Act I of 1904, which is now in force in these territories.

<sup>2</sup> These notifications issued under Act XXII of 1891 and are kept in force by s. 2 of Act XII of 1896.

<sup>3</sup> These notifications issued under Act X of 1882 and are kept in force by s. 2 (2) of the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied to these territories by Notification No. 1006-E. B., dated the 29th June, 1892, printed, *supra*, p. 224.



## CHAPTER II, - THE BALUCHISTAN AGENCY TEEETITOEIES—contd.

## B.—British-Baluchistan Agency Territories Enactment\*.

## 2.-(a) LOCAL RULES AND OEDBES TODJSB BBITISH-INDIAN ENACTMENTS LOCALLY APPLIED—co\*ti.

| Act.                                               | Section.  | Subject of Notification.                                                                                                                                | Reference.                                                                                                                                                                                                                  |
|----------------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) Acts of the Governor General in Council—contd. |           |                                                                                                                                                         |                                                                                                                                                                                                                             |
| Code of Criminal Procedure, 1898 (Act V of 1898.)  | 12        | Appointing Magistrates of the third class for certain local areas.                                                                                      | <sup>1</sup> No. 5804, dated the 28th October, 1898, and No. 5998, dated the 6th November, 1898.<br>[Printed, <i>infra</i> , p. 388.]                                                                                       |
| Ditto . . .                                        | "         | Appointing the Cantonment Magistrate of Loralai to be a Magistrate of the second class.                                                                 | <sup>1</sup> No. 551-C, dated the 30th January, 1897.<br>[Printed, <i>infra</i> , p. 389.]                                                                                                                                  |
| Ditto . . .                                        | "         | Appointing the Naib Tahsildar of Kohlu to be a Magistrate of the second class.                                                                          | <sup>1</sup> No. 6689, dated the 16th October, 1897.<br>[Printed, <i>infra</i> , p. 389.]                                                                                                                                   |
| Ditto . . .                                        | 13        | Placing certain Magistrates in charge of certain sub-divisions.                                                                                         | <sup>1</sup> No. 1271-Z, dated the 21st September, 1898.<br>[Printed, <i>infra</i> , p. 389.]                                                                                                                               |
| Ditto . . .                                        | 280       | Investing certain officials, being Magistrates of the first class, to try certain offences summarily.                                                   | <sup>1</sup> No. 2273, dated the 29th March, 1899.<br>[Printed, <i>infra</i> , p. 389.]                                                                                                                                     |
| Ditto . . .                                        | 356       | Declaring Urdu to be the language of the Criminal Courts of these territories.                                                                          | <sup>1</sup> No. 85-C, dated the 4th January, 1897.<br>[Printed, <i>infra</i> , p. 390.]                                                                                                                                    |
| Ditto . . .                                        | 357       | Language in which the evidence of witnesses under section 356 may be taken down.                                                                        | <sup>1</sup> No. 89-C, dated the 4th January, 1897.<br>[Printed, <i>infra</i> , p. 390.]                                                                                                                                    |
| Ditto . . .                                        | 407       | Persons appointed to hear appeals from Magistrates of the second and third classes.                                                                     | <sup>1</sup> No. 3619, dated the 11th July, 1890, as amended by No. 5146, dated the 7th August, 1894, No. 4643, dated the 24th June, 1896, and No. 6500, dated the 11th October, 1897.<br>[Printed, <i>infra</i> , p. 390.] |
| Ditto . . .                                        | 553       | Rules regulating the procedure for the grant of copies, or inspection of records in Subordinate Courts in so far as they relate to the payment of fees. | <sup>1</sup> No. 5859, dated the 23rd September, 1892.<br>[Printed, <i>infra</i> , p. 391.]                                                                                                                                 |
| Indian Stamp Act, 1899 (II of 1899).               | 2 (8) (c) | Appointing the Revenue Commissioner in Baluchistan to be the Chief Controlling Revenue Authority.                                                       | <sup>1</sup> No. 9513, dated the 9th December, 1899.<br>[Printed, <i>infra</i> , p. 401.]                                                                                                                                   |
| Ditto . . .                                        | 2 (9) (b) | Appointing the persons for the time being holding the offices of Political Agents to be collectors for the purposes of the Act.                         | <sup>1</sup> No. 9514, dated the 9th December, 1899.<br>[Printed, <i>infra</i> , p. 402.]                                                                                                                                   |
| Ditto . . .                                        | 74        | Rules for the supply and sale of stamps and the duties and remuneration of vendors.                                                                     | <sup>1</sup> No. 408, dated the 16th January, 1899.<br>[Printed, <i>infra</i> , p. 318.]                                                                                                                                    |
| Glanders and Faroy Act, 1899 (XIII of 1899).       | 3         | Applying the provisions of the Act to the sub-division of Quetta.                                                                                       | <sup>1</sup> No. 793-C, dated the 27th August, 1899.<br>[Printed, <i>infra</i> , p. 402.]                                                                                                                                   |

<sup>1</sup> These notifications issued under Act I of 1883 and are kept in force by s. 2 (2) of the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied to these territories by Notification No. 1008-E.B., dated the 29th June, 1898, printed, *infra*, p. 284.

<sup>2</sup> This notification issued under s. 54 of Act I of 1879; it is kept in force by s. 24 of the General Clauses Act, 1897 (X of 1897), which was applied by Notification No. 1898 (m)-E. A., dated the 11th October, 1898, printed, *infra*, p. 324.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.**B.—British-Baluchistan Agency Territories Enactments.*2.-(a) LOCAL RUMS AND ORDERS UNDUE BRITISH-INDIAN ENACTMENTS LOCALLY APPLIED—*concl'd.*

| Act.                                                        | Section. | Subject of Notification.                                                                                                  | Reference.                                                                                                                  |
|-------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| <i>(1) Acts of the Governor General in Council—concl'd.</i> |          |                                                                                                                           |                                                                                                                             |
| Glanders and Farcy Act, 1899 (XIII of 1899).                | 4 (1)    | Appointing Inspectors under the Act and empowering them to exercise the powers conferred by the Act within certain areas. | No. 786-C., dated the 27th August, 1899, and No. 7094, dated the 19th September, 1899.<br>[Printed, <i>infra</i> , p. 402.] |
| Ditto . . .                                                 | 14       | Rules for the inspection and disinfection of infected places and the destruction of diseased animals.                     | No. 8958, dated the 22nd November, 1899.<br>[Printed, <i>infra</i> , p. 403.]                                               |
| <i>(2) Regulation under 33 Vict., c. 3.</i>                 |          |                                                                                                                           |                                                                                                                             |
| Punjab Frontier Crimes Regulation, 1887 (IV of 1887).       | 5 (1)    | Appointing the Assistant Political Agent, Upper Zhob, to be an additional Magistrate.                                     | No. 1113-C., dated the 3rd July, 1897.<br>[Printed, <i>infra</i> , p. 404.]                                                 |

## CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES—contd.

*B.—British-Baluchistan Agency Territories Enactments.*

## 2.-(b) LOCAL RULES AND ORDERS UNDER SPECIAL LOCAL LAWS.

| When made. | Subject of Law.                      | Section.    | Subject of Notification.                                                                                                                                                                                                     | Reference.                                                                                                                         |
|------------|--------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 1899       | Quetta Hackney Carriage Law, 1899.   | 3 and 4     | Rules for the regulation and control of Hackney Carriages in the Quetta District, including the Town and Cantonment.                                                                                                         | No. 7803, dated the 12th October, 1899.<br>[Printed, <i>infra</i> , p. 405.]                                                       |
| 1890       | Baluchistan Agency Laws Law, 1890.   | 3           | Formation of districts and tahsils.                                                                                                                                                                                          | No. 4363, dated the 3rd July, 1892, as amended by No. 88-C., dated the 19th January, 1895.<br>[Printed, <i>infra</i> , p. 410.]    |
| "          | Ditto . . .                          | "           | Altering the limits of the Loralai and Railway District and declaring that in future it shall be called the Sinjawi and Railway District.                                                                                    | No. 85-C., dated the 19th January, 1895.<br>[Printed, <i>infra</i> , p. 411.]                                                      |
| "          | Ditto . . .                          | "           | Declaring that the lands in the territories of the Khan of Khelat occupied by the Mushkaf-Bolan Railway and now administered by the Agent to the Governor General in Baluchistan shall form part of the Bolan Pass District. | No. 5900, dated the 20th August, 1896.<br>[Printed, <i>infra</i> , p. 411.]                                                        |
| "          | Baluchistan Agency Forest Law, 1890. | 3           | Declaring certain lands to be State Forests.                                                                                                                                                                                 | <sup>1</sup> No. 5776, dated the 22nd October, 1890.<br>[Printed, <i>infra</i> , p. 411.]                                          |
| "          | Ditto . . .                          | 9 (4) (iii) | Rules regulating hunting, shooting, fishing, the poisoning of water and the setting of traps or snares in State forests.                                                                                                     | No. 1349-Z., dated the 6th October, 1894, as amended by No. 2790, dated the 30th April, 1895.<br>[Printed, <i>infra</i> , p. 412.] |
| "          | Ditto . . .                          | 11          | Declaring certain trees to be reserved trees.                                                                                                                                                                                | <sup>1</sup> No. 774-F. C., dated the 13th August, 1890.<br>[Printed, <i>infra</i> , p. 412.]                                      |
| "          | Ditto . . .                          | 12          | Rules as to cutting, marking, lopping, girdling and injuring by fire, reserved trees and the sale of firewood in the Agency territories.                                                                                     | No. 2104, dated the 1st April, 1898, as amended by No. 2805, dated the 10th April, 1899.<br>[Printed, <i>infra</i> , p. 414.]      |
| "          | Ditto . . .                          | 34 (1)      | Empowering the Chief Forest-officer to compound certain forest offences.                                                                                                                                                     | <sup>1</sup> No. 775-F. C., dated the 13th August, 1890.<br>[Printed, <i>infra</i> , p. 415.]                                      |

<sup>1</sup> Several other notifications of this kind have been issued from time to time, but they are not of sufficient importance to be included in this volume.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

*B.—British-Baluchistan Agency Territories Enactments.*

## 2.-(b) LOCAL RULES AND ORDERS UNDER SPECIAL LOCAL LAWS—contd.

| When made. | Subject of Law.                             | Section. | Subject of Notification.                                                                                                                             | Reference.                                                                                                                                                                                                                                                  |
|------------|---------------------------------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1896       | Baluchistan Agency Civil Justice Law, 1896. | ...      | Declaring certain areas to be subject to the jurisdiction of the Court of a Political Agent.                                                         | <sup>1</sup> No. 291-C., dated the 19th April, 1890.<br>[Printed, <i>infra</i> , p. 885.]                                                                                                                                                                   |
| "          | Ditto . . .                                 | 3 (3)    | Investing the Cantonment Magistrate of Quetta with the powers of an Assistant Political Agent in respect of the Quetta Cantonment.                   | No. 274-E. A., dated the 12th February, 1897.<br>[Printed, <i>infra</i> , p. 420.]                                                                                                                                                                          |
| "          | Ditto . . .                                 | 4 (1)    | Appointing certain Tahsildars and Naib Tahsildars to be the presiding officers of certain Courts.                                                    | <sup>1</sup> No. 293-C., dated the 19th April, 1890, and No. 605-F. C., dated the 30th July, 1890.<br>[Printed, <i>infra</i> , pp. 416 and 417, respectively.]                                                                                              |
| "          | Ditto . . .                                 | "        | Appointing the presiding officers of the Courts of Tahsildar and Naib Tahsildar of Musakhel.                                                         | <sup>1</sup> No. 4361, dated the 23rd July, 1892.<br>[Printed, <i>infra</i> , p. 418.]                                                                                                                                                                      |
| "          | Ditto . . .                                 | "        | Appointing the Naib Tahsildar of Sinjawi to be the presiding officer of the Court of the Munsif of Sinjawi.                                          | <sup>1</sup> No. 7461, dated the 19th November, 1891.<br>[Printed, <i>infra</i> , p. 418.]                                                                                                                                                                  |
| "          | Ditto . . .                                 | "        | Appointing the Naib Tahsildar of Upper Zhob and the Second Naib Tahsildar, Lower Zhob, to be the presiding officers of the Courts of those officers. | <sup>1</sup> No. 5802, dated the 26th October, 1893.<br>[Printed, <i>infra</i> , p. 418.]                                                                                                                                                                   |
| "          | Ditto . . .                                 | "        | Appointing the presiding officer of the Court of the Munsif of the Bolan Pass.                                                                       | <sup>1</sup> No. 5997, dated the 6th November, 1893.<br>[Printed, <i>infra</i> , p. 419.]                                                                                                                                                                   |
| "          | Ditto . . .                                 | "        | Appointing certain officials to be the presiding officers of certain Courts.                                                                         | No. 273-E. A., dated the 12th February, 1897.<br>[Printed, <i>infra</i> , p. 419.]                                                                                                                                                                          |
| "          | Ditto . . .                                 | 4 and 5  | Constituting the Court of the Munsif of the Bolan Pass.                                                                                              | <sup>1</sup> No. 5996, dated the 6th November, 1893.<br>[Printed, <i>infra</i> , p. 423.]                                                                                                                                                                   |
| "          | Ditto . . .                                 | "        | Constituting certain Courts and fixing the local limits of their jurisdiction.                                                                       | <sup>1</sup> No. 293-C., dated the 19th April, 1890, and No. 604-F. C., dated the 30th July, 1890, as amended by No. 5147, dated the 7th August, 1894, and No. 4642, dated the 24th June, 1896.<br>[Printed, <i>infra</i> , pp. 420 and 421, respectively.] |
| "          | Ditto . . .                                 | "        | Constituting the Courts of certain Tahsildars, Munsifs and Naib Tahsildars.                                                                          | <sup>1</sup> No. 4360, dated the 23rd July, 1892, and No. 7460, dated the 19th November, 1891, and No. 5803, dated the 26th October, 1893.<br>[Printed, <i>infra</i> , pp. 422 and 423.]                                                                    |

<sup>1</sup> These notifications issued under the Baluchistan Agency Civil Justice Law, 1896; they are kept in force by the Civil Justice Law of 1896.

## CHAPTER IX.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchhtan Agency Territories Enactments.

## 2,-(b) LOCAL RULES AND ORDERS UNDER SPECIAL LOCAL LAWS—contd

| When made. | Subject of law.                                | Section.    | Subject of Notification.                                                                                                                                                                                           | Reference.                                                                                                                       |
|------------|------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| 1896       | Baluchistan Agency Civil Justice Law, 1896.    | 44 and 47   | Declaring Urdu to be the language of the Civil Courts within these territories.                                                                                                                                    | No. 87-C, dated the 4th January, 1897.<br>[Printed, <i>infra</i> , p. 424.]                                                      |
| "          | Ditto . . .                                    | 99 (1)      | Investing certain persons with the powers conferred on Political Agents by section 87 (2) for hearing appeals from the decrees and orders of Tahsildars, etc., exercising jurisdiction in original suits.          | No. 2288, dated the 26th April, 1897, as amended by No. 6501, dated the 11th October, 1897.<br>[Printed, <i>infra</i> , p. 424.] |
| "          | Baluchistan Agency Criminal Justice Law, 1896. | 5 (2)       | Authorizing the Cantonment Magistrate at Loralai to try in a summary way all or any of the offences mentioned in section 260 of the Criminal Procedure Code which he is competent to try under section 29 thereof. | No. 623, dated the 4th March, 1897.<br>[Printed, <i>infra</i> , p. 424.]                                                         |
| "          | Quetta Municipal Law, 1896.                    | 1 (2)       | Declaring that the law shall come into force on the 15th October, 1896.                                                                                                                                            | No. 6992, dated the 5th October, 1896.<br>[Printed, <i>infra</i> , p. 425.]                                                      |
| "          | Ditto . . .                                    | 21          | Octroi duty leviable on animals and goods brought into the municipality.                                                                                                                                           | No. 1807, dated the 24th March, 1898.<br>[Printed, <i>infra</i> , p. 425.]                                                       |
| "          | Ditto . . .                                    | 101         | Applying the Vaccination Act, 1880, (XIII of 1880), from 1st January 1897.                                                                                                                                         | No. 9093, dated the 15th December, 1896.<br>[Printed, <i>infra</i> , p. 426.]                                                    |
| "          | Ditto . . .                                    | 102 (i) (a) | Fixing the duration of the term of office of a member of the Quetta Municipal Committee.                                                                                                                           | No. 7335, dated the 17th October, 1896.<br>[Printed, <i>infra</i> , p. 428.]                                                     |
| "          | Ditto . . .                                    | 102 (g)     | Rules for effecting the registration of Births and Deaths in the Quetta Municipality.                                                                                                                              | No. 4719, dated the 8th July, 1898.<br>[Printed <i>infra</i> , p. 429.]                                                          |
| "          | Ditto . . .                                    | 102 (f) (i) | Rules for the destruction of useless records.                                                                                                                                                                      | No. 9143, dated the 27th November, 1899.<br>[Printed, <i>infra</i> , p. 429.]                                                    |

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

B.—BRITISH-BALUCHISTAN AGENCY  
TERRITORIES ENACTMENTS.2,-(a) Local Rules and Orders under Acts of the Governor  
General in Council locally applied.

Extension of section 34 of the Police Act, 1861.

No. 3835, dated the 4th July, 1892.—The Agent to the Governor General in Baluchistan is pleased to extend the provisions of section 34 of the Police Act, 1861 (V of 1861), so far as applicable to the Civil town of Quetta.

[See *Gazette of India*, 1892, Pt. I I, p. 467.]

No. 8046, dated the 12th December, 1895.—The Agent to the Governor General in Baluchistan is pleased to specially extend the provisions, so far as they\* may be suitable, of section 34 of the Police Act, 1861, so far as applicable, to the undermentioned towns :—

Fort Sandeman, Loralai, New Chaman.

[See *Gazette of India*, 1895, Pt. I I, p. 1513.]

Appointing Marriage Registrars under the Parsi Marriage and Divorce Act, 1865.

No. 4171, dated the 15th June, 1898.—In exercise of the powers conferred by section 7 of Act XV of 1865 (The Parsi Marriage and Divorce Act) as applied to the Agency Territories by Government of India in the Foreign Department Notification<sup>1</sup> No. 572-E. A., dated the 23rd March, 1898, the Agent to the Governor General is pleased to appoint the person holding the office of the Political Agent of Quetta for the time being, to be Registrar of Marriages under the aforesaid Act for the Quetta District.

[See *Gazette of India*, 1898, Pt. I I, p. 692.]

Extension of the Gambling Act, 1867, to certain local areas.

No. 7364, dated the 23rd November, 1894.—In exercise of the power conferred by section 2 of Act I I I of 1867 (The Gambling Act) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to extend the whole of the provisions of the said Act. to the following local areas in the districts of Quetta, Zhob, and the Bolan Pass :—

Quetta District.

- (1) The civil and military stations and the native town of Quetta ;
- (2) The Kansai and Siriab villages ;
- (8) The railway stations and bazars (if any) at—
  - (a) Baleli, and
  - (b) Kuchlak.

<sup>1</sup> Cf also Notification No. 300-J., dated the 18th May, 1898, see *Gazette of India*, 1898, Pt. I I, p. 543, under which the Judicial Commissioner makes the same appointment.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*

#### Extension of the Gambling Act, 1867, to certain local areas—*contd.*

##### *Zhob District.*

(4) The civil and military stations and native towns at—

(a) Port Sandeman, and

(b) Loralai.

##### *The Bolan Pass District.*

(5) The bazars at Dasht, Pirpunja, New Mach, Bibinani, Kirta, and Rindli, and

(6) The railway stations and bazars at Kolepur, Dozan, Hirok, Mach, Ab-i-gum, Chiderzai, Pishi, and Nari bank.

[See *Gazette of India*, 1894, Pt. II, p. 1154.]

No. 3262, dated the 11th May, 1898.—In exercise of the powers conferred by section 2 of Act III of 1867 (The Gambling Act) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and with reference to this office Notification No. 7864, dated the 23rd November, 1894, the Agent to the Governor General is pleased to extend the whole of the provisions of the said Act to the following local areas in the Bolan Pass District :—

The railway stations and bazars at—

(a) Mushkaf, and

(b) Panir.

[See *Gazette of India*, 1898, Pt. II, p. 586.]

Rules<sup>1</sup> for the supply and sale of Court-fee Stamps and the duties and remuneration of persons engaged thereon.

No. 408, dated the 16th January, 1899.—In exercise of the powers conferred by sections 27 and 34 of the Court-fees Act, 1870 (VII of 1870), as applied to the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent, the said Agent is pleased to make the following rules for regulating in the territories aforesaid the supply and sale of court-fee stamps and stamped papers, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons :—

I. For the purposes of these rules, court-fee stamps are divided into two classes, namely :—

- (1) Impressed court-fee stamps ;
- (2) Adhesive court-fee stamps.

II. All Government Treasurers and their agents and subordinates entrusted with the custody and sale of stamps on behalf of Government in the Quetta treasury and in all sub-treasuries, and such other persons as the Revenue Commissioner, may appoint, shall be *ex-officio* vendors, and shall sell to licensed vendors and to the public, on application, all kinds of stamps mentioned in Rule I.

<sup>1</sup> These rules came into force in the Agency territories on the 1st April, 1899, see Notification No. 2844, dated the 30th March, 1899, *Gazette of India*, 1899, Pt 11, P. 370.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B,—British-Baluchistan Agency Territories Enactments—2.—(a) Local Rules and Orders under Acts—contd.**

Rules for the supply and sale of Court-fee Stamps and the duties and remuneration of persons engaged thereon—*contd.*

III. Such persons as may be licensed by the Political Agent of the district shall be licensed vendors. They shall sell only such stamps as may be indicated in their licenses, and they may be licensed to sell any or all of the kinds of stamps mentioned in Rule I.

IV. *Ex-officio* vendors may also be licensed, at the discretion of the Political Agent; provided that no officer charged with the duty of affixing or cancelling judicial stamps shall be licensed to sell court-fee stamps.

V. The license shall be in the following form, and shall be revocable at any time by the authority which granted it:—

## FORM OF LICENSE.

License is hereby granted to (*name*), *father's name*, and *residence of licensee*) to sell at (*place of vend*) stamps of the description mentioned in the margin for a period of (*here state duration of license*) commencing from (*date*) subject to the rules made on that behalf, under the Court-fees Act, 1870, as applied to the Agency territories, and subject to the following conditions (*here state conditions, if any*). The infringement of any of these rules will render the holder liable to the penalty prescribed in section 84 of <sup>1</sup>Act VII of 1870, as applied to the said territories, namely, imprisonment for a term which may extend to six months, or fine not exceeding five hundred rupees, or both.

(*Signature of Political Agent.*)

VI. Every licensed vendor who purchases stamps of the kinds authorized by his license from an *ex-officio* vendor by payment of ready money shall receive the same at the following rates of discount:—

| Description of stamps.        | Rate of discount. |
|-------------------------------|-------------------|
| Classes (1) and (2) . . . . . | 1½ per cent.      |

Provided that no discount shall be allowed under this rule on the sale of stamps to persons not being licensed vendors, nor of kinds not mentioned in Rule I, nor on the sale of any stamp exceeding fifty rupees in value, nor when the total value of the stamps purchased at one time is less than five rupees.

VII. Every licensed vendor shall exhibit conspicuously, at his place of vend, a sign-board bearing his name and the words "Licensed vendor of court-fee stamps." He shall also have at the same place, for reference on application by intending purchasers, a copy of these rules and of the Act of the Legislature relating to the stamps sold by him.

VIII. Every vendor shall endorse, on each stamp of class (1) which he sells, the following particulars:—

- (a) a serial number, there being a separate series for each calendar year;
- (b) date of sale;
- (c) name, father's name, and residence of purchaser;
- (d) value of stamp in full, in words;
- (e) his ordinary signature.

<sup>1</sup> By the Agency Laws Law, 1890, printed, *supra*, p. 238.



CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*

Rule for the supply and sale of Court-fee Stamps and the duties and remuneration of persons engaged ~~thereon—contd.~~

He shall at the same time make a corresponding entry in a register to be kept in the following form; provided that when an *ex-officio* vendor sells stamps of class (1) to a licensed vendor, no such endorsement or entry shall be made :—

## FORM OF REGISTER.

(Name of vendor, district, and place of vend to be written on the top of the page.)

| Date of sale. | Serial No. | Value of stamps in full in words. | Description of stamp. | Name, father's name, and residence of purchaser. | Purpose for which required. |
|---------------|------------|-----------------------------------|-----------------------|--------------------------------------------------|-----------------------------|
|               |            |                                   |                       |                                                  |                             |

IX. Every vendor shall enface on each stamp of class (2) which he sells, the\* following particulars :—

- (a) name of purchaser;
- (b) date of sale;
- (c) his ordinary signature;

provided that when an *ex-officio* vendor sells stamps of class (2) to a licensed vendor no such enfacement shall be made.

X. No vendor shall knowingly make—

- (a) a false endorsement on any stamp sold under Rule VIII; or
- (J) a false enfacement on any stamp sold under Rule IX; or
- (c) a false entry in the register prescribed in Rule VIII.

XI. In addition to the register mentioned in Rule VIII, every *ex-officio* vendor shall keep such registers and accounts as may be prescribed from time to time by the Revenue Commissioner.

XII. Every vendor shall allow the Political Agent of the district, or other officer duly authorized by him, at any time to inspect the registers and accounts which he is required to maintain by Rules VIII and XI, and to examine the store of stamps in his possession.

XIII. Every vendor shall at any time, on the demand of the Political Agent, deliver up all stamps, or any class of stamps, remaining in his possession. When stamps are returned into the Political Agent's store on (1) resignation of license, (2) revocation of license for any fault of the licensee, (3) death of the vendor, (4) application of the vendor for leave to restore any stamps, the stamps should be taken back at their full value less a deduction of one anna in the rupee; but when they are returned on (5) expiration of license, (6) recall of stamps by Government, (7) revocation of license for any other cause than that mentioned in (2), they should be taken back at their full value less only any discount allowed on their sale to the licensed vendor.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.***

Rules for the supply and sale of Court-fee Stamps and the duties and remuneration of persons engaged thereon—*contd.*

**XIV.** Every licensed vendor shall, without delay, deliver any stamp which he has in his possession for sale, on demand by any person tendering the value thereof in any currency which would be accepted on behalf of Government at the Government Treasury, and he shall not demand or accept therefor any consideration ~~exceeding~~<sup>exceeding</sup> its proper value : provided that no vendor shall sell stamps of any kind the use of which has been ordered by competent authority to be discontinued.

**XV.** (1) Every *ex-officio* or licensed stamp vendor to whom application for an impressed sheet is made shall supply a single sheet of the required value unless no single sheet of the value in question is available.

(£) If no single sheet of the value required is available, the vendor shall supply the smallest number of sheets he can furnish that may be sufficient to make up that value, and shall certify upon each of the sheets supplied and in his vend register that he is unable to furnish a single stamp of the required value, and that the number of sheets supplied is the smallest that he can furnish sufficient to make up that value.

(3) No certificate shall be made under the above rule by a stamp vendor in any case in which the stamp duty required exceeds the highest value of the stamps which such vendor is authorized to sell.

**XVI.** (1) Every *ex-officio* or licensed vendor to whom application for a court-fee stamp is made shall supply a single stamp of the required value, unless no stamp of the value in question is available.

(£) If no single stamp of the value required is available, the vendor shall supply the smallest number of stamps he can furnish to make up that value, and if any or all of the stamps supplied are impressed sheets, shall certify upon each sheet supplied and in his vend register that he is unable to furnish a single stamp of the required value, and that the number of stamps supplied is the smallest that he can furnish sufficient to make up that value.

(3) No certificate shall be made under the above rule by a stamp vendor in any case in which the stamp duty required exceeds the highest value of the stamps which such vendor is authorized to sell.

**XVII.** Any person other than an *ex-officio* or licensed vendor, who sells or offers for sale any stamps of classes (1) and (2), is liable to the penalty prescribed in section 34. of the Court-fees Act, 1870, as applied to the Agency territories, namely, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

[See *Gazette of India*, 1899, Pt. I I , p. 105.]

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Acquisition of land in certain villages.

<sup>1</sup> No. 5475, dated the 9th September, 1392. —Whereas it appears to the Agent to the Governor General and Chief Commissioner in Baluchistan that land is required for a public purpose, namely, for Defence Works, it is hereby declared that

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<sup>1</sup> Several other notifications of this kind have been issued, but they are not of sufficient importance to be included in this volume. This notification is kept in force by a. 2 (2) of Act I of 1804, which is now in force in these territories.

## CHAPTER II,—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2: (a) Local Rules and Orders under Acts—contd.**Acquisition of land in certain villages—contd.

the undermentioned land is required for the said purpose. This declaration is made under the provisions of section 6 of Act X of 1870 :—

*Specification of Land.*

| District.          | Tahsil. | Village. | Area. | Direction. | Place where the plan may be inspected.                             |
|--------------------|---------|----------|-------|------------|--------------------------------------------------------------------|
|                    |         |          | A. R. |            |                                                                    |
| Quetta and Pishin. | Quetta. | Spangul. | 8 3   | ...        | Office of the Executive Engineer, Pishin Division, Military Works. |

[See *Gazette of India*, 1892, Pt. II, p. 605.]

Appointing Marriage Registrars under the Indian Christian Marriage Act, 1872.

No. 4133, dated the 29th August, 1898.—In exercise of the powers conferred by section 7 of the Indian Christian Marriage Act (XV of 1872) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to appoint—

- (1) the person holding the office of Political Agent, Quetta, for the time being, being a Christian, to be the Marriage Registrar for the Quetta District ;
- (2) the person holding the office of Political Agent, Zhob, for the time being, being a Christian, to be the Marriage Registrar for the Zhob District ;
- (3) the person holding the office of Political Agent, Kalat and the Bolan Pass, for the time being, being a Christian, to be the Marriage Registrar for the Bolan Pass District ; and
- (4) the person holding the office of Political Agent, <sup>1</sup>[Sinjawi] and Railway District, for the time being, being a Christian, to be the Marriage Registrar for the <sup>1</sup>[Sinjawi] and Railway District.

[See *Gazette of India*, 1892, Pt. II, p. 570.]

Delegation of functions under sections 6, 8 and 9, Act XV of 1872.

No. 3746-I.B., dated the 1st October, 1897.—In exercise of the power conferred by section 86 of the Indian Christian Marriage Act, 1872 (XV of 1872), the Governor General in Council is pleased to delegate to the Agent to the Governor General in Baluchistan the powers and functions given to the Governor General in Council under sections 6, 8 and 9 of the said Act, as regards the territories administered by him as such Agent, and as regards the territories of His Highness the Khan of Kalat and those of the Jam of Las Beyla.

[See *Gazette of India*, 1897, Pt. I, p. 873.]

<sup>1</sup> The word "Sinjawi" was substituted for "Loralai" by Notification No. 88-C, dated the 19th January, 1895, see *Gazette of India*, 1895, Pt. II, p. 89.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES— *contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*

Scale of fees payable under Act XV of 1872 and Rules for their disposal.

*No. 4135, dated the 29th August, 1892.*—In exercise of the powers conferred by sections 82, 83 and 62 of the Indian Christian Marriage Act (XV of 1872), as amended by Act II of 1891, and as applied as so amended to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to prescribe the following scale of fees to be charged under that Act, and to make the following rules in regard to the disposal of such fees, the keeping of register-books, and the deposit of extracts therefrom :—

*I.—Scale of fees.*

|                                                                                                                                                                                                                                                                                                              | R  | a. | p. |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----|----|
| 1. For receiving each notice of marriage . . . . .                                                                                                                                                                                                                                                           | 1  | 0  | 0  |
| 2. For publishing each notice of marriage . . . . .                                                                                                                                                                                                                                                          | 2  | 0  | 0  |
| 3. For the issuing of each certificate of marriage by a Marriage Registrar . . . . .                                                                                                                                                                                                                         | 5  | 0  | 0  |
| 4. For registering each marriage by a Marriage Registrar . . . . .                                                                                                                                                                                                                                           | 3  | 0  | 0  |
| 5. For entering each protest against, or prohibition of, the issue of a marriage certificate by a Marriage Registrar . . . . .                                                                                                                                                                               | 10 | 0  | 0  |
| 6. For searching register-books or certificates, or duplicates, or copies thereof, when the search extends over a period not exceeding one year, or in the case of a search of the register-books or certificates prescribed under sections 37, 61 and 62, for a period of not more than two years . . . . . | 1  | 0  | 0  |
| 7. For every additional year . . . . .                                                                                                                                                                                                                                                                       | 0  | 4  | 0  |
| 8. For granting copy of any entry in marriage register-books or certificates, or duplicates or copies thereof, under sections 83 and 79 . . . . .                                                                                                                                                            | 1  | 0  | 0  |

*II.—Rules.*

- I.—All fees received under the Act by a Marriage Registrar, being a Government servant, shall be paid into the Government Treasury. Marriage Registrars who are not Government servants are permitted to retain for their own use any fees which they may receive under the first part of this notification.
- II.—The fees chargeable under the first part of this notification shall not be levied when the parties concerned are officers or others in the Military or Naval services of Her Majesty.
- III.—A Marriage Registrar may at his discretion remit any portion not exceeding three-fourths of the above fees in cases where he may consider the party or parties to be unable to pay them.
- IV.—The register-book prescribed in section 62 of the Act shall be kept in the form given in the fourth schedule thereof.
- V.—True extracts from such registers shall be forwarded within one month after the 30th June and the 31st December of each year to the Registrar General to be deposited in his office.

[See *Gazette of India*, 1892, Pt. II, p. 570.]

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.—(a) Local Rules and Orders under Acts—*contd.**Orders under the Indian Registration Act, 1877.*

Forming districts and sub-districts, appointing Registrars and Sub-Registrars and an Inspector-General,

No. 2004, dated the 4th August, 1892.—Under sections 4, 5, 6, 7, and 9 of the Indian Registration Act (III of 1877) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to make the following orders:—

- (1) All the powers and duties conferred and imposed by the Act upon the Inspector-General of Registration shall be exercised and performed in the territories administered by the Agent to the Governor General in Baluchistan as such Agent, by the Revenue Commissioner in Baluchistan.
- (2) The Districts of Quetta, Zhob, the Bolan Pass, and the <sup>1</sup> [Sinjawi] and Railway District, as constituted for the purposes of Revenue Administration, shall also be districts for the purposes of the Registration Act.
- <sup>2</sup> (3) Each of these districts is hereby divided into the sub-districts specified below having respectively the limits stated opposite each:—

| District.                                    | Sub-district.                    | Limits.                                                                            |
|----------------------------------------------|----------------------------------|------------------------------------------------------------------------------------|
| Quetta . . . .                               | Quetta . . . .                   | Quetta sub-division.                                                               |
| Do. . . . .                                  | The Quetta Cantonment .          | The limits of the Cantonment.                                                      |
| Zhob . . . . .                               | Hindubagh . . . .                | The Upper Zhob Tahsil.                                                             |
| Do. . . . .                                  | Fort Sandeman . . .              | The Lower Zhob Tahsil.                                                             |
| Do. . . . .                                  | Bori . . . . .                   | The Bori Tahsil.                                                                   |
| Do. . . . .                                  | Musakhel . . . . .               | The Musakhel Tahsil.                                                               |
| Bolan Pass . . . .                           | Mach . . . . .                   | The Bolan Pass and Rindli.                                                         |
| <sup>1</sup> [Sinjawi] and Railway District. | The Railway . . . .              | The limits of the North Western Railway in Baluchistan, but outside British India. |
| Ditto . . . . .                              | <sup>1</sup> [Sinjawi] . . . . . | Loralai and Sinjawi.                                                               |
| Ditto . . . . .                              | Barkhan . . . . .                | The Barkhan Tahsil.                                                                |
| <sup>2</sup> [Sinjawi and Railway District.  | Kohlu . . . . .                  | The Kohlu Tahsil.]                                                                 |

- (4) The Political Agents for the time being of the districts mentioned in paragraph 2 of this order are hereby appointed to be *ex-officio* Registrars of the districts of which they are respectively in charge.

<sup>1</sup> The word "Sinjawi" in paragraphs 3 and 6 was substituted for the word "Loralai" by Notification No. 88-C, dated the 19th January, 1895, see *Gazette of India*, 1895, Pt. I, p. 89.

<sup>2</sup> The present paragraphs (3) and (6) were substituted for the original paragraphs by Notification No. 5682, dated the 21st October, 1893, see *Gazette of India*, 1893, Pt. II, p. 910.

<sup>3</sup> These additions in paragraphs (4) and (6) were inserted by Notification No. 2563, dated the 4th April, 1899, see *Gazette of India*, 1899, Pt. II, p. 393.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(a) **Local Rules and Orders under Acts—*contd.***

*Orders under the Indian Registration Act, 1877—contd.*

Forming districts and sub-districts, appointing Registrars and Sub-Registrars and an Inspector-General—*contd.*

(5) The offices of the Political Agents are hereby established as the offices of the Registrars.

<sup>1</sup>(6) The public officers mentioned below are appointed Sub-Registrars of the sub-districts mentioned opposite their names, and their offices are hereby established as the Offices of Sub-Registrars:—

| District.                         | Sub-district.         | Sub-Registrar.                             |
|-----------------------------------|-----------------------|--------------------------------------------|
| Quetta . . . .                    | Quetta . . . .        | The Treasury Officer.                      |
| Do. . . . .                       | Quetta Cantonment .   | The Cantonment Magistrate.                 |
| Zhob . . . . .                    | Hindubagh . . . .     | The Tahsildar.                             |
| Do. . . . .                       | Fort Sandeman . . .   | Ditto.                                     |
| Do. . . . .                       | Bori . . . . .        | Ditto.                                     |
| Do. . . . .                       | Musakhel . . . . .    | Ditto.                                     |
| Bolan Pass . . . .                | Mach . . . . .        | The Native Assistant, Bolan Pass.          |
| * [Sinjawi] and Railway District. | Railway . . . . .     | The Tahsildar, Sibi.                       |
|                                   | * [Sinjawi] . . . . . | The Extra Assistant Commissioner, Sinjawi. |
| Ditto . . . . .                   | Barkhan . . . . .     | The Tahsildar.                             |
| * [Sinjawi and Railway District.  | Kohla . . . . .       | The Naib Tahsildar.]                       |

[See *Gazette of India*, 1892, Pt. II, p. 200.]

#### Fees receivable by Registrars.

No. 2008, dated the 4th April, 1892.—Under section 14 of the Indian Registration Act (III of 1877) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General, with the approval of the Governor General in Council, is pleased to direct that in the said territories public officers appointed Sub-Registrars under that Act shall receive by way of remuneration a proportion of the fees collected by them according to the following scale:—

When the fees collected by any one officer in any one month do not exceed Rs 100,—50 per cent, of the fees collected.

<sup>1</sup> The [present](#) paragraphs (3) and (6) were substituted for the original paragraphs by Notification No. 5662, dated the 21st October, 1893, see *Gazette of India*, 1893, Pt. II, p. 910.

<sup>2</sup> The word " Sinjawi " in paragraphs 3 and 6 was substituted for the word " Loralai " by Notification No. 88-C, dated the 19th January, 1895, see *Gazette of India*, 1895, Pt. II, p. 89.

<sup>2</sup> See third footnote on p. 324, *supra*.

CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.—(a) Local Rules and Orders under Acts—*contd.**Orders under the Indian Registration Act, 1877—contd.***Fees receivable by Registrars—*cond.***

When they exceed Rs. 100,—50 per cent, of the first 100 collected and 25 per cent, of the amount collected in excess.

[See *Gazette of India*, 1892, Pt. II, p. 222.]

**Rules under section 69 of the Act.**

No. 727, dated the 20th April, 1892.—Under section 69 of the Indian Registration Act (III of 1877), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Inspector-General of Registration in the said territories, with the approval of the Agent to the Governor General, directs that the rules made under section 69 of the said Act, which were published in the *Punjab Gazette* of the 16th December, 1880, shall, so far as they may be applicable, be deemed to be in force in the said territories, with effect from the 1st April, 1892, and subject to the modifications specified below:—

(1) For Rule 8 the following shall be read:—

"8. With reference to section 19 of the Act it is declared that the languages deemed to be commonly in use in the Agency territories are English, Urdu, and Persian."

(2) In Rule 27, for the words "Chief Court for the Civil Courts in the Province" the words "Agent to the Governor General in Baluchistan" shall be read.

(S) Rule 66 shall be omitted.

(4) In Rule 67, after the word "Urdu" the words "or Persian" shall be read.

[See *Gazette of India*, 1892, Pt. II, p. 271.]

**Table of Fees under section 78 of the Act.**

No. 8006, dated the 4th April, 1893.—Under section 79 of the Indian Registration Act (III of 1877), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the following table of fees, which has been prepared for the said territories by the Agent to the Governor General with the approval of the Governor General in Council, under section 78 of the Act is hereby published:—

OBDINABY FBBS,

|                                                                                                                                                              | <i>R. a. p.</i> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>ARTICLE I.—For the registration of documents:</b>                                                                                                         |                 |
| (1) In Book I., "Register of non-testamentary documents relating to immoveable property—"                                                                    |                 |
| When registration is obligatory under section 17 . . . . .                                                                                                   | 2 8 0           |
| When it is optional under section 18 . . . . .                                                                                                               | 0 8 0           |
| (2) In Book III., "Register of wills and authorities to adopt" . . . . .                                                                                     | 4 0 0           |
| (3) In Book IV., "Miscellaneous Register" . . . . .                                                                                                          | 1 0 0           |
| <i>Provided that no fee shall be leviable for the registration of security bonds furnished by Court Inspectors and Assistant Court Inspectors of Police.</i> |                 |

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.****Orders under the Indian Registration Act, 1877—concl'd.***Table of Fees under section 78 of the Act—concl'd..****OBDINABT FEES—*concl'd.***

|                                                                                                                                                                                                                                                                                                                                                                   | R | a. | p. |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|----|----|
| ARTICLE II.—For searching the registers :                                                                                                                                                                                                                                                                                                                         |   |    |    |
| For the first hour, or part thereof                                                                                                                                                                                                                                                                                                                               | 1 | 0  | 0  |
| For each subsequent hour, or part of an hour                                                                                                                                                                                                                                                                                                                      | 0 | 8  | 0  |
| ARTICLE III.—For making or granting copies of reasons, entries, or documents, before, on or after registration                                                                                                                                                                                                                                                    | 0 | 8  | 0  |
| NOTE (a).—When registration is refused, neither registration nor copying fee is to be levied. Copies of reasons granted before registration are those which, in case of refused registration, are given on application made by any person executing or claiming under the document as provided in section 76 of the Act.                                          |   |    |    |
| NOTE (b).—When application for a copy under section 57 necessitates a search, the fee prescribed by Article II is to be levied in addition to that chargeable under Article III.                                                                                                                                                                                  |   |    |    |
| NOTE (c).—Government officers who may require to search the registers or take copies of entries in the registers for <i>bond fide</i> public purposes will be exempted from payment of the fees under Articles II and III on a certificate being granted by the Registrar of the district that the information is required solely in the interests of Government. |   |    |    |

**EXTBA OE ADDITIONAL FEES.**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |    |   |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|---|---|
| ARTICLE IV.—For discretionary registration by the Registrar of the district under clause (a) of section 30                                                                                                                                                                                                                                                                                                                                                                  | 4  | 0 | 0 |
| NOTE.—The additional fee under this Article is not payable on the registration of wills and authorities to adopt.                                                                                                                                                                                                                                                                                                                                                           |    |   |   |
| Nor is it to be levied in cases where the Sub-Registrar, owing to his being pecuniarily interested in the transaction, or to his being unacquainted with the language in which the deed is written, or for any other sufficient reason, is unable to register himself.                                                                                                                                                                                                      |    |   |   |
| ARTICLE V.—For the issue of commissions, and for attending at private residences :                                                                                                                                                                                                                                                                                                                                                                                          |    |   |   |
| (1) When a satisfactory certificate is produced as to sickness or infirmity, or when the person to be examined is in jail                                                                                                                                                                                                                                                                                                                                                   | 5  | 0 | 0 |
| (2) In all other cases                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 10 | 0 | 0 |
| ARTICLE VI.—For filing translations                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1  | 0 | 0 |
| ARTICLE VII.—For deposit, withdrawal, and opening of sealed wills :                                                                                                                                                                                                                                                                                                                                                                                                         |    |   |   |
| (1) When deposited in sealed cover under section 42                                                                                                                                                                                                                                                                                                                                                                                                                         | 4  | 0 | 0 |
| (2) When withdrawn under section 44                                                                                                                                                                                                                                                                                                                                                                                                                                         | 2  | 0 | 0 |
| (3) When opened under section 45.                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4  | 0 | 0 |
| NOTE.—No fee beyond the copying fee under Article III shall be levied for copying into Book No. 3 wills opened under section 45.                                                                                                                                                                                                                                                                                                                                            |    |   |   |
| ARTICLE VIII.—For the authentication of a power-of-attorney under section 8 3                                                                                                                                                                                                                                                                                                                                                                                               | 1  | 0 | 0 |
| ARTICLE IX.—When application is made under section 36 to issue and serve a summons, process fees, and remuneration of the person summoned, at the rate prescribed for the Civil Courts of the Agency territories, are to be levied from the person at whose instance or in whose behalf the application is made, and forwarded with the application. When, however, the person summoned is the person who has executed the document, remuneration is not to be allowed him. |    |   |   |



CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.—(a) Local Rules and Orders under Acts—*contd.*Rules under the Opium Act, 1878.

No. 378-C, dated the 22nd January, 1898.—*In exercise of the powers conferred by sections 5 and 13 of the Opium Act, 1878 (I of 1878), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and with the previous sanction of the Governor General in Council, the Agent to the Governor General in Baluchistan is pleased to make the following rules in supersession of those published with his Notification No. 1624-A., dated the 19th April, 1890 ;—*

## DEFINITIONS. -

1. In these rules, unless there is anything repugnant in the subject or context,—

- (1) "Revenue Commissioner " means the Revenue Commissioner in Baluchistan :
- (2) "Political Agent " includes an officer authorised by the Political Agent to exercise all or any of the powers or to perform all or any of the duties conferred or imposed on a Political Agent by these rules :
- (3) "licensed contractor" means a person who has obtained a contract from the Political Agent under rule 18 :
- (4) " opium " means the inspissated juice of the poppy :
- (5) " intoxicating drug " means any intoxicating or narcotic preparation of opium or of the poppy, including madak and chandu and every preparation or admixture thereof, but excluding poppy-heads.
- (6) " poppy-heads " means the dry capsules of the poppy plant:
- (7) " tola " means a weight of 180 grains troy:
- (8) "seer" means a weight of 80 tolas : and
- (9) opium or an intoxicating drug, other than a preparation or admixture of opium used for smoking, when sold in any quantity not exceeding three tolas in weight, and poppy-heads, when sold in any quantity not exceeding one seer in weight, shall be deemed to be sold by "retail", and, when sold in any larger quantity, shall be deemed to be sold " wholesale."

## MANUFACTURE.

2. (1) Preparations or admixtures of opium used for smoking may be manufactured by any person for his own domestic use, but not for sale, in a quantity not exceeding one tola in weight, from opium of which he is permitted by these rules to be in possession.

(3) Intoxicating drugs, not being preparations or admixtures of opium used for smoking, may be manufactured—

- (a) on account of the Government;
- (b) by a licensed contractor for sale by retail or wholesale in accordance with these rules and the conditions of his license ;
- (c) by a licensed medical practitioner or druggist for medicinal purposes in a quantity not exceeding sixteen tolas in weight : provided that such

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2,-(a) Local Rules and Orders under Acts—*contd.***Rules under the Opium Act, 1878—*contd.*

manufacture is from opium of which he is permitted by these rules to be in possession;

- (d) by any person for his own domestic use in a quantity not exceeding three tolas in weight: provided that such manufacture is from opium of which he is permitted by these rules to be in possession.

## POSSESSION.

## 8. Any person may possess—

- (a) preparations or admixtures of opium used for smoking to the extent of one tola : provided that such preparations or admixtures have been manufactured by the possessor for private consumption and not for sale under the conditions of ride 2 (1);
- (b) opium or intoxicating drugs, not being preparations or admixtures of opium used for smoking, to the extent of three tolas and poppy-heads to the extent of one seer: provided that the said articles have been bought by retail from a licensed contractor or (for medicinal purposes) from a licensed medical practitioner or druggist, or have been manufactured from opium so bought.

4. (7) The possession of more than one seer of poppy-heads, and three tolas of opium or intoxicating drugs, other than preparations or admixtures of opium used for smoking, by a licensed contractor or by his agent, is permitted.

(2) (a) A medical practitioner or druggist may possess, under a license granted by the Political Agent, poppy-heads not exceeding five seers in weight, opium not exceeding one seer in weight, and intoxicating drugs, other than preparations or admixtures of opium used for smoking, not exceeding sixteen tolas in weight, or such larger quantities of all or any of these articles as the Revenue Commissioner may from time to time prescribe,

(J) If the holder of such a license as aforesaid violates any of the provisions of the Opium Act, 1878, as applied to the Agency territories, or of the rules thereunder or any condition entered in his license, such license may be cancelled : provided that a license so cancelled may, at the discretion of the Political Agent, be renewed on payment of such sum, not exceeding fifty rupees, as the Political Agent may fix.

(c) If the license is cancelled for any of the causes aforesaid, the holder shall have no claim to any compensation whatever, or to remission of any sum due from him to the Government.

(d) Every medical practitioner or druggist, to whom a license is granted under clause 2 (a) of this rule, shall pay for his license such fee as may from time to time be fixed with the sanction of the Revenue Commissioner, or a fee regulated in such manner and in accordance with such rule as the Revenue Commissioner may prescribe ; and the fee shall be specified in the license and shall be payable in such instalments, and at such times and places, as the Revenue Commissioner may direct.

5. With the sanction of the Revenue Commissioner, the Political Agent may specially authorise the possession by any person of a quantity of opium not exceeding one seer in weight, and of intoxicating drugs, other than preparations or admixtures of opium used for smoking, not exceeding sixteen tolas in weight.

## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2.—(a) Local Rules and Orders under Acts—contd.

#### Rules under the Opium Act, 1878—contd.

##### TRANSPORT.

6. The transport of poppy-heads, opium and intoxicating drugs, other than preparations or admixtures of opium used for smoking, by a licensed contractor within the limits of the area for which his contract is granted, is permitted. The transport of poppy-heads, opium and intoxicating drugs, other than preparations or admixtures of opium used for smoking, by a licensed contractor beyond those limits is permitted under a pass granted by the Political Agent.

7. (1) When a licensed contractor desires to transport poppy-heads, opium or intoxicating drugs, other than preparations or admixtures of opium used for smoking, beyond the limits of the area for which his contract is granted, he shall obtain for each consignment a pass from the Political Agent in such form as the Revenue Commissioner may from time to time prescribe.

(2) The pass shall specify—

- (a) the time within which the transport is to be effected;
- (b) the place from which the consignment is to be transported;
- (c) the name of the person in charge of the consignment;
- (d) the name of the consignor ;
- (e) the name of the consignee ;
- (f) the number of packages, and the weight and contents of each ; and
- (g) the place to which the consignment is to be transported, and the route to be followed.

(3) Each package in every such consignment shall be stamped by, or in the presence of, the officer granting the pass, with the official seal of such officer.

(4) Such pass shall be granted only on production, by the licensed contractor applying for it, of a written permission to apply for such pass from the Political Agent of the district to which the opium, intoxicating drugs, or poppy-heads is, or are, to be transported.

8. The bulk of a consignment shall not be broken during transport.

9. The Political Agent may, at his discretion or under orders from the Revenue Commissioner, make it a condition of the pass that the bulk of the consignment for which it is granted, shall not be broken after arrival at its destination as specified in the pass, until after the consignment has been examined by an officer deputed or authorised by the Political Agent for that purpose: provided that such examination shall be made within seven days from the date on which the Political Agent is informed of the arrival of the consignment.

10. If any officer competent to exercise the powers of seizure, detention and search conferred by sections 14 and 15 of the Opium Act, 1878, as applied to the Agency territories, finds that the packages are fewer, or the amount of poppy-heads, opium or intoxicating drugs, other than preparations or admixtures of opium used for smoking, less (by more than the dryage allowance of one-quarter per cent.) than the number or amount specified in the pass, he shall immediately report the circumstances to the Political Agent.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*****Rules under the Opium Act, 1878 -*contd.***

## IMPORT AND EXPORT.

11. (1) The importation by a licensed contractor of poppy-heads, opium or intoxicating drugs, other than preparations or admixtures of opium used for smoking, brought from British India is permitted, subject to the following conditions:—

- (a) The importer shall obtain from the Political Agent a license specifying—
  - (i) the quantity of poppy-heads, opium or intoxicating drugs required;
  - (ii) the source of supply; and
  - (iii) the name of the licensed contractor or his agent.
- (b) The poppy-heads, opium or intoxicating drugs shall be covered by a pass granted by a duly authorised officer of the place from which they are imported.

(5) The Government may import and export poppy-heads, opium and intoxicating drugs, other than preparations or admixtures of opium used for smoking, on its own account.

(3) A licensed medical practitioner or druggist may, with the special permission of the Political Agent and subject to the conditions specified in clause (2) of this rule, import opium, poppy-heads or intoxicating drugs, not being preparations used for smoking, which he cannot obtain locally, to the extent of the quantities of the said articles of which he is permitted by these rules to be in possession.

12. The bulk of a consignment shall not be broken during importation.

13. The Political Agent may, at his discretion or under orders from the Revenue Commissioner, make it a condition of the license that the bulk of the consignment for which a pass is granted, shall not be broken after arrival at its destination as specified in the pass, until after the consignment has been examined by an officer deputed or authorised by the Political Agent for that purpose: provided that such examination shall be made within seven days from the date on which the Political Agent is informed of the arrival of the consignment.

14. If any officer competent to exercise the powers of seizure, detention and search conferred by sections 14 and 15 of the Opium Act, 1878, as applied to the Agency territories, finds that the packages are fewer or the amount of poppy-heads, opium or intoxicating drugs less (by more than the dryage allowance of one quarter per cent.) than the number or amount specified in the pass, he shall immediately report the circumstances to the Political Agent.

## IMPORT AND EXPORT WITHIN THE LOCAL LIMITS OF THE CONTRACTS OF LICENSED CONTRACTORS.

15. When the local area to which the contract of a licensed contractor extends is partly in the territories administered by the Agent to the Governor General in Baluchistan as such Agent and partly in British Baluchistan, the licensed contractor may import and export poppy-heads, opium or intoxicating drugs, other than preparations or admixtures of opium used for smoking, from one part of such local area to another, and in every such case rules 7 to 10, both inclusive, shall apply.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*****Rules under the Opium Act, 1879—*contd.***

## SALE.

16. (1) The sale of poppy-heads, opium and intoxicating drugs, other than preparations or admixtures of opium used for smoking, is permitted, subject to the following conditions:—

(a) The poppy-heads, opium or intoxicating drugs must have been either imported under a license obtained under rule 11 or bought from a licensed contractor.

(b) If the sale is by wholesale, it shall, unless it is made by one licensed contractor to another, be made under the special order of the Political Agent: provided that a licensed contractor or a licensed medical practitioner or druggist may sell to a licensed medical practitioner or druggist at one time any quantity of poppy-heads not exceeding five seers in weight, or of opium not exceeding one seer in weight, or of intoxicating drugs, other than preparations or admixtures of opium used for smoking, not exceeding sixteen tolas in weight.

(c) If the sale is by retail, it shall be made by a licensed contractor or his agent at a shop authorised for that purpose by the Political Agent.

(2) Subject to the conditions of his license granted under rule 4\* (2), a medical practitioner or druggist may sell by retail poppy-heads, opium or intoxicating drugs, other than preparations or admixtures of opium used for smoking, for medicinal purposes.

17. Any shop at which the sale of poppy-heads, opium or intoxicating drugs has been authorised, may be closed or removed at the discretion of the Political Agent.

18. Contracts for the exclusive right to sell poppy-heads, opium or intoxicating drugs, other than preparations or admixtures used for smoking, may be granted by the Political Agent with the previous sanction of the Revenue Commissioner. Such contracts shall, unless the Revenue Commissioner otherwise specifically directs, be put up to auction before the commencement of each official year.

19. Contracts for the exclusive right to sell poppy-heads, opium or intoxicating drugs shall be in such form as may from time to time be prescribed by the Revenue Commissioner.

20. Contracts for the exclusive right to sell poppy-heads, opium or intoxicating drugs shall be granted for one year only, unless the Revenue Commissioner otherwise specially directs.

21. (1) In the event of non-fulfilment of the terms of a contract for the exclusive right to sell poppy-heads, opium or intoxicating drugs, granted under rules 18, 19 and 20, or of any breach by the contractor or his agent of any of the provisions of the Opium Act, 1878, as applied to the Agency territories, or of these rules, such contract may be cancelled: provided that a contract so cancelled may, at the discretion of the Political Agent, be renewed on payment of such sum, not exceeding fifty rupees, as the Political Agent may fix.

(2) If a contract is cancelled for any of the causes aforesaid, the contractor shall have no claim to any compensation whatever; or to remission of any sum due from him to the Government.

(3) The Political Agent may cancel a contract on any other public ground on making such compensation or remission as he may consider reasonable\*

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.***Rules under the Opium Act, 1878—*contd.*SALE—*concl'd.*

22. If any licensed contractor, on the expiry of his contract, has in his possession any poppy-heads, opium or intoxicating drugs which he is unable to dispose of to the satisfaction of the Political Agent by private sale to other licensed contractors, he shall surrender the same to the Political Agent: and the in-coming licensed contractor, or, if the expired contract is not renewed, any licensed contractor within the district, shall, when required by the Political Agent, be bound to purchase the poppy-heads, opium or intoxicating drugs aforesaid to the extent of two months' supply, at such price, and in such quantities, as the Political Agent shall adjudge: provided that the price of the poppy-heads, opium or intoxicating drugs so adjudged shall in no case exceed the rate at which poppy-heads, opium or intoxicating drugs can be procured under a license obtained under rule 11: provided also that, if such poppy-heads, opium or intoxicating drugs, be declared by the Civil Surgeon or other Principal Medical Officer to be unfit for use, the Political Agent shall cause the same to be destroyed.

## DISPOSAL OF THINGS CONFISCATED.

23. Opium, poppy-heads or intoxicating drugs confiscated under the Opium Act, 1878, as applied to the Agency territories, shall be examined by the Civil Surgeon or other Principal Medical Officer, and, if declared by him to be fit for use, shall be sent to the nearest Government treasury, and be disposed of as the Political Agent may direct. If declared to be unfit for use, the opium or intoxicating drugs shall be immediately destroyed.

24. All property, other than opium, poppy-heads or intoxicating drugs, which is confiscated under the Opium Act, 1878, as applied to the Agency territories, shall be sold under the orders of the Magistrate or other officer by whom the confiscation was adjudged.

## REWARDS.

25. (1) Any Magistrate convicting an offender under section 9, or any Magistrate or other authorised officer ordering the confiscation of opium or intoxicating drugs under section 12 of the Opium Act, 1878, as applied to the Agency territories, may grant a reward not exceeding the value of the opium or intoxicating drugs confiscated, together with the amount of any fine realised, in such proportions as he may think fit, to any person or persons who have contributed to the seizure of the opium or the conviction of the offender.

(2) In cases in which a conviction has not been procured, but in which the grant of a reward is expedient, the Revenue Commissioner may, for special reasons, grant such reward, not exceeding fifty rupees, as he deems fit.

[See *Gazette of India*, 1898, Pt. II, p. 121.]

Rules for the possession, sale, transport, Import and export of arms and ammunition.

No. 1457-E., dated the 27th July, 1895.—The Governor General in Council is pleased, under section 17 of the Indian Arms Act (XI of 1878), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2, (a) Local Rules and Orders under Acts—contd.

#### Rules for the possession, sale, transport, Import and export of arms and ammunition—contd.

Agent, to make the following rules determining the officers by whom, the form in which, and the terms and conditions on and subject to which, licenses shall be granted within the said territories :—

#### RULES.

##### TRANSPORT, IMPORT, EXPORT, MANUFACTURE AND SALE.

1. No cannon, war-rockets, or machinery for the manufacture of arms and ammunition shall be imported into, or transported over, any part of the Agency territories without a license granted by the Governor General in Council under the signature of the Secretary to the Government of India in the Foreign Department. The license shall be in Form I appended to these rules, and a copy shall be at once communicated to the Magistrate of the district, or to the Political Officer of the State, to which the articles are consigned.

2. No arms or ammunition or military stores shall be transported in any part of the Agency territories without a license in Form II appended to these rules, which will be granted by the Magistrate of the district. If the articles are to be consigned to a place beyond the jurisdiction of the officer granting the license, the consent of the Magistrate of the district to which the consignment is made must be obtained before the license is issued. Such consent may be obtained by the person applying for the license; or the District Magistrate, to whom application for the license is made, may forward the proposed license to the officer whose consent is required, and on receiving a reply, should either issue the license to the applicant, or inform him that his application for license to transport arms, etc., had been refused. The fee payable in respect of every such license shall be ten rupees. Every consignment of arms or ammunition or military stores, transported in any part of the Agency territories by railway, shall be conspicuously marked with the words "Arms" or "Ammunition" or "Military stores," as the case may be, in such a manner as to be readily recognisable by the railway authorities. A copy of the license to transport the articles shall be attached to the way-bill when the consignment is booked as a parcel, and to the invoice when booked as goods, and no consignment shall leave the railway premises without the contents being verified and compared with the license by the Railway Police at the place of delivery. Telegraphic advice of every such consignment shall be sent to the receiving station by the railway authorities at the forwarding station.

3. Persons are permitted to transport, in any part of the Agency territories, arms and ammunition in reasonable quantities for their own use. Any person abusing this exemption and transporting such articles otherwise than in reasonable quantities or otherwise than for his own use, will be held to have contravened this rule, and will, on conviction, become liable to the penalties under sections 18 and 19 of the Act.

4. A person is entitled to transport to his residence, from the premises of a licensed dealer, arms, ammunition or military stores without a separate transport license, so long as the articles purchased are in reasonable quantities and for his own use. A licensed dealer in arms, ammunition and military stores may supply the order of any such person, and may, without a separate transport license, send or despatch, in any way desired, to the residence of the purchaser the articles ordered by any such person so long as they fulfil the requirements of Rule 3, and are legibly addressed to the person for whom they are intended.

5. A license to transport arms and ammunition or military stores is void if the consignment breaks bulk at any place short of the district for which it may be

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.**Rules for the possession, sale, transport, import and export of arms and ammunition—contd.

granted. A license to transport shall ordinarily not be made valid for more than twice the period actually required for the conveyance of the articles to their destination by the intended route.

6. No license shall be granted, save by the special order of the Governor General in Council, certified under the signature of the Secretary to the Government of India in the Foreign Department, for the importation into the Agency territories *from across the frontier*, of any cannon or of any rifles, or parts of or fittings for rifles, except rifles or parts of or fittings for rifles of such quality or in such quantity as may reasonably be held to be intended for *bond fide* sporting purposes.

7. License to import into the Agency territories, arms (other than arms for which the Governor General in Council is to issue licenses under Rule 6), ammunition, or military stores, may be granted by the Magistrate of the district to which such arms, ammunition, or military stores are consigned. The fee payable in respect of each such license shall be rupees live, but officers granting such licenses are empowered to remit the fee when the arms, ammunition or military stores are of a reasonable quantity, and such officers are satisfied that they are required *bona fide* for purposes of protection of person or property. In the case of arms, ammunition or military stores imported from a Native State, a copy of the license shall be sent by the officer granting it to the Political Officer of the State from which they are to be imported. If the district to which the arms, ammunition, or military stores are consigned is other than a frontier district, and they are to cross the frontier by road, a copy of the license shall also be sent to the Magistrate of the frontier district, who shall, if he thinks necessary, before permitting the arms, ammunition, or military stores to leave his district, require the holder of the license to produce them for his inspection.

The license shall be prepared in Form I I I appended to these rules.

8. Licenses to export cannon, arms, ammunition, or military stores to any place beyond the frontier of the Agency territories or to any place within the limits of the feudatory States, may be granted by the Secretary to the Government of India in the Foreign Department, or by any other officer specially empowered by the Government of India to grant them.

Licenses granted under this rule will be prepared in Form IV, and be charged with a fee of rupees five except in such cases as the Government of India in the Foreign Department may grant exemption from, or reduction of, the prescribed fee.

Copies of such licenses shall be sent on the day of issue to the Political Officer of the State to which the articles are to be exported. Copies shall also be sent to the Magistrate of the frontier district, if the articles are to cross the frontier.

9. Persons desirous of transporting, importing or exporting, arms, ammunition, or military stores must apply in writing to the nearest officer authorised to grant such licenses. The application must specify—

- (a) the place to which the articles are to be transported, imported or exported, the route of transport, import or export, and the probable time that will be occupied in the journey;
- (b) the quantity, description, average price, and the purpose of each kind of arms or ammunition; or,
- c) in the case of transport or export, whether the applicant has obtained the consent of the Magistrate or Political Officer of the place of consignment. (If BO, the evidence of such consent must be produced.)



## CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

Rules for the possession, sale, transport, Import and export of arms and ammunition—contd.

10. Persons transporting, importing, or exporting, arms, ammunition, or military stores under a license must write legibly on the cases or packages containing such articles an account of their contents.

11. In the case of transport or import, the consignee must, within six days of the articles reaching their destination, deliver the transport or import license to the Magistrate of the district. In the case of articles crossing the frontier by road from or to any place not situated in British India, (1) the export license must, within six days of the consignment reaching the frontier district and before it leaves the Agency territories, be delivered to the Magistrate of the frontier district or other officer empowered by him on this behalf; (2) the import license must, within six days of the consignment entering the Agency territories, be shown to the Magistrate of the frontier district, or other officer empowered by him on this behalf.

The officer to whom the transport, import, or export license, as the case may be, may be delivered, must satisfy himself that the articles correspond with the entries in the license and that any deficiency is properly accounted for.

12. Licenses may be granted to persons, without payment of any fee, in any of the territories administered by the Agent to the Governor General in Baluchistan as such Agent, entitling the holder to import or transport lead in reasonable quantities, when the same is proved to the satisfaction of the officer granting the license to be required *hand fide* for manufacturing or industrial purposes, and to import and transport saltpetre in reasonable quantities when the same is proved to the satisfaction of the officer granting the license to be required *bond fide* for manufacturing, medicinal, or industrial purposes.

18. Licenses to manufacture, convert, keep and sell arms or ammunition or military stores may be granted by the Magistrate of the district. They shall be in Forms V and VI appended to these rules. The fee, payable in stamps, shall be twenty rupees in respect of licenses to manufacture, convert and sell, and ten rupees in respect of licenses to keep and sell arms, ammunition, or military stores. Every license-holder under this rule shall keep, in such form as the Local Government may, from time to time, direct, registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales. He shall exhibit his stock and his registers on demand by any Magistrate or by any Police Officer not below the rank of Inspector. Magistrates and all Police Officers not below the rank of Inspector are hereby empowered to enter and inspect any premises within their several jurisdictions in which arms or ammunition or sulphur are manufactured or kept, and to examine the stock and accounts of receipts and sales of arms, ammunition, and military stores. Any person licensed to sell arms and ammunition shall affix, on a conspicuous part of his shop or usual place of business, a sign-board on which shall be painted in large letters in English, or in the vernacular of the district, his name and the words "Licensed to manufacture" or "Licensed to deal in arms, ammunition, and military stores," as the case may be. He shall also post up in his shop a copy of section 28 of the Act as applied, either in the vernacular of the district or in English.

14?. Licenses may be granted to contractors, cultivators, and other persons without payment of any fee, entitling the holder to transport gunpowder and fuses in reasonable quantities, when the same are proved to the satisfaction of the officer granting the license to be required *bond fide*, in the case of licenses granted to contractors, for blasting purposes, and in the case of licenses granted to cultivators and

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*****Rules for the possession, sale, transport, Import and export of arms and ammunition—*contd.***

persons for similar purposes in connection with agricultural works or works of public utility. Such licenses shall be given in Form V I I appended to these rules.

15. Licenses may be granted to contractors and other persons without payment of any fee, entitling the holder to transport dynamite, blasting gelatine, and detonating caps in reasonable quantities, when the same are proved to the satisfaction of the officer granting the licenses to be required *b na fide* for blasting purposes. Such licenses shall be given in Form No. YU appended to these rules.

16\*. Licenses for the importation, possession, or transport of sulphur, proved to the satisfaction of the Local Government or administration concerned, to be intended only for *bond fide* medicinal, manufacturing, or agricultural purposes, may be granted without payment of any fee. This concession does not extend to sulphur intended for the manufacture of gunpowder or of ammunition generally as defined in section 4 of the Act as applied.

## GENERAL.

17. The fees leviable under these rules shall be taken in the shape of "impressed stamps." Ordinarily the applications for licenses or renewals of licenses shall be written on "impressed stamps" of value equal to the amount of fee leviable in respect of such licenses or renewals; and the licenses will be issued on plain paper. But when the licenses themselves are written or printed on "impressed stamps," the application may be on plain paper. When an application for a license is written on an "impressed stamp," and the license is refused, the value of stamp will be refunded to the applicant.

18. Applications for licenses in respect of which no fee is leviable, or regarding licenses on which the full fee has been paid, shall be considered to be applications within the meaning of Schedule I I, Article I, clause (a), of the Court Fees Act, 1870, as applied to the Agency territories, and shall bear a Court-fee stamp of one anna.

19. All licenses under rule 13 shall expire on the 31st December of the year for which they may be issued. But the currency of a license may be renewed previous to its expiration, on payment of a second fee, by the same authority that granted it.

20. When a license granted in accordance with these rules is lost, or accidentally destroyed, a duplicate may be granted to the licensee on payment of the same fee as he paid on the original license if not in excess of one rupee, and in any other case on payment of a fee of one rupee. Cultivators or other persons to whom licenses may have been granted without payment of any fee may obtain duplicates of such licenses, if lost or destroyed, free of all fee.

21. All licenses shall be given and held subject to the conditions endorsed on the reverse, and subject to these rules and subject to the provisions of the Act.

22. Any person holding a license, or acting under a license, granted in accordance with these rules, shall be bound to produce the same, when called upon to do so by any Magistrate, or by any Police-officer in charge of a police station, or by any Police-officer of higher rank.

23. Licenses granted for use within a district shall be written or printed in the vernacular language of such district. Licenses granted for use beyond the district where they may be granted, shall be in English, and may be in the vernacular as well.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.— British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*

Rules for the possession, sale, transport, Import and export of arms and ammunition—*contd.*

24. A license granted under these rules will cover only the weapons or other articles named therein.

25. Any officer empowered to grant a license under these rules may at his discretion refuse to grant, renew, or to consent to the issue of, a license, or may refer any application for the orders of the Local Government.

26. All Magistrates or other authorities acting under these rules will perform their duties subject to the control of their executive superiors and of the Local Government.

II.—The Governor General in Council is pleased under section 4 of the Act—

(i) to extend—

(a) all sections of the Act as applied to sulphur in quantities exceeding ten seers, and

(b) sections 6, 10, 11, 12, 17, 19, 20, 22, 24, 25, 26, and 28 of the Act to all saltpetre and lead (except sheet lead used for the purpose of packing tea); and

(ii) to declare that leaden bird-shot and bullets, when possessed in quantities exceeding 1 cwt. at any one time, shall be deemed to be military stores, within the meaning of the said Act, and shall be subject to the provisions of the sections quoted in clause (i) (b) above.

III.—The Governor General in Council is pleased under section 27 of the Act—

(i) to exclude gun-wads and wire cartridges from the operation of section 6 of the Act; and

(ii) to exclude from the operation of any prohibition and direction contained in the Act as applied—

(a) spears of all kinds and hunting knives;

(b) uniform swords and dirks manufactured in Europe of recognised military or official patterns;

(c) swords imported for presentation as Army or Volunteer prizes;

(d) ornamental arms of an obsolete pattern possessing only antiquarian value, provided they are virtually useless for offensive and defensive purposes.

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*Notes.*— In the interpretation of those rules arms and ammunition taken from or to any place in the Agency territories to or from any place in British Baluchistan or British India shall be treated as being transported within the meaning of the Act,

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

Rules for the possession, sale, transport, Import and export of arms and ammunition—contd.

## FORM I.

*License to Import, or Transport, or Possess Cannon, War-rochets, or Machinery for the manufacture of Arms or Ammunition in the territories administered by the Agent to the Governor General in Baluchistan.*

| Name, etc., of licensee-holder and agent, if any, with residence, etc. | Number of packages. | Specification of calibre, etc., of cannon or other articles. | Number of articles. | Place of despatch and route. | Destination. | Name and residence of consignee. | Time for which pass is valid. | Use to which articles are to be put and specification whether the license covers importation, or transport, or possession. |
|------------------------------------------------------------------------|---------------------|--------------------------------------------------------------|---------------------|------------------------------|--------------|----------------------------------|-------------------------------|----------------------------------------------------------------------------------------------------------------------------|
|                                                                        |                     |                                                              |                     |                              |              |                                  | From the                      |                                                                                                                            |
|                                                                        |                     |                                                              |                     |                              |              |                                  | to the                        |                                                                                                                            |
|                                                                        |                     |                                                              |                     |                              |              |                                  | 180 .                         |                                                                                                                            |

189 . } Date on which copy is sent to the District Magistrate of the district or to the Political Officers of the State to which the articles are consigned.

189 .

*Secy. to the Govt. of India,  
Foreign Dept.*

This license is subject to all the provisions of the Indian Arms Act, 1878, as applied to the Agency territories, and of the rules framed thereunder.

This license will be void after the expiration of the period named, or if bulk X3 broken before reaching the place of destination.

The articles covered by this licence will be delivered only to persons lawfully-entitled to possess them.

This license must be delivered to the Magistrate of the district to which the articles are consigned, or to the Magistrate of the district where the external frontier of India is to be crossed, and the articles must be available for exhibition to such Magistrate within six days of the consignment reaching his district.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.—(a) Local Rules and Orders under Acts—*contd.*Rules for the possession, sale, transport, import and export of arms and ammunition—*contd.*

## FORM II.

FEB TEN RUPEES IN STAMPS.

*License to Transport Arms, Ammunition, or Military Stores in the territories administered by the Agent to the Governor General in Baluchistan.*

| Name, etc., of license-holder and agent, if any, authorised for the purpose of this consignment. | Place of license-holder's business. | Number of packages. | ARMS.        |         | AMMUNITION.  |                            | Place of despatch, route, and mode of transit. | Time for which pass is valid. | Destination. | Name and residence of consignee. |
|--------------------------------------------------------------------------------------------------|-------------------------------------|---------------------|--------------|---------|--------------|----------------------------|------------------------------------------------|-------------------------------|--------------|----------------------------------|
|                                                                                                  |                                     |                     | Description. | Number. | Description. | Number or weight in seers. |                                                |                               |              |                                  |
|                                                                                                  |                                     |                     |              |         |              |                            |                                                | From the                      |              |                                  |
|                                                                                                  |                                     |                     |              |         |              |                            |                                                | to the                        |              |                                  |
|                                                                                                  |                                     |                     |              |         |              |                            |                                                | 189 .                         |              |                                  |

Date on which consent was given by the

of the

of the

where

of

is the place of consignment.

place of despatch.

The , 189 .

The 189 .

Seal.

This license is subject to all the provisions of the Indian Arms Act, 1878, as applied to the Agency territories, and of the rules framed thereunder.

This license is void after the expiration of the period named, or if bulk is broken before reaching the place of destination, or if the articles are taken by any route other than is specified on the license.

The contents of each package covered by this license must be described in legible letters on the outside of such package.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES— *contd.*

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B.—British-Baluchistan Agency Territories Enactments— 2.-(a) Local Rules  
and Orders under Acts—*contd.*

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Rules for the possession, sale, transport. Import and export of arms and ammunition—*contd.*

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The articles by this license will be delivered only to persons lawfully entitled to possess the same.

This license must be delivered to the Magistrate of the district to which the articles are consigned, and the articles must be available for exhibition to such Magistrate within six days of the consignment reaching his district.

The officer granting this license must send a copy thereof on the day of issue to the Magistrate of the district as above described.

When the license is granted for transport within the limits of the same district, the license must be given up to the local Magistrate (if any) having jurisdiction in the place to which the articles are consigned, who will satisfy himself that the conditions have been complied with and return the license to the District Magistrate. The District Magistrate will send copies of any license granted by him for transport within the district to the local Magistrate having jurisdiction. Where there is no local Magistrate, the license must be returned to the Magistrate of the district.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Ruleff and Orders under Acts—contd.**

Rules for the possession, sale, transport, import and export of arms and ammunition—contd.

## FORM III.

FEE FIVE RUPEES IN STAMPS.

*License to Import Arms, Ammunition, or Military Stores into the territories administered by the Agent to the Governor General in Baluchistan.*

| Name, etc., of licenseholder and agent, if any. | Number of packages. | ARMS.        |         | AMMUNITION OR MILITARY STORES. |                   | Place of despatch and route. | Purpose for which consignment is required. | Destination. | Name and residence of consignee. | Period for which license is valid.                                             |
|-------------------------------------------------|---------------------|--------------|---------|--------------------------------|-------------------|------------------------------|--------------------------------------------|--------------|----------------------------------|--------------------------------------------------------------------------------|
|                                                 |                     | Description. | Number. | Description.                   | Weight or number. |                              |                                            |              |                                  |                                                                                |
|                                                 |                     |              |         |                                |                   |                              |                                            |              |                                  | From                      of<br>189<br>to the                      of<br>189 . |

(Signature)

The

189 .

Seal.

Magistrate of

District.

The license is valid only for the period and the route named herein.

It becomes invalid if bulk is broken, or the consignment is stopped at any place on the journey.

It is given subject to the provisions of the Indian Arms Act, 1878, as applied to the territories administered by the Governor General in Baluchistan, and of the rules framed thereunder.

The contents of each package covered by this license shall be described in legible characters on the outside of such package.

This license must be delivered to the District Magistrate when the articles covered by it reach their destination. In the case of consignments crossing the frontier by road, the articles must, within six days of their reaching British territory, be available for exhibition to the frontier Magistrate, or other officer whom he may empower in this behalf.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES —*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*Rules for the possession, sale, transport, import and export of arms and ammunition—*contd.*

## FORM IV.

FEE FIVE RUPEES IN STAMPS\*

*License to Export Arms, Ammunition, or Military Stores under Rule 8 of the Rules made under Section 17 of the Indian Arms Act, 1878, as applied to the territories administered by the Agent to the Governor General in Baluchistan.*

| Name, etc., of<br>license-holder and<br>agent, if any. | Number of packages. | Arms.        |         | AMMUNITION<br>OR MILITARY<br>STORES. |                        | Place of despatch and<br>route. | Purpose for which con-<br>signment is required. | Destination. | Name and residence of<br>consignee. | Period for which<br>license is<br>valid.                                     |
|--------------------------------------------------------|---------------------|--------------|---------|--------------------------------------|------------------------|---------------------------------|-------------------------------------------------|--------------|-------------------------------------|------------------------------------------------------------------------------|
|                                                        |                     | Description. | Number. | Description.                         | Weight or num-<br>ber. |                                 |                                                 |              |                                     |                                                                              |
|                                                        |                     |              |         |                                      |                        |                                 |                                                 |              |                                     | From                      of<br>189<br>to the                      of<br>189 |

The

189 .

Secy, to the Govt, of India, Foreign Dept.

This license is valid only for the period and the route named herein.

It becomes invalid if bulk is broken, or the consignment stopped at any place on the journey.

It is given subject to the provisions of the Indian Arms Act, 1878, as applied to the territories administered by the Agent to the Governor General in Baluchistan, and of the rules framed thereunder.

The contents of each package covered by this license shall be described in legible characters on the outside of such package.

The license must be delivered to the Railway authorities or to the frontier District Magistrate, or other officer empowered by him to receive export licenses on his behalf as provided in Rules 8 and 11. In the case of consignments crossing the frontier by road, the articles must be made available for exhibition to the frontier Magistrate or other principal officer within six days of their reaching the frontier district, and before they leave British territory.



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

Rules for the possession, sale, transport, Import and export of arms and ammunition—contd.

## FORM V.

FEE TWENTY RUPEES IN STAMPS.

*license to Manufacture, Convert or Sell, or to keep for sale Arms, Ammunition or Military Stores in the territories administered by the Agent to the Governor General in Baluchistan.*

| Serial number of license. | Name and residence of license-holder. | Place of business, factory or shop. | DESCRIPTION OF ARMS              |                              | DESCRIPTION OF AMMUNITION OR MILITARY STORES |                              | Date on which license expires. |
|---------------------------|---------------------------------------|-------------------------------------|----------------------------------|------------------------------|----------------------------------------------|------------------------------|--------------------------------|
|                           |                                       |                                     | to be manufactured or converted. | to be sold or kept for sale. | to be manufactured.                          | to be sold or kept for sale. |                                |
|                           |                                       |                                     |                                  |                              |                                              |                              | The 31st December 189 .        |

District. }

189 . }

Seal.

(Signature)

of

*Form of renewing the License.*

| Date and year of renewal. | Date on which the renewed license expires. | Signature of Magistrate. |
|---------------------------|--------------------------------------------|--------------------------|
|                           |                                            |                          |

1. This license is given subject to the provisions of the Indian Arms Act, 1878, as applied to the territories administered by the Agent to the Governor General in Baluchistan and of the rules framed thereunder. The attention of the holder is drawn to the sections of the Act quoted separately below.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2..(a) Local Rules and Orders under Acts—contd.

Rules for the possession, sale, transport, Import and export of arms and ammunition—contd.

2. He shall keep registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand and of all sales, in such forms as the Local Government may direct.

8. He shall exhibit his stock and his registers on demand by any Magistrate, or by any Police-officer not below the rank of Inspector.

4. If any arms or ammunition covered by this license are lost or stolen, he shall at once give notice at the nearest Police station.

N. B.—This condition may be omitted at the discretion of the Local Government.

5. He shall affix on a conspicuous part of his shop, or usual place of business, a sign-board on which shall be painted in large letters in English or in the vernacular of the district, his name and the words " Licensed to manufacture (or " Licensed to deal in) arms, ammunition and military stores," as the case may be. He shall also post up in his shop a copy of section 18 of the Act, either in the vernacular of the district or in English.

6. This license only covers sales of arms, ammunition or military stores effected upon the premises shown on the face of the license.

7. The licensee shall not sell arms to a soldier of the Native Army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass.

8. This license expires on the 31st December of the year in which it is issued, but the licensee can have it renewed by filing an application for its renewal on stamped paper of the prescribed value.

9. The license-holder shall not sell arms and ammunition to any Asiatic without the permission in writing of the District Magistrate. He shall not sell more than three pounds of gunpowder to any one without the same permission.

[NOTB.—This prohibition does not apply to sales of gunpowder to European\* and Eurasians of whose respectability the license-holder is satisfied.]

10. This license does not authorise the licensee to possess Government arms or ammunition.

*Explanation.*—A " Government arm " is a fire-arm or other weapon which is the property of the Government.

" Government ammunition " is ammunition manufactured in any Government factory, or which is prepared for and supplied to Government.

#### *Sections of the Act referred to in Condition No. 1.*

5. No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores, except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same.

CHAPTER I I — THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*Rules for the possession, sale, transport, import and export of arms and ammunition—*contd.*

19. Whoever commits any of the following' offences (namely) :—

(a) manufactures, converts or sells, or keeps, offers or exposes for sale, any arms, ammunition, or military stores in contravention of the provisions of section 5 ;

\* \* \* \* \*

(g) intentionally makes any false entry in a record or account which, by a rule \* \* he is required to keep.

(A) intentionally fails to exhibit anything which, by a rule \* \* \* he is required to exhibit,

shall be punished with imprisonment for a term which may extend to three years, or with *fine*, or with both.

20. Whoever does any act mentioned in clause (a) \* \* \* of section 19 in such manner as to indicate an intention that such act may not be known to any public servant as defined in the Indian Penal Code, or to any person employed upon a Railway or to the servant of any public carrier,

and whoever, on any search being made under section 25, conceals or attempts to conceal any arms, ammunition or military stores,

shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

21. Whoever, in violation of a condition subject to which a license has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorised under the proviso to section 5 to sell the same ; or

delivers any arms or ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorised to possess the same,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

24. When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vehicle, cart, or baggage animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the contents thereof, such box, package or bale, shall be confiscated

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Terpitopies Enactments—2.-(a) Local Rules and Orders under Acts—contd.**

Rules for the possession, sale, transport, import and export of arms and ammunition—contd.

## FORM VI.

FEE TEN RUPEES IN STAMPS.

*Licence to keep and sell Arms, Ammunition or Military Stores in the territories administered by the Agent to the Governor General in Baluchistan.*

| Serial number of license. | Name and residence of license-holder. | Place of business. | DESCRIPTION OF |                                | Date on which license expires. |
|---------------------------|---------------------------------------|--------------------|----------------|--------------------------------|--------------------------------|
|                           |                                       |                    | Arms.          | Ammunition of military stores. |                                |
|                           |                                       |                    |                |                                | The 31st December 189 .        |

District.

189 .



(Signature)

of

*Form of renewing the license.*

| Date and year of renewal. | Date on which the renewed license expires. | Signature of Commissioner of Police or Magistrate. |
|---------------------------|--------------------------------------------|----------------------------------------------------|
|                           |                                            |                                                    |

1. This license is given subject to the provisions of the Indian Arms Act, 1878, as applied to the territories administered by the Agent to the Governor General in Baluchistan and of the rules framed thereunder. The attention of the holder is drawn to the sections of the Act quoted separately below.

2. He shall keep registers of all arms and ammunition in stock, and of all sales, in such forms as the Local Government may from time to time direct.

3. He shall exhibit his stock and his registers on demand by any Magistrate, or by any Police-officers not below the rank of Inspector.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES— *contd.*

### B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*

#### Rules for the possession, sale, transport, Import and export of arms and ammunition -*contd.*

4. If any arms or ammunition covered by this license are lost or stolen, he shall at once give notice at the nearest police station.

*N.B.*—This condition may be omitted at the discretion of the Local Government.

5. He shall affix on a conspicuous part of his shop or usual place of business a sign-board on which shall be printed in large letters in English or in the vernacular of the district, his name and the words " Licensed to deal in arms, ammunition and military stores." He shall also post up in his shop a copy of section 28 of the Act either in the vernacular of the district or in English.

6. This license only covers sales of arms, ammunition or military stores effected upon the premises shown on the face of the license.

7. The licensee shall not sell arms to a soldier of the Native Army unless he produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass.

8. This license expires on the 31st December of the year in which it is issued, but the licensee can have it renewed by filing an application for its renewal on stamped paper of the prescribed value.

9. The license-holder shall not sell arms and ammunition to any Asiatic without the permission in writing of the District Magistrate. He shall not sell more than three pounds of gunpowder to any one without the same permission.

[NOTE.—This prohibition does not apply to sales of gunpowder to Europeans and Kurashians of whose respectability the license holder is satisfied.]

10. This license does not authorise the licensee to possess Government arms or ammunition.

*Explanation.*—A " Government arm " is a fire-arm or other weapon which is the property of the Government.

" Government ammunition " is ammunition manufactured in any Government factory, or which is prepared for and supplied to Government.

#### *Sections of the Act referred to in Condition No. 1.*

5. No person shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same.

19. Whoever commits any of the following offences (namely) :—

(a) manufactures, converts or sells, or keeps, offers or exposes for sale any arms, ammunition or military stores in contravention of the provisions of section 5 ;

\* \* \* \* \*

(g) intentionally makes any false entry in a record or account which, by rule \* \* he is required to keep ;

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2. (a) Local Rules and Orders under Acts—contd.**Rules for the possession, sale, transport, import and export of arms and ammunition—contd.

(h) intentionally fails to exhibit anything which, by a rule \* \*  
he is required to exhibit ;

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

20. Whoever does any act mentioned in clause (a) \* \* \* of section 19, in such manner as to indicate an intention that such act may not be known to any public servants as defined in the Indian Penal Code, or to any person employed upon a Railway, or to the servant of any public carrier,

and whoever, on any search being made under section 25, conceals, or attempts to conceal, any arms, ammunition or military stores,

shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.

21. Whoever, in violation of a condition subject to which a license has been granted, does or omits to do any act, shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed, or authorised under the proviso to section 6 to sell the same ; or

delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorised to possess the same,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

23. Any person violating any rule made under this Act, and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

24. When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate farther to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*Rules for the possession, sale, transport, import and export of arms and ammunition—*concd.*

## FORM VII.

*License to possess and transport gunpowder and fuses for bonâ fide blasting purposes in the territories administered by the Agent to the Governor General in Baluchistan.*

(No fee payable. )

| Name of licensee-holder, with particulars of residence. | COLUMNS TO BE FILLED IN IN CASES OF TRANSPORT. |                               |              | Quantity of gunpowder and fuses. | District or place within which license is valid. | Term for which license is valid. |
|---------------------------------------------------------|------------------------------------------------|-------------------------------|--------------|----------------------------------|--------------------------------------------------|----------------------------------|
|                                                         | Place of despatch, route and mode of transit.  | Time for which pass is valid. | Destination. |                                  |                                                  |                                  |
|                                                         |                                                | From the                      |              |                                  |                                                  |                                  |
|                                                         |                                                | To the                        |              |                                  |                                                  |                                  |
|                                                         |                                                | 189 .                         |              |                                  |                                                  |                                  |

This license is subject to the provisions of the Indian Arms Act, 1878, as applied to the territories administered by the Agent to the Governor General in Baluchistan and of the rules framed thereunder.

It covers only the person and the quantity of gunpowder and fuses named therein.

It extends only to the district or place named therein, and is void after the expiration of the term mentioned.

In case of transport—

The license becomes void if the time occupied in transit exceeds the period specified, or if the consignment breaks bulk before reaching the place of destination, or if the articles are taken by any other route than that specified in the license.

The contents of each package covered by the license must be described in legible letters on the outside of such package.

This license must be delivered to the Magistrate of the District or other officer authorised to receive the same, and the articles must be available for exhibition to such Magistrate or officer within six days of their arrival at their destination.

[See *Gazette of India*, 1895, Pt I, p. 647.]

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES— *contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*****Rules for the supply and sale of stamps and the duties and remuneration of vendors.**

<sup>1</sup> No. 407, dated the 16th January, 1899.—In exercise of the powers conferred by section <sup>2</sup> 55 of the Indian Stamp Act, 1879 (I of 1879), as applied to the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent, the said Agent is pleased to make the following rules for regulating in the territories aforesaid the supply and sale of stamps and stamped papers, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons:—

I. For the purposes of these rules, stamps are divided into four classes, namely:—

- (1) Impressed stamps, other than impressed labels and hundi stamps;
- (2) Adhesive labels of the value of one anna, commonly called "receipt stamps";
- (3) All other adhesive stamps authorised by section 10 of the Indian Stamp Act, 1879;
- (4) Hundi stamps.

II. All Government Treasurers and their agents and subordinates entrusted with the custody and sale of stamps on behalf of Government in the Quetta Treasury and in all sub-treasuries, and such other persons as the Revenue Commissioner may appoint, shall be *ex-officio* vendors, and shall sell to licensed vendors and to the public, on application, all kinds of stamps mentioned in Rule 1.

III. Such persons as may be licensed by the Political Agent of the district shall be licensed vendors. They shall sell only such stamps as may be indicated in their licenses, and they may be licensed to sell any or all of the kinds of stamps mentioned in Rule 1.

IV. *Ex-officio* vendors may also be licensed, at the discretion of the Political Agent.

V. The license shall be in the following form, and shall be revocable at any time by the authority which granted it:—

## POUM OF LICENSE.

License is hereby granted to (*name, fathers name and residence of licensee*) to sell at [*place of vend*] stamps of the description mentioned in the margin for a period of (*HERE state duration of license*) commencing from (*date*) subject to the rules made on that behalf, under the Indian Stamp Act, 1879, as applied to the Agency territories and subject to the following conditions (*here state conditions, if any*). The infringement of any of these rules will render the holder liable to the penalty prescribed in section<sup>3</sup> 68 of Act I of 1879, as applied to the said territories, namely, imprisonment for a term which may extend to six months, or fine not exceeding five hundred rupees, or both.

(*Signature of Political Agent.*)

<sup>1</sup> These Rules came into force in the Agency territories on the 1st April, 1899, *see* Notification No. 2344, dated the 30th March, 1899, *Gazette of India*, 1899, Pt. II, p. 370. They are kept in force by section 24 of the General Clauses Act, 1897 (X of 1897), which is in force in those territories.

<sup>2</sup> See now section 74 of the Indian Stamp Act, 1899 (II of 1899), which is the Act now in force in these territories,

<sup>3</sup> See now section 69 of Act II of 1899.



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2,-(a) Local Rules and Orders under Acts—contd.

Rule\* for the supply and sale of stamps and the duties and remuneration of vendors—contd.

V I. Subject to Rules V I I and V I I I, every licensed vendor who purchases stamps of the kinds authorised by his license from an *ex-officio* vendor by payment of ready money shall receive the same at the following rates of discount: :—

| Description of Stamp.                                                                    | Rate of discount. |
|------------------------------------------------------------------------------------------|-------------------|
| <b>Class (1) —</b>                                                                       |                   |
| If he is licensed to sell stamps at a place where there are <i>ex-officio</i> vendors    | 3 per cent.       |
| If he is licensed to sell stamps at a place where there are no <i>ex-officio</i> vendors | 5 do.             |
| <b>Class (2) —</b>                                                                       |                   |
| <b>Classes (3) and (4) —</b>                                                             |                   |
| When the value of each stamp does not exceed eight annas                                 | 8½ do.            |
| When the value exceeds eight annas                                                       | 3½ do.            |

Provided that no discount shall be allowed under this rule on the sale of stamps to persons not being licensed vendors, nor of kinds not mentioned in Rule I, nor on the sale of any stamp exceeding fifty rupees in value, nor when the total value of the stamps purchased at one time is less than five rupees.

V I I. Political Agents may, in their discretion, grant special licenses for the sale of stamps of the kind falling under class (1) of Rule I, to sub-postmasters in their respective districts at places other than the head-quarters of a tahsil subject to the following conditions; and may also, in their discretion, withdraw or cancel such special licenses:—

(a) Any sub-postmaster specially licensed under this rule may, at the time of being licensed, receive without payment of ready money an advance of stamps of the class which he is licensed under this rule to sell, of an aggregate value not exceeding fifty rupees. The sub-postmasters receiving such advance shall give a receipt for the money value thereof, which receipt shall be renewed from year to year in the manner prescribed for permanent advances on account of contingent expenditure. When he ceases to be licensed, or desires to discontinue the advance, the sub-postmaster shall refund the value entered in the receipt, either in money, or in stamps of the class which he is licensed to sell; and the receipt shall then be returned to him;

(b) Stamps of the kind falling under class (1) of the Rule I other than those included in the above-mentioned advance, shall be supplied to sub-postmasters specially licensed under this rule on payment of ready money for their value, less a discount of 2 per cent.;

(c) The stamps supplied to licensed sub-postmasters under this rule as well as their remittances of the value to the nearest Treasury, shall be sent through the post in insured parcels, the charges for the postage and insurance being borne by the Stamp Department.

V I I I. With the previous sanction of the Revenue Commissioner, Political Agents may, in their discretion, grant special licenses for the sale of stamps of class (2) to any patwaris employed in their respective districts, subject to the following conditions; and may also, in their discretion, withdraw or cancel such special licenses :—

(a) A patwari specially licensed under this rule may, at the time of being licensed, receive without payment of ready money an advance of stamps of class (%)

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.****Bules for the supply and sale of stamps and the duties and remuneration of vendors—contd.**

of an aggregate value not exceeding five rupees. A patwari receiving such advance shall give a receipt for the money value thereof, which receipt shall be renewed from year to year in the manner prescribed for permanent advances on account of contingent expenditure. When he ceases to be licensed, or desires to discontinue the advance, the patwari shall refund the value entered in the receipt, either in money, or in stamps of class (2) ; and the receipt shall then be returned to him ;

(b) Stamps of class (2), other than those included in the above-mentioned advance, shall be supplied to patwaris specially licensed under this rule on payment of ready money for their value, less a discount of 6i per cent.: provided that no discount shall be allowed when the value of the stamps purchased at one time is less than five rupees.

(c) The stamps supplied to licensed patwaris under this rule, as well as their remittances of the value to the nearest Treasury, shall be sent through the post in insured parcels, the charges for postage and insurance being borne by the Stamp Department.

IX. Every licensed vendor shall exhibit conspicuously, -at his place of vend, a sign-board bearing his name and the words " Licensed vendor of stamps." He shall also have at the same place, for reference on application by intending purchasers, a copy of these rules and of the Act of the Legislature relating to the stamps sold by him.

X. Every vendor shall endorse, on each stamp of class (1) which he sells, the following particulars :—

- (a) a serial number, there being a separate series for each calendar year ;
- (b) date of sale ;
- (c) name, father's name and residence of purchaser ;
- (d) value of stamp in full, in words ;
- (e) his ordinary signature.

He shall at the same time make a corresponding entry in a register to be kept in the following form ; provided that when an *ex-officio* vendor sells stamps of class (1) to a licensed vendor, no such endorsement or entry shall be made :—

## FORM OP REGISTER.

(Name of vendor, district, and place of vend to be written on the top of the page.)

| Date of sale. | Serial No. | Value of stamps in full in words. | Description of stamps. | Name, father's name, and residence of purchaser. | Purpose for which required. |
|---------------|------------|-----------------------------------|------------------------|--------------------------------------------------|-----------------------------|
|               |            |                                   |                        |                                                  |                             |
|               |            |                                   |                        |                                                  |                             |
|               |            |                                   |                        |                                                  |                             |
|               |            |                                   |                        |                                                  |                             |
|               |            |                                   |                        |                                                  |                             |
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|               |            |                                   |                        |                                                  |                             |
|               |            |                                   |                        |                                                  |                             |
|               |            |                                   |                        |                                                  |                             |

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.— British-Baluchistan Agency Territories Enactments—2—(a) Local Rules and Orders under Acts—*contd.***

Rules for the supply and sale of stamps and the duties and remuneration of vendors—*conoid.*

XL No vendor shall knowingly make—

- (a) a false endorsement on any stamp sold under Rule X, or
- (6) a false entry in the register prescribed in Rule X.

XII. In addition to the register mentioned in Rule X, every *ex-officio* vendor shall keep such registers and accounts as may be prescribed from time to time by the Revenue Commissioner.

XIII. Every vendor shall allow the Political Agent of the district or other officer duly authorised by him at any time to inspect the registers and accounts which he is required to maintain by Rules X and XII, and to examine the store of stamps in his possession.

XIV. Every vendor shall at any time on the demand of the Political Agent deliver up all stamps, or any class of stamps, remaining in his possession. When stamps are returned into the Political Agent's store on (1) resignation of licensee, (2) revocation of license for any fault of the licensee, (3) death of the vendor, (4) application of the vendor for leave to restore any stamps, the stamps should be taken back at their full value less a deduction of one anna in the rupee; but when they are returned on (5) expiration of license, (6) recall of stamps by Government, (7) revocation of license for any other cause than that mentioned in (2), they should be taken back at their full value less only any discount allowed on their sale to the licensed vendor.

XV. Every licensed vendor shall, without delay, deliver any stamps which he has in his possession for sale, on demand by any person tendering the value thereof in any currency which would be accepted on behalf of Government at the Government Treasury, and he shall not demand or accept therefor any consideration exceeding its proper value; provided that no vendor shall sell stamps of any kind the use of which has been ordered by competent authority to be discontinued.

XVI. (1) Every *ex-officio* or licensed vendor to whom application for an impressed sheet is made shall supply a single sheet of the required value, unless no single sheet of the value in question is available.

(2) If no single sheet of the value required is available, the vendor shall supply the smallest number of sheets he can furnish that may be sufficient to make up that value, and shall certify upon each of the sheets supplied and in his vend register that he is unable to furnish a single stamp of the required value, and that the number of sheets supplied is the smallest that he can furnish sufficient to make up that value.

(3) No certificate shall be made under the above rule by a stamp vendor in any case in which the stamp duty required exceeds the highest value of the stamps which such vendor is authorised to sell.

XVII. Any person other than an *ex-officio* or licensed vendor, who sells or offers for sale any stamps of class (1), or (2), or (3), or (4), is liable to the penalty prescribed in section 68 of the Indian Stamp Act, 1879, as applied to the Agency territories, namely, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

[See *Gazette of India*, 1899, Pt. II, p. 103.]

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.***Regulation of Vaccine operations within the Cantonment of Quetta.*

No. 4471, dated the 17<sup>th</sup> July, 1897.—The Agent to the Governor General in Baluchistan is pleased to make the following rules under section 20 of the Vaccination Act, XIII of 1880, for the regulation of vaccine operations within the limits of the Cantonment of Quetta.<sup>1</sup>

*Division of the Cantonment into circles for the performance of vaccination.*

I. The area of the Quetta Cantonment shall be considered one circle for the purpose of these rules.

*Appointment of a place in the circle as a Public Vaccine Station.*

II. The Cantonment Committee shall provide a public vaccine station in a convenient situation, and a board will be set up at this office, and maintained there, bearing the words "Vaccine station," followed by a notice, setting forth for public information the name of the Public Vaccinator, and the hours of his daily attendance at the station on vaccination duty, and also a notice notifying that the Public Vaccinator will, on due request made, attend for the vaccination of children at their homes in the circle, and a notice that no charge will be made for vaccination whether performed at the station or at a child's home.

III. The Civil Surgeon of Quetta shall *ex-officio* be Superintendent of Vaccination within the limits of the Quetta Cantonment, and in carrying out those rules shall act in consultation with the Principal Medical Officer, Her Majesty's Forces in Baluchistan.

*The authority with which the appointment, suspension and dismissal of the Public Vaccinator shall rest.*

IV. The Public Vaccinator for the Cantonment shall be appointed by the Cantonment Committee, on the nomination of the Superintendent, and may, for recorded misconduct, be suspended or dismissed from office by the Cantonment Committee on the recommendation of the Superintendent.

*The time of attendance of the Public Vaccinator at the vaccine station, the vaccination season and the Public Vaccinator's place of residence.*

V. The hours of daily attendance of the Public Vaccinator at the vaccine station shall be fixed by the Superintendent.

VI. The Public Vaccinator shall not be absent from his circle without the permission of the Superintendent.

VII. The vaccination season shall continue throughout the entire year.

*The distinguishing mark or badge to be worn.*

VIII. The Public Vaccinator shall at all times, when engaged in the duties of his office, wear a badge in the form of a brass plate, with the words "Public Vaccinator, Quetta Cantonment," engraved on it.

<sup>1</sup> For rules made by the Municipality of Quetta see Notification No. 569-C, dated the 21st January, 1897, *Gazette of India* 1897, Pt. 11, p. 108.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2.. (a) Local Rules and Orders under Acts—contd.

Regulation of Vaccine operation! within the Cantonment of Quetta—contd.

*The facilities to be afforded to people for procuring the vaccination of children at their own houses.*

IX. The Public Vaccinator shall vaccinate children of the circle at their homes at the request of a parent or guardian, or at any other place within the circle by direction of the Superintendent.

The Public Vaccinator may also visit and vaccinate children residing<sup>1</sup> beyond the circle, at the request of a parent or guardian, and with the permission of the Superintendent.

\*

*The grant and form of certificates of successful vaccination, of unfitness for vaccination, or of insusceptibility to vaccination\**

X. Certificates of vaccination shall be in the Form (A) hereto annexed.

XI. Certificates of unfitness for vaccination shall be in the Form (B) hereto annexed.

XII. The Public Vaccinator shall issue to the parent or guardian a certificate of vaccination in Form (A) on account of every child vaccinated on the day of vaccination, and shall complete the certificate on the day of examination, and he shall also issue to the parent or guardian a certificate in Form (B) of unfitness for vaccination, on account of every child found unfit on the day of examination. All cases of reported unfitness for vaccination shall be referred by the Vaccinator to the Superintendent, who shall countersign every certificate issued in Form (B).

Before final delivery to the parent or guardian of any certificate, the Public Vaccinator shall complete and sign the entries on its fly-leaf, which shall remain bound in the book of such certificates. The Public Vaccinator shall be provided with books of the above Forms (A) and (B).

*The nature of the lymph to be used, and the supply of a sufficient quantity of such lymph.*

XIII. The lymph ordinarily used by the Public Vaccinator shall be human lymph, supplied to the Public Vaccinator by the Superintendent; but arm-to-arm vaccination shall be practised. Lymph shall not be taken for any purpose from an unhealthy or weakly child, and more especially not from a child with appearance of skin disease.

In the event of a considerable demand for vaccination with animal lymph arising in the circle, the Superintendent shall either cultivate such lymph or procure a supply from elsewhere.

The necessary appliances shall be supplied to the Public Vaccinator free of charge by the Superintendent.

*Fee to be levied for Vaccination with human or animal lymph.*

XIV. No fee shall be charged for vaccination with human or animal lymph within the circle limits.

For the successful vaccination with human or animal lymph of a child residing beyond the circle limits, when operation and inspection are performed at the child's home, the Public Vaccinator shall be entitled to a fee of four annas.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B—British-Baluchistan Agency Territories Enactments—2..(a) Local Rules  
and Orders under Acts—*contd.**Regulation of Vaccine operations within the Cantonment of Quetta—contd.**The preparation and keeping of certain registers.*

XV. The Cantonment Committee shall take measures to prepare and keep the following registers in the forms appended to these rules :—

- (1) Register of infants born within the circle on or after the 1st March, 1897, with a record of vaccination or reason for non-vaccination, in every Mohalla of the Cantonment.
- (2) Register of the names of children who either are now resident within Cantonment limits, or are brought into them after the 1st March, 1897, and who have not been vaccinated, or have not had small-pox, such children having resided within Cantonment limits for a month, and being, if boys under the age of 14 years and if girls under the age of 8 years.

XVI. The general register of vaccinations performed in the circle, and forms of monthly returns shall be supplied by the Superintendent.

XVII. On the 1st March and 1st September in each year, the Secretary to the Cantonment Committee shall cause notices to be affixed for public information in every important portion or quarter of the circle in the accompanying Form C, in English, Persian, Pushtoo and Urdu.

The Secretary, Cantonment Committee, may at any time direct the public crier to call attention to these notices.

*The preparation of Vaccination Reports and Returns.*

XVIII. A monthly figured statement of results shall be submitted by the Public Vaccinator to the Superintendent in the approved departmental form. At the same time, a copy shall be sent to the Cantonment Committee.

The Public Vaccinator shall submit to the Superintendent and to the Cantonment Committee a figured statement of results for the year after its termination together with a concise report upon the working of the Act during the year.

*Miscellaneous.*

XIX. All the fees received by the Public Vaccinator shall be credited to the Cantonment fund.

XX. The notice referred to in section 17 of the Act shall be in the accompanying Form D.

<sup>1</sup> If such notice is not complied with, the Superintendent shall report the matter to the District Magistrate for action under section J 8 of the Act.

<sup>1</sup> This clause was substituted for the original clause by Notification No. 879, dated the 28th February, 1898, see *Gazette of India*, 1898, Pt II, p. 286.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*Regulation of Vaccine operations within the Cantonment of Quetta—*contd.*

Certificate of vaccination shall be in the following form :—

## A.—Quetta Cantonment.

| FLY LEAF.             | CERTIFICATE OF VACCINATION ISSUED ON<br>OF 189 . |       |      |      |                     |        |                                   |
|-----------------------|--------------------------------------------------|-------|------|------|---------------------|--------|-----------------------------------|
| REGISTER NO.          | VACCINATED CHILD.                                |       |      |      | PARENT OR GUARDIAN. |        |                                   |
|                       | Register No.                                     | Name. | Sex. | Age. | Name.               | Caste. | Place of abode.                   |
| Date of presentation. |                                                  |       |      |      |                     |        | Result of operation.              |
|                       |                                                  |       |      |      |                     |        | Case examined on the<br>and found |

NOTE.—The child herein mentioned is to be presented with this certificate for examination on

Result.

*Public Vaccinator.*

Record of instructions.

Certified that the above is a true account of the vaccination it records.

This certificate was given to

with instructions to

*Public Vaccinator.*

*Superintendent of Vaccination.*

*Public Vaccinator.*

The entry in the column of result should be (1) "successful," or (2) "unsuccessful," or (3) "unsuccessful for the third time."

The instructions should be (1) "to preserve the certificate" or (2) "to present the child for re-vaccination," or (3) "to consider further vaccination of the child unnecessary."

Instructions in form (3) shall be countersigned by the Superintendent.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*Regulation of Vaccine operations within the Cantonment of Quetta—*contd.*

Certificate of unfitness for vaccination shall be in the following form:—

*B.—Quetta Cantonment.*

No.

No.

CERTIFICATE OF UNFITNESS FOR VACCINATION ISSUED ON THE

DATE.

OF

189 .

| NAME OF CHILD.                     | CHILD. |      |      | PARENT OR GUARDIAN. |        |                 | INSTRUCTIONS.                              |
|------------------------------------|--------|------|------|---------------------|--------|-----------------|--------------------------------------------|
|                                    | Name.  | Sex. | Age. | Name.               | Caste. | Place of abode. |                                            |
| Name of parent and place of abode. |        |      |      |                     |        |                 | Child to be presented for re-inspection on |

Cause of unfitness.

I hereby certify that the above-named child was presented to me for vaccination this day and found unfit for vaccination for a period of by reason of

Instructions.

Countersigned.

Vaccinator.

Public Vaccinator.

*Superintendent of  
Vaccination.*

The instruction entry should denote (1) a fixed date of the current vaccination season, or (2) a period of the next vaccination season.



CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

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B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*

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Regulation of Vaccine operations within the Cantonment of Quetta—*contd.*

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FORM C.

PUBLIC NOTICE BATKD\_\_\_\_\_

The public are hereby informed that, in obedience to the law, every unvaccinated child of more than six months of age, resident within the Quetta Cantonment should be presented by its parent or guardian to the Public Vaccinator for inspection, with a view to its vaccination. If by reason of ill-health the child is found to be temporarily unfit for vaccination, a certificate (in form B) will be issued to the parent or guardian of the child notifying the date on which the child must again be presented for inspection with a view to vaccination.

*Secretary, Cantonment Committee.*

FORM D.

NOTICE ISSUED UNDER SECTION 17 OF THE VACCINATION ACT ON THE  
OF 189 .

To

(Name)

(of

address)

Quetta.

The above-named (*name*) is required to present to the Public Vaccinator the undermentioned child (*or children*) on the of 189, for examination, with a view to the vaccination of such child (*or children*).

*Name or description of child (or children).*

*Superintendent of Vaccination, Quetta Cantonment.*

CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*Regulation of Vaccine operations within the Cantonment of Quetta—*contd.*

## REGISTER (RULE XV).

## FORM I.

*Vaccination register of infants born in the Mohalla of Quetta Cantonment commencing from 1st March, 1897.*

|            |                            |                             |                               |                |                                         |                                |                        |                |                                             |                         |                                 |
|------------|----------------------------|-----------------------------|-------------------------------|----------------|-----------------------------------------|--------------------------------|------------------------|----------------|---------------------------------------------|-------------------------|---------------------------------|
| Serial No. | Place of abode in Mohalla. | Name of parent or guardian. | Name, sex and caste of child. | Date of birth. | Number in general vaccination register. | AGE AT TIME OF VACCINATION.    | RESULT OF VACCINATION. | RE-VACCINATION | CAUSE OF NON-VACCINATION.                   | Initials of vaccinator. | Initials of inspecting officer. |
|            |                            |                             |                               |                |                                         | Under one year.                | Successful.            |                | Leaving Quetta Cantonment limits with date. |                         |                                 |
|            |                            |                             |                               |                |                                         | Above one and under six years. | Unsuccessful.          |                | Insusceptibility.                           |                         |                                 |
|            |                            |                             |                               |                |                                         |                                | Unknown.               |                | Stomach.                                    |                         |                                 |
|            |                            |                             |                               |                |                                         |                                | Unsuccessful.          |                | Certificate No.                             |                         |                                 |
|            |                            |                             |                               |                |                                         |                                | Successful.            |                | Death with date.                            |                         |                                 |

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Ruled  
and Orders under Acts—*contd.*Regulation of Vaccine operations within the Cantonment of Quetta—*contd.*

## FORM II.

*Register of names of boys of less than 14 years of age, and of girls of less than 8 years of age, now resident in or hereafter brought into the Quetta Cantonment, who have not been vaccinated or have not had small-pox disease.*

|            |                            |                             |                               |                       |                                             |                      |                                                                                                                                                       |                                                                                                                                                          |                                                            |
|------------|----------------------------|-----------------------------|-------------------------------|-----------------------|---------------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| Serial No. | Place of abode in Mohalla. | Name of parent or guardian. | Name, sex and caste of child. | Date of registration. | Number of General vaccination re-<br>cister | Date of vaccination. | AGE AT TIME OF RESULT OF VACCINA-<br>TION.<br>RE-VACCINATION.<br>Under one year.<br>Above one and under six<br>years.<br>Successful.<br>Unsuccessful. | CAUSE OF NON-VACCINA-<br>TION.<br>Leaving Quetta Cantonment<br>limits with date.<br>Sickness.<br>Inusceptibility.<br>Death with date.<br>Certificate No. | Initials of vaccinator.<br>Initials of inspecting officer. |
|------------|----------------------------|-----------------------------|-------------------------------|-----------------------|---------------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|

[ See Gazette of India, 1897, Pt. II, p. 863. ]

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd

**B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.**

## Appointment of a Registrar of Joint Stock Companies.

No. 3780, dated the 11th June, 1895 — In exercise of the powers conferred by section 220 of the Indian Companies Act (YI of 1882), and with the previous sanction of the Governor General in Council, the Agent to the Governor General is pleased to appoint the Revenue Commissioner in Baluchistan to be *ex-officio* Registrar of Joint Stock Companies for the territories administered by him as such Agent.

[See *Gazette of India*, 1895, Pt. II, p. 868.]

## Regulations as to the duties of the Registrar of Joint Stock Companies.

No. 3774, dated the 11th June, 1896.—Under the provisions of section 220 of the Indian Companies Act (VI of 1882), the Agent to the Governor General is pleased to make the following Regulations with respect to the duties to be performed by the Registrar of Joint Stock Companies in the Agency territories.

2. The Regulations shall come into force from the date of this notification.

*Rules framed under section 220 of the Indian Companies Act.*

1. The Revenue Commissioner in Baluchistan for the time being shall be *ex-officio* the Registrar of Joint Stock Companies for the Agency territories (herein after called the "Registrar").

2. The Office of the Registrar shall be established at *Qnetta*.

3. The Registrar shall maintain a book entitled the "Register of Companies" (hereinafter called the "Register"), in which the following particulars shall be entered, a separate page being assigned to each Company :—

- |                                                                                                |                                 |
|------------------------------------------------------------------------------------------------|---------------------------------|
| (a) Name of Company.                                                                           |                                 |
| (b) Whether limited by shares or guarantee, or unlimited.                                      | On the top of the page.         |
| (c) Nominal capital, or (in case of a Company not having a divided capital) number of members. |                                 |
| (d) Situation of registered office.                                                            |                                 |
| (e) Date of registration.                                                                      |                                 |
| (f) Act under which registered.                                                                | In columns ruled down the page, |
| (g) Serial number of document filed,                                                           | one for each heading.           |
| (h) Description of document filed.                                                             |                                 |
| (i) By whom filed.                                                                             |                                 |
| (k) When and to whom certificate granted.                                                      |                                 |

The entries in this Register shall include the record of registration of the following (that is to say) :—Memoranda of Association, Articles of Association, copies of special resolutions, periodical balance sheets and lists of members and all other documents filed, or facts recorded, under the provisions of the Indian Companies Act, 1882 (hereinafter called "the Act"). Notices of facts to be recorded shall be printed and may be sent to the Registrar through the post (in registered covers), or delivered to him or left at his office during business hours, but no fact shall be recorded on mere verbal notice.

4. If any Memorandum of Association or other document be delivered to the Registrar for registration or record, and if it be found to be defective in any of the

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

#### Regulations as to the duties of the Registrar of Joint Stock Companies—contd.

particulars required by law, the Registrar shall return it for rectification; and he shall not register or file it until all the requirements of the law have been complied with.

5. It shall be the duty of the Registrar to see that all returns required by the Act to be furnished to him are duly and punctually furnished.

6. There shall be endorsed on every document recorded in the Register the following particulars:—

- (a) A serial number (there being a separate series for each Company) corresponding to the entry in column 9 of the Register.
- (b) The name of the Company to which the document relates.
- (c) A brief description of the document, corresponding to the entry in column (H) of the Register.
- (d) The date of registration and the Act under which registered.

This endorsement shall be signed by the Registrar and sealed with the seal of his office. Registered documents shall be filed in bundles and arranged in the order of their endorsed numbers, there being a separate bundle for each Company.

7. Subject to the payment of the fees prescribed in Regulation II, the Register and all documents recorded therein shall be available for public inspection during business hours; such inspections shall take place in the presence of the Registrar, or some person appointed by him in that behalf, and subject as aforesaid, any person requiring a copy or extract of any document recorded in the Register shall be furnished with such copy or extract, certified to be true, and sealed with the seal of his office.

8. The certificate of incorporation, required by section 41 of the Act to be given to a Company on the registration of its Memorandum of Association, shall be in the following form and shall be signed by the Registrar and sealed with the seal of his office:—

*In the Office of the Registrar of Joint Stock Companies, Baluchistan.*

I hereby certify that, pursuant to the provisions of Act VI of 1882, the Memorandum of Association of the \_\_\_\_\_ has this day been filed and registered, and that the said Company is duly incorporated as a Company limited by shares (or as the case may be).

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_

Fee Rs.



*Signature.*

9. Subject to the payment of the fee prescribed in Regulation II, a certificate of incorporation (other than the certificate required to be given to a Company on the registration of its Memorandum of Association) may be given to any person requir-

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.,(a) Local Rules and Orders under Acts—*contd.***Regulations as to the duties of the Registrar of Joint Stock Companies—*concl.*

ing it under the provisions of section 220, clause (e), of the Act; and such certificate shall, as far as circumstances permit, be in form, and shall be signed and sealed in the manner, prescribed in Regulation 8.

10. On filing and registering any document; other than the Memorandum of Association, the Registrar shall furnish the Company concerned with a certificate in the following form, sealed and signed in the manner prescribed in Regulation 8 :—

*In the Office of the Registrar of Joint Stock Companies, Baluchistan.*

IN THE MATTER OF THE  
I hereby certify that the undermentioned documents have this day been duly filed and registered, pursuant to the provisions of Act VI of 1882, to wit:—

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_  
Fees Rs.



*Signature.*

11. The following fees shall be levied under the provisions of section 220, clause (e), of the Act:—

|                                                             | <i>Rs. a. p.</i> |                                       |
|-------------------------------------------------------------|------------------|---------------------------------------|
| For each inspection under Regulation 7 . . .                | 1 0 0            |                                       |
| For certified copies and extracts under Regulation 7 . . .  | 0 2 0            | } for each 100 words or part thereof. |
| For a certificate of incorporation under Regulation 9 . . . | 3 0 0            |                                       |

But no fees beyond those prescribed in Tables B and C, First Schedule, of the Act shall be levied from Companies for the grant of certificates under Regulations 8 and 10.

12. The Registrar shall keep a book called the " Fees Book " in which shall be entered all fees realized under the Act and these Regulations. All fees so realized shall be paid into the Government Treasury as soon as possible after receipt.

13. The Registrar shall institute such enquiries and investigations at the offices of the registered Company or otherwise as shall be necessary, to obtain information or evidence respecting any infractions of the law made by such Companies in complying with any of the provisions of the Act.

[See *Gatette of India*, 1895, Pt. I I , p. 867.]

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2-(a) Local Rules and Orders under Acts—contd.

Exemption from duty of Contracts for the supply of Malt liquors to troops executed on or before 26th March, 1890.

No. 4774, dated the 22nd July, 1891.—In exercise of the powers conferred on the Local Government by section 56 of <sup>2</sup> Act XXII of 1881 (as amended by Act XIII of 1890) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such agent, the Agent to the Governor General is pleased to direct that all malt liquors supplied to the Commissariat Department for issue to the troops under contracts, which were executed on or before 28th March, 1890, shall be exempted, and are hereby exempted, from the duty prescribed in section 7 (a) of <sup>1</sup> Act XIII of 1890.

[See *Gazette of India*, 1801, Pt. II, p. 428.]

#### Rules for the working- and licensing of breweries.

No. 4775, dated the 22nd July, 1891.—In exercise of the powers conferred by section 10 of <sup>1</sup> Act XXII of 1881 (as amended by Act XIII of 1890) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to sanction the following rules which have been made by the Chief Revenue Authority in the aforesaid territories under sections 8 and 55 of the aforesaid Act, and they are hereby published for general information :—

1. A license to work a brewery in Baluchistan, granted under section 5 of Act XXII of 1881, shall be given in the form annexed, the form (No. XIII) prescribed under Act X of 1871 being hereby superseded.

2. Applications for licenses shall be made to the Political Agent of the district in which it is proposed to work the brewery.

3. A brewer licensed to work a brewery may, if it be thought necessary, be required to deposit, as security for abstinence from all acts involving forfeiture of the license, a sum not exceeding Rs. 5,000, the whole of which, or such portion as the Chief Revenue Authority may determine, shall be liable to forfeiture in the event of any breach of these rules or of the conditions of his license, involving forfeiture of the license, being proved. On the license expiring otherwise than by forfeiture, the sum so deposited shall be returned by the Political Agent.

4. Such deposit will further be at the disposal of the Political Agent for the discharge of all payments, whether of excise duty or of fines or forfeitures, to which the brewer may be liable by law, by these rules, or by the conditions of his license or by any engagement into which he may have entered.

5. The Political Agent of the district in which a brewery is licensed, or any officer whom he may appoint for the purpose, shall be the officer of Excise in charge of the brewery, and a subordinate officer or officers may also be stationed at that brewery to check the outturn, issues, and receipts of fermented liquors, and to see that the provisions of the Excise Act and of these rules are duly complied with. Such subordinate officers shall be paid by Government at a rate or rates to be determined by the Chief Revenue Authority, and shall be appointed and removed by the Political Agent of the district.

6. Every brewer must provide suitable accommodation within the brewery for any Excise Officer or Officers who may be stationed at the brewery under the pro.

<sup>1</sup> See the Excise Act, 1896 (XII of 1806), which is the Act now in force in these territories.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.**Rules for the working and licensing of breweries—contd.

visions of the preceding rule. The officer or officers thus appointed shall keep such accounts of the outturn, issues, receipts, and returns of fermented liquors, and of the Excise duty thereon payable, as may from time to time be prescribed by the Political Agent, subject to the approval of higher authority.

7. Every brewer must provide and maintain sufficient and just liquid Imperial measures and other necessary and reasonable appliances to enable the officers to take account of, or check by gauge or measure, all casks, jars, bottles, or other vessels issuing from the brewery, and must render all reasonable assistance to the officers in the gauging, measuring, or check of such vessels.

8. Issues of fermented liquor may only be made from a brewery between the hours of 7 A.M. and 7 P.M., between March 1st and October 31st, and between the hours of 8 A.M. and 6 P.M., between the 1st November and the last day of February.

9. No fermented liquor shall be issued from a brewery until it has paid duty at the rate leviable under the <sup>1</sup>Indian Tariff Act, 1882, on like liquor imported by sea, except liquor merely transferred from one brewery to another under Rule 10 following, and malt liquor supplied to the Commissariat Department for issue to troops, which have been exempted by the Agent to the Governor General's Notification <sup>2</sup>No. 4774, dated 22nd July, 1891. The approximate original specific gravity of the wort of all fermented liquor must be declared by the brewer before issue, and the Political Agent or officer in charge of the brewery may either accept such declaration or may cause the original gravity to be ascertained by test or analysis, and may take samples of the liquor not exceeding two quart bottles from each cask for the purpose. Samples thus taken shall be sealed by the Excise Officer and brewer before leaving the brewery, and the brewer in charge may, as of right, be present either in person or by agent at any examination or analysis that may be made.

10. Liquor issued from a licensed brewery merely for transmission to another licensed brewery may be allowed to travel in bond. The tap and bung-hole of each cask shall be sealed by the Excise Officer at the brewery. A declaration of the quantity of liquor thus forwarded, its original specific gravity, and its place of destination must be furnished to the officer in charge of the brewery, who will, if satisfied that the transfer is being made in good faith, grant to the brewer a pass to cover transport of the same, and forward a duplicate of the pass to the Collector or Political Agent of the district for which it is destined.

11. On payment of the prescribed duty, or, in the case of liquor exempted from duty by the notification referred to in Rule 9, after satisfying himself that it is really intended to be supplied to the Commissariat Department for issue to troops, under a contract executed on or before 28th March 1890, the Political Agent or other officer in charge of the brewery shall grant a pass in the form annexed authorizing the brewer to remove and despatch from the brewery liquor intended for consumption. The agency or other destination of liquor thus removed must be declared before removal for specification in the pass, but the destination may be subsequently altered and the pass renewed by the officer in charge of the brewery for any sufficient reason. A duplicate of such original or renewed pass when granted shall be forwarded by the officer of Excise in charge of the brewery to the Political Agent or Collector of the district for which the liquor is destined.

12. The duty realized on fermented liquor returned unsold to the brewery of issue, or any brewery [worked *bond fide* in the same interest, will be refunded, provided

<sup>1</sup> See now the Indian Tariff Act, 1894 (VIII of 1894), by which the Act of 1882 has been repealed,  
<sup>2</sup> Printed, *supra*, p. 366.



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.****Rules for the working and licensing of breweries—contd.**

that original specific gravity of liquor thus returned, be declared or be found to accord with the gravity recorded at the time of issue. In the event of a return being made to a brewery other than the brewery of issue, the brewer claiming a refund must produce a certificate as to the quantity and original specific gravity of the beer issued, and as to the payment of the duty thereon, from the Excise Officer in charge of the brewery of issue with such other evidence as may be necessary to support the claim.

13. With the sanction of the Revenue Commissioner, payments and refunds of duty in any licensed brewery may be made by book credit in any account kept for the purpose by the Excise Officer in charge of or the Excise Officer stationed at the brewery, on the understanding that the account thus maintained be settled quarterly and that any sum found to be due by the brewer be paid into the nearest Government Treasury within one week of the expiration of the quarter,

14. The following books must be kept in each brewery for inspection and verification by the Excise Officers of Government :—

(a) A book showing the quantity of fermented liquor manufactured and issued from the brewery, with a detail of the places to which liquor issued has been consigned and the names of the consignees.

(6) A book showing returns of fermented liquor made at the brewery, or receipts of liquor, whether imported or Baluchistan brewed, with a detail of the persons and places by whom and from which liquor has been returned or received. This book should show in a separate column any imported beer received at the brewery on which duty has been paid at the port of landing and on which duty is not again chargeable under these rules,

15. A quarterly account shall be prepared by every brewer, and shall be forwarded by him to the Political Agent of the district on or before the 15 th day of each of the months of January, April, July and October. Such account shall show the total quantity of liquor issued during the preceding quarter, the quantity on which duty was payable, the amount of duty paid either in cash or by book credit as provided for by Rule 13, the quantity of liquor returned unsold to the brewery, and the amount claimed or received as a refund of duty actually paid.

16. Any brewer attempting to defraud the revenue by removing from the brewery fermented liquor liable to duty on which duty has not been paid, or by rendering false returns of the outturn, issues, returns, and receipts of fermented liquor, or by making false declarations as to the original specific gravity of liquor issued from the brewery, shall be liable to the forfeiture of the whole, or such portion as the Chief Revenue Authority may determine, of the sum deposited by him as security under Rule 3, in addition to any punishment to which he may be liable under the Excise Act.

17. The Excise Officer or Officers stationed at a brewery shall be allowed free access at any time of the day, and, if specially authorized by the Political Agent or other Officer in charge of the brewery, at any time during the night, to every part of the brewery premises for purposes of inspection or for the performance of their Excise duties. The Political Agent or other Officer placed by him in charge of the brewery shall be allowed free access to every part of the premises at any hour of the day or night.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rule; and Orders under Acts—contd.**

**Rules for the working and licensing of breweries—contd.**

*Draft form offence to work a brewery. (Rule 1 of the Rules relating to malt liquors.)*

License to work a brewery for the manufacture of malt liquors of any description according to the European method at \_\_\_\_\_ in the district of \_\_\_\_\_ is hereby granted to \_\_\_\_\_ subject to the conditions prescribed in the Rules made by the Chief Revenue Authority, with the sanction of the Agent, Governor General, under sections Hand 55 of Act X X I I of 1881 (as amended by Act X I I I of 1890), regarding the time and manner of the issue and return of liquor from and to a brewery, and the payment or refund of excise duty, to such other rules for the security of the public revenue as may be hereafter made and issued under the same authority, and to the conditions hereinafter specified, the infraction of any of which rules and conditions shall entail forfeiture of license.

1. No attempt shall be made to extract spirits from the grains or refuse of the brewery unless the brewer also holds a license to possess and work a distillery.

2. No wholesale vend of malt liquor shall be made at the brewery without a wholesale license, or retail vend without a retail license.

3. No malt liquor shall be sold or given from the brewery to European Non-commissioned Officers or Soldiers, whether with their regiments or on staff or civil employ, without written permission of the Officer Commanding or other official superior.

4. The brewer shall deposit any sum not exceeding Rs. 5,000 that may be required by the Political Agent, under the orders of the Chief Revenue Authority, as security for abstention from any attempt to defraud the revenue by removing from the brewery liquor liable to duty on which duty has not been paid, or by rendering false returns of the outturn, issues, and receipts of liquor, or from any act involving forfeiture of license, and the whole or such portion of the above sum as the Chief Revenue Authority may determine shall be liable to forfeiture in the event of any attempt to defraud the revenue or of the intentional commission of any act involving forfeiture of the license being proved. On the license expiring otherwise than by forfeiture, the sums so deposited shall be returned by the Political Agent.

5. Such deposit shall further be at the disposal of the Political Agent for the discharge of all payments, whether of excise duty or of fines or forfeitures, to which the brewer may be liable by law, by these rules, or by the conditions of this license.

6. The brewer shall provide suitable accommodation within the brewery for any Excise Officer or Officers who may be there stationed to check the outturn, issues and receipts of fermented liquors, and to see that the provisions of the Excise Act and of the Rules framed under it are duly complied with.

7. The Excise Officer or Officers stationed at a brewery shall be allowed free access at any time of the day, and, if specially authorized by the Political Agent or other officer in charge of the brewery, at any time during the night, to every part of the brewery premises for purposes of inspection, or for the performance of excise duties. The Political Agent or other officer placed by him in charge of the brewery shall be allowed free access to every part of the premises at any hour of the day or night.

8. The brewer shall provide and maintain sufficient and just liquid Imperial measures, and other necessary and reasonable appliances to enable the officers to take account of, or check by gauge or measure, all casks, jars, bottles or other vessels

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.—(a) Local Rules and Orders under Acts—contd.

## Rules for the working and licensing of breweries—contd.

issuing from the brewery, and must render all reasonable assistance to the officers in the gauging, measuring, or check of such vessels.

9. The brewer shall maintain the following books :—

- (a) A book showing the quantity of fermented liquor manufactured and issued from the brewery, with a detail of the places to which liquor issued has been consigned, and the names of the consignees.
- (b) A book showing returns of fermented liquor issued at the brewery or receipts of liquor, whether imported or Baluchistan brewed, with a detail of the persons and places by whom and from which liquor has been returned or received. This book should show, in a separate column, any imported beer received at the brewery on which duty has been paid at the port of landing, and on which duty is not again chargeable under these rules,

10. A quarterly account shall be prepared by every brewer, and shall be forwarded by him to the Political Agent of the district on or before the 15th day of each of the months of January, April, July, and October. Such account shall show the total quantity of liquor issued during the preceding quarter, the quantity on which duty was payable, the amount of duty paid either in cash or by book credit, the quantity of liquor returned unsold to the brewery, and the amount received as a refund of duty actually paid. Any other returns regarding the outturn and receipts of liquor at the brewery, or the payment or refund of excise duty that may from time to time be prescribed or required under the orders of the Chief Revenue Authority, shall be promptly and punctually furnished.

## I.

*Draft form of pass for removal from a brewery of malt liquor which has paid duty under Rule 11, or has been exempted from duty by Notification No. 4774, dated 22nd July, 1891.*

Pass from the licensed brewery at \_\_\_\_\_ in the district of \_\_\_\_\_  
for despatch to \_\_\_\_\_ at \_\_\_\_\_ in the district of \_\_\_\_\_ the  
undermentioned quantity of malt liquor (upon which the legal duty of  
has been paid), or which is to be supplied to the Commissariat Department for issue  
to troops under a contract executed on or before 28th March, 1890.

| Description of malt liquor. | Original specific gravity. | Quantity (number of gallons). | Number of casks in which liquor is contained. | Amount of duty paid. |
|-----------------------------|----------------------------|-------------------------------|-----------------------------------------------|----------------------|
|                             |                            |                               |                                               |                      |

This pass will continue in force for \_\_\_\_\_

days from this date.

District \_\_\_\_\_

Date \_\_\_\_\_

}

Political Agent or Excise Officer.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.-British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.**

Rules for the working and licensing of breweries—concl'd.

**II.***Draft form of pass to remove malt liquors without payment of duty under Rule 10.*

|                                              |                               |         |
|----------------------------------------------|-------------------------------|---------|
| Pass from the licensed brewery at            | in the district of            | for     |
| despatch in bond to the brewery at           | in the district of            | the     |
| undermentioned quantity of malt liquor of an | approximate original specific | gravity |
| of                                           | Imperial gallons contained in | casks.  |

This pass will continue in force for

days from this date.

District

Date

}

*Political Agent or Excise Officer.*[See *Gazette of India*, 1891, Pt. II, p. 428.]*Orders under the Sind-Pishin Railway Act, 1879.<sup>1</sup>*

Extension of the Indian Railways Act, 1890 (IX of 1890).

No. 910-E., dated the 2nd May, 1890.—In exercise of the powers conferred by section 3, sub-sections (2) and (3), of the Sind-Pishin Railway Act, XI of 1887,<sup>1</sup> as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to extend the Indian Railways Act, IX of 1890,\* to that part of the Sind-Pishin Section of the North Western Railway which lies within the aforesaid territories, subject to the following modifications, namely:—

Sections 3 (4), 4(2)(a), 17 (1), 18, 19 (1) (e), 20 (2), 21, 23 (1) and 24 (2).—The word "public" shall be omitted wherever it occurs before the word "carriage".

Section 11 (3) (6).—The word "public" shall be omitted where it occurs before the word "traffic".

Section 19.—For clause (f) of sub-section (i) the following shall be substituted, namely:—

"(f) that the rolling stock and way and works of the railway are suitable for the carriage of passengers;"

For the first twenty words of sub-section (8) the following shall be substituted, namely:—

"If, in the opinion of the Inspector the rolling stock and way and works of the railway are not suitable for the carriage of passengers".

For the last twelve words of sub-section (3) the following shall be substituted, namely:—

"the rolling stock and way and works of the railway are suitable for the carriage of passengers."

Section 21 (a).—For the words "be attended with danger to the public using the line and works or the diversion" the following shall be substituted, namely:—

"affect the degree of safety under which the railway was first opened for the carriage of passengers,"

<sup>1</sup> Printed, *Palestine Code*, Ed. 1899, p. 18.<sup>2</sup> Printed, *General Acts*, Vol. VI, Ed. 1898, p. 410.

CHAPTER II,—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2, (a) Local Rules and Orders under Acts—contd.**

*Orders under the Sind-Pishin Railway Act, 1879—concl'd .*

*Extension of the Indian Railways Act, 1890 (IX of 1890)—concl'd*

*Section 23 (1).*—For the words "the use of the railway\* or of any specified rolling stock will be attended with danger to the public using it" the following words shall be substituted, namely:—

"the railway or any specified rolling stock is not in a fit state for the carriage of passengers."

*Chapter V* shall be omitted.

*Section 66.*—The following words shall be prefixed to this section, namely:—

"Subject to the provisions of section 4, sub-section (1), of the Sind-Pishin Railway Act, 1887,".

*Section 72.*—The following paragraph shall be added to this section, namely:—

"Special contracts limiting liability in accordance with the provisions of this section may continue to be made notwithstanding any notification issued by the Governor General in Council under section 5 of the Sind-Pishin Railway Act, XI of 1887."

[See *Gazette of India*, 1890, Pt. I, p. 343.]

*Extent of Government responsibility for damage to animals or goods.*

*No. 911-E., dated the 2nd May, 1890.*—Under section 5 of the Sind-Pishin Railway Act, XI of 1887,<sup>1</sup> as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Governor General in Council is pleased to announce that, subject to the provisions of the Indian Railways Act, IX of 1890,<sup>2</sup> as extended by Notification No. 910-E. of this date, the Government accepts responsibility, —

- (a) to the same extent as on State Railways generally, for injury happening to the person, or for loss or damage occurring in respect of animals or goods, on that part of the Sind-Pishin Section of the North Western Railway which lies between the frontier of the Province of Sind and the Sibi Junction Station, and,
- (b) to an amount not exceeding in any case one thousand rupees, for injury happening to the person, or for loss or damage occurring in respect of animals or goods comprised in any consignment or consignments despatched by one consignor, or to one consignee by several consignors, and in transit or warehoused, on any part of the Sind-Pishin Section of the North Western Railway, other than the part specified in clause (a) of this notification, which may be, from time to time, open for traffic.

[See *Gazette of India*, 1890, Pt. I, p. 344.]

*Appointment of 1st and 2nd Grade Collectors under the Panjab Land Revenue Act. 1887.*

*No. b56B, dated the 5th June, 1895.*—Under section 6 of the Panjab Land Revenue Act (XVII of 1887), as applied to the tahsil of Quetta by the Notification

<sup>1</sup> Printed, Baluchistan Code, fid. 1899, p. 18.

<sup>2</sup> Printed, General Acta, Vol. VI, Ed. 1898, p. 410.

## CHAPTER II--THE BALUCHISTAN AGENCY TERRITORIES--contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

## Appointment of 1st and 2nd Grade Collectors under the Panjab Land Revenue Act, 1887—contd.

of the Government of India in the Foreign Department, No. 977-E.,<sup>1</sup> dated the 17th May, 1895, the Agent to the Governor General is pleased to appoint—

- (a) the Assistant Political Agent for Quetta and Pishin and the Tahsildar of Quetta to be Assistant Collectors of the 1st grade, and
- (b) the Naib Tahsildar of Quetta to be an Assistant Collector of the 2nd grade, for the purposes of the said Act within the local limits of the Tahsil of Quetta.

[See *Gazette of India*, 1895, Pt. I I, p. 738.]

## Discharge of certain functions by Revenue Officers under the Panjab Land Revenue Act, 1887.

No. 2256, dated the 24th April, 1897,—Under section 10 of the Panjab Land Revenue Act (XVII of 1887), as applied to the Quetta Tahsil by the Government of India in the Foreign Department Notification No. 977-E.,<sup>1</sup> dated the 17th May, 1895, the Agent to the Governor General in Baluchistan is pleased to make the following orders as to the functions to be discharged under the said Act in the said tahsil by classes of revenue officers, viz. :—

- (1) The functions arising under the chapters and sections of the Act, which are specified in Schedule A hereto annexed, shall be discharged only by the Political Agent (Collector) and the Revenue Commissioner;
- (2) The functions arising under the sections and chapters of the Act, which are specified in Schedule B hereto annexed, shall be discharged only by the Assistant Political Agent (Assistant Collector of the 1st grade) the Political Agent and the Revenue Commissioner;
- (3) In any case in which a rule made, or hereafter to be made, under the Act specifies the class of revenue officer by whom a function is to be discharged, that function shall be discharged by an officer of that class only;
- (4) All functions arising under the Act, in respect of which the class of revenue officers by whom the function is to be discharged is specified neither in the Act, nor in any rule made under the Act, nor in this notification, may be discharged by any class of revenue officers.

*Schedule A.*

| Section or Chapter.   | Subject.                                                                                     |
|-----------------------|----------------------------------------------------------------------------------------------|
| Chapter III . . . . . | The appointment, punishment, suspension or removal of Kanungos, Patwaris or village headmen. |
| Chapter V . . . . .   | Assessment.                                                                                  |
| Section 66 . . . . .  | Certification of statement of account of arrears of land revenue.                            |
| Section 145 . . . . . | Preparation of list of village cesses.                                                       |

<sup>1</sup> Printed, *supra*, p. 232.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.**

scharse of certain functions by Revenue Officers under the Panjab Land Revenue Act, 1887—concl'd.

*Schedule B.*

| Section or Chapter.              | Subject.                                                                |
|----------------------------------|-------------------------------------------------------------------------|
| Section 36 (2) . . . . .         | Placing persons in possession of disputed property.                     |
| Section 70 (1) . . . . .         | Distrain and sale of moveables and crops for an arrear of land revenue. |
| Section 97, cum 70 (1) . . . . . | Ditto on application of a village-officer.                              |
| Sections 101 and 103 . . . . .   | Defining boundaries and erection of boundary marks.                     |
| Section 150 . . . . .            | Prevention of encroachments.                                            |

[See *Gazette of India*, 1897, Pt. II, p. 574.]

Rules under the 'Wild Birds Protection Act, 1887,

No. 4889, dated the 18th August, 1892.—In exercise of the powers conferred by section 3 (1) and (2) of the Wild Birds Protection Act (XX of 1887), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased, with respect to all Cantonments and municipalities in the said territories, to issue the following rules which are hereby published for general information :—

I. The expression "Wild bird" for the purpose of Act XX of 1887 shall mean and include—

Bustard.

Floricān.

"Wild duck of all descriptions.

Sand grouse.

Sisi.

Chicor.

"Partridge.

<sup>1</sup> I I . The breeding season of the said wild birds shall extend from the 1st April to the 81st August, inclusive, in each year, except in the case of partridge, sisi and chicor, of which the breeding season shall extend from the 1st of March to the 31st August inclusive.

I I I . During the breeding season defined in Rule I I , no person shall sell or possess in any of the Cantonments of Municipalities situated in the said territories any such wild bird recently killed or taken.

I V . Any person convicted of a breach of these rules shall be punished by a fine which may extend, in the case of a first offence, to Rs. 5 for every such wild bird in respect of which the breach of these rules has been committed, and in the case of any subsequent offence to Rs 10 in respect of any such bird.

[See *Gazette of India*, 1892, Pt. I I , p. 551.]

<sup>1</sup> This paragraph was substituted for the original paragraph by Notification No. 1007, dated the 12th March, 1895, see *Gazette of India*, 1895, Pt. I, p. 840.

## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

*Orders Under the Cantonments Act, 1889.*

## limits of the Cantonment of Loralai.

No. 1640-E., dated the 24th July, 1890,—The Governor General in Council is pleased to declare the limits<sup>1</sup> of the Cantonment of Loralai to be as follows:—

*Description of Loralai Cantonment Boundary.*

No. 2 Boundary pillar is situated to the north-west of cantonments on the stony hill to the east of Arbosin gap.

Bearing south-east to north-east, angle of north-east bastion of fort, 124° 30'.

Bearing south to south-west, angle of Royal Artillery Lines, intersection of centres of south and west roads, 184° 15'.

Bearing south-east to north-west, angle of Native Cavalry Lines, intersection of centre line of west road with north face of buildings 152° 45', distance 502 feet.

| Boundary pillars. | DESCRIPTION.                                                                                                                                           | Forward bearing from magnetic north. | Direct horizontal distance in feet. |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------|
| 1 to 2            | From pillar No. 1, on rocky hills, the boundary runs direct to pillar No. 2 in a north-easterly direction.                                             | 78° 30'                              | 2,135                               |
| 2 to 3            | From pillar No. 2 to pillar No. 3, the boundary runs in an easterly direction along the stony hills.                                                   | 85° 30'                              | 2,947                               |
| 3 to 4            | From pillar No. 3 to pillar No. 4, the boundary runs in an easterly direction along the stony hills.                                                   | 83° 45'                              | 3,238                               |
| 4 to 5            | From pillar No. 4 to pillar No. 5, on isolated low hill east of fort, the boundary crosses the plain to the south.                                     | 185°                                 | 4,050                               |
| 5 to 6            | From pillar No. 5 to pillar No. 6, on north edge of river, the south-east corner of the Cantonment, the boundary crosses the plain to the south-west.  | 208° 45'                             | 5,487                               |
| 6 to 7            | From pillar No. 6 to pillar No. 7, on north edge of river, the boundary follows the course of the Loralai river, nearly in a north-westerly direction. | 314° 45'                             | 3,388                               |
| 7 to 8            | From pillar No. 7 to pillar No. 8, on north edge of Loralai river, the boundary crosses the plain to the west, slightly north of the river.            | 283° 45'                             | 5,408                               |
| 8 to 9            | From pillar No. 8 to pillar No. 9, on stony hills, the boundary runs north.                                                                            | 353°                                 | 2,056                               |
| 9 to 1            | From pillar No. 9 to pillar No. 1, the boundary runs north-east along the stony hills.                                                                 | 51° 30'                              | 3,475                               |

NOTE.—In all cases the Cantonment boundary follows a direct line from pillar to pillar.

[See *Gazette of India*, 1890, Pt. I, p. 571.]

<sup>1</sup> Cf. Act XIII of 1889, s. 4 (2), printed, General Acts, Vol. V, Ed. 1898, p. 835.



## CHAPTER II. - THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

*Orders under the Cantonments Act, 1889—contd.*

## Cantonment of Loralai declared to be a Cantonment.

No. 6889, dated the 3rd October, 1896.—In exercise of the power conferred by section 4 of the Cantonments Act (XIII of 1889) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and with the previous sanction of the Governor General in Council, the Agent to the Governor General in Baluchistan is pleased to declare the Cantonment of Loralai, as defined in the Notification of the Government of India in the Foreign Department, No. 1540-E., dated the 24th July, 1890, to be a Cantonment for the purposes of the said Act so applied and of all other laws for the time being in force in the said territories.

[See *Gazette of India*, 1896, Pt. I I, p. 1051.]

## Defining the boundaries of the Military Station of Fort Sandeman.

No. 5228, dated the 29th August 1892.—The Agent to the Governor General and Chief Commissioner is pleased, with the previous concurrence of the Governor General in Council, to fix and declare the boundaries of the Military Station at Fort Sandeman to be as below :—

| Boundary pillars. | DESCRIPTION.                                                                                                                                                                                                   | Forward bearing from magnetic north. | Direct horizontal distance in feet. |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------|
| 1—2               | From pillar No. 1, which is situated on the right bank of the water channel below the Civil Hospital, the boundary runs in a westerly direction and along the right bank of the water channel to pillar No. 2. | 285° 0'                              | 1,678'                              |
| 2—3               | From pillar No. 2 the boundary runs in northerly direction to pillar No. 3.                                                                                                                                    | 330° 0'                              | 2,195'                              |
| 3—4               | From pillar No. 3 the boundary runs in a north-westerly direction to the right of cultivation to pillar No. 4.                                                                                                 | 311° 0'                              | 470'                                |
| 4—5               | From pillar No. 4 the boundary runs in a northerly direction to pillar No. 5.                                                                                                                                  | 340° 30'                             | 1,658'                              |
| 5—6               | From pillar No. 5 the boundary runs in a north-easterly direction to pillar No. 6.                                                                                                                             | 16° 45'                              | 1,060'                              |
| 6—7               | From pillar No. 6 the boundary runs in a north-easterly direction to pillar No. 7.                                                                                                                             | 19° 0'                               | 1,073'                              |
| 7—8               | From pillar No. 7 the boundary runs eastward along the edge of the cultivation to pillar No. 8.                                                                                                                | 82° 45'                              | 1,962'                              |
| 8—9               | From pillar No. 8 the boundary runs in a south-easterly direction to pillar No. 9.                                                                                                                             | 121° 0'                              | 369'                                |
| 9—10              | From pillar No. 9 the boundary takes an easterly direction along the water-course to pillar No. 10.                                                                                                            | 753° 0'                              | 955'                                |

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.—(a) Local Rules and Orders under Acts—*contd.**Orders under the Cantonments Act. 1889—contd.*Defining the boundaries of the Military Station of Fort Sandeman—*contd.*

| Boundary pillars. | DESCRIPTION.                                                                                                                                                                                                                                                                                        | Forward bearing from magnetic north. | Direct horizontal distance in feet. |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------|
| 10—11             | From pillar No. 10 the boundary runs along the water-course in a north-easterly direction to pillar No. 11, and bears to the north-east tower of Political Agent's house, $139^{\circ} 0'$ .                                                                                                        | $78^{\circ} 0'$                      | 978'                                |
| 11—12             | From pillar No. 11 the boundary takes a south-easterly direction along the water-course to pillar No. 12.                                                                                                                                                                                           | $104^{\circ} 15'$                    | 2,544'                              |
| 12—13             | From pillar No. 12, which is situated 40 feet distant to the west of the Fort Sandeman-Mir Ali Khel road, the boundary goes in a south-easterly direction crossing the Fort Sandeman-Mir Ali Khel road from west to east to pillar No. 13.                                                          | $205^{\circ}$                        | 3,284'                              |
| 13—14             | From pillar No. 13 the boundary runs in a south-westerly direction to pillar No. 14.                                                                                                                                                                                                                | $252^{\circ} 30'$                    | 755'                                |
| 14—15             | From pillar No. 14, which is situated to the east of the Fort Sandeman-Mir Ali Khel road bearing to north-east tower of the Political Agent's house $87^{\circ} 30'$ , the boundary runs in a south-westerly direction along the east side of the Fort Sandeman-Mir Ali Khel road to pillar No. 15. | $218^{\circ} 0'$                     | 1,783'                              |
| 15—1              | From pillar No. 15, which is situated on the right bank of the water channel, the boundary runs in a south-westerly direction, and is the right bank of the water channel to pillar No. 1.                                                                                                          | $212^{\circ} 15'$                    | 2,280'                              |

[See *Gazette of India*, 1892, Pt. II, p. 588.]

## Revision of the eastern boundaries of the Quetta Cantonment.

No. 3653, dated the 12th July, 1893.—With reference to Foreign Department Notification No. 1347-E., dated the 6th March, 1885, the Agent to the Governor General and Chief Commissioner is pleased, with the concurrence of the Governor General in Council, to revise and declare the boundaries on the east of the Quetta Cantonment to be as follows:—

| Boundary pillars. | DESCRIPTION.                                                                                                     | Forward bearing from magnetic north. | Direct horizontal distance in feet. |
|-------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------|
| 10 to 11          | From pillar 10 the boundary turns south-west and more or less follows the line of the Hannah Karez to pillar 11. | $252^{\circ} 34'$                    | 1,479'                              |

<sup>1</sup> See *Gazette of India*, 1885, Pt. I, p. 196.

## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2. (a) Local Rules and Orders under Acts—contd.***Orders under the Cantonments Act, 1889—contd.*

## Revision of the eastern boundaries of the Quetta Cantonment—contd.

| Boundary pillars | DESCRIPTION.                                                                                                                                       | Forward bearing from magnetic north. | Direct horizontal distance in feet. |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------|
| 11 to 12         | From pillar 11 the same direction, but slightly more southerly, is maintained to pillar 12.                                                        | 236° 7'                              | 2,428'                              |
| 12 to 13         | From pillar 12 to 18, boundary turns nearly due West                                                                                               | '280° 35'                            | 644'                                |
| 18 to 14         | From pillar 13 to 14 the boundary a train turns south-west, pillar 14 being first visible from 13, past the north end of the mill near the former. | 221° 15'                             | 1,627'                              |

[See *Gazette of India*, 1898, Pt. I I, p. 597.]

## Application of Rules and Regulations under Act XXII of 1864.

No. 1255-K, dated the 21st May, 1884.—With reference to Foreign Department Notification<sup>1</sup> No. 47-E., dated the 5th January 1884, the Governor General in Council is pleased to extend to the Cantonment of Quetta the provisions of the rules and regulations framed under Act XXII of 1864.<sup>2</sup>

[See *Gazette of India*, 1884, Pt. I, p. 210.]

## Order continuing the existing Quetta Cantonment Rules and Regulations as a temporary measure.

No. 818-E, dated the 19th April, 1890.—In exercise of the powers conferred by section 26 of the Cantonments Act, 1889, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to declare that the rules and regulations extended to the Cantonment of Quetta by Foreign Department Notification No. 1255-E., dated the 21st May, 1884, as explained by Foreign Department Notification No. 156-E., dated the 7th February, 1886, shall continue in force in that cantonment as a temporary measure.

[See *Gazette of India*, 1890, Pt. I, p. 249.]

Agent, Governor General, declared to be the Local Government for purposes of Rules and Regulations under Act XXII of 1864.

No. 1555-E. A., dated the 2nd September, 1896.—In continuation of the Notification of the Government of India in the Foreign Department, No. 1255-E.,

<sup>1</sup> Under this notification, Act III of 1880 was applied to the Cantonment of Quetta, see Act XIII of 1889, which is now in force.

<sup>2</sup> Repealed by Act III of 1880, but the Rules, etc., are kept in force by Act XIII of 1889, which is now in force in Quetta.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rates and Oraers under Acts—contd.***Orders under the Cantonments Act, 1889—concl'd.*

Agent, Governor General, declared **to be** the Local Government for purposes of Rules and Regulations under Act XXII of 1884—*concl'd.*

dated the 21st May, 1884, extending to the Cantonment of Quetta the provisions of the Rules and Regulations framed under Act XXII of 1864, the Governor General in Council is pleased to declare that the words "Local Government" in the said rules and regulations shall be deemed to mean the Governor General's Agent in Baluchistan in each case in which they occur.

2. The Notification of the Government of India in the Foreign Department, No. 156-E., dated the 7th February, 1885, is hereby cancelled.

[See *Gazette of India*, 1896, Pt. I, p. 072.]

Application of the rules in force in British-Indian Cantonments regarding contagious diseases.

No. 1991-I. A., dated the 13th May, 1898.—In exercise of the powers conferred by sections 26 and 27 of the Cantonments Act, 1889 (XIII of 1889), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to declare that the rules made under the said Act for all cantonments in British India and published with the notification of the Government of India in the Military Department, No. 1148 (Judicial), dated the 15th October, 1897, shall be in force in the Cantonments of Quetta and Loralai, respectively.

[See *Gazette of India*, 1898, Pt. I, p. 474.]

No. 1098-I. A., (dated the 28th April, 1899.—In continuation of the Notification of the Government of India in the Foreign Department, No. 1291-I. A., dated the 18th May, 1898, and in exercise of the powers cited therein, the Governor General in Council is pleased to apply the rule made for all Cantonments in British India and published with the Notification of the Government of India in the Military Department, No. 229 (Judicial), dated the 3rd March, 1899, to the Cantonments of Quetta and Loralai, respectively.

[See *Gazette of India*, 1899, Pt. I, p. 277.]

Imposition of a Dog Tax and Rules for recovery thereof.

[Not printed. See *Gazette of India*, 1889, Pt. I, pp. 397 and 398]

*Orders under the Indian Railways Act, 1890.*

Use of motive power and rolling stock on and delegation of functions to Local Government in respect of the Sindh-Pishin Railway.

No. 1669-I, dated the 19th May, 1893.—In exercise of the powers conferred by section 16, sub-section (1), section 47, sub-section (5), and section 144, sub-

<sup>1</sup> See *Gazette of India*, 1897, Pt. I, p. 941.

<sup>2</sup> See *Gazette of India*, 1899, Pt. I, p. 184.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments-2.-(a) Local Rules and Orders under Acts—contd.***Orders under the Indian Railways Act, 1890—contd.*

Use of motive power and rolling stock on and delegation of functions to Local Government in respect of the Sindh-Pishin Railway—concl'd.

section (1), of the Indian Railways Act (IX of 1890), as extended by Notification of the Government of India in the Foreign Department, No. 910-E., dated the 21st May, 1890, to that part of the Sind-Pishin section of the North Western Railway which lies within the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Governor General in Council is pleased—

- (i) to sanction the use of locomotive engines or other motive power, and rolling-stock to be drawn or propelled thereby, on all portions of the said line of railway which are used for the carriage of passengers, animals, or goods;

\* \* \* \* \*

- (iii) to delegate to the Agent to the Governor General in Baluchistan, to the extent and subject to the conditions hereinafter specified, the following powers and functions which are now vested in the Governor General in Council under the said Act; the powers and functions hereby delegated being liable to be revoked or varied, and the exercise and discharge thereof to be controlled, as the Governor General in Council may from time to time think fit:

- (1) *Sections 7, 9, and 11.*—All the powers and functions of the Governor General in Council, subject to the proviso that the exercise and discharge of such powers and functions will not entail any expenditure in excess of the general powers of sanction possessed by the Agent to the Governor General in Baluchistan.
- (2) *Section 61, clauses (a), (b), (c), (d), and (e), and section 55.*—All the powers and functions of the Governor General in Council.
- (8) *Section 63.*—The power of determining the vernacular languages in which the maximum number of passengers to be carried in each compartment shall be exhibited.
- (4) *Section 83.*—The power of notifying the Magistrates and police-officers to whom notices of railway accidents are to be given.

2. The following Notifications and Resolution of the Government of India in the Public Works Department are hereby cancelled in so far as they relate to the afore-said line of railway :—

Notification No. 266, dated the 18th June, 1879.

“ “ 299 “ “ 13th September, 1880.

“ “ 10 “ “ 10th January, 1883.

“ “ 283 “ “ 13th October, 1885.

Resolution No. 789 R. T., dated the 2nd July, 1887.

Notification No. 189, dated the 15th June, 1888.

“ “ 861 “ “ 28th August, 1890.

[See *Gazette of India*, 1898, Pt. I, p. 249.]

\* Repealed by the notification immediately following.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

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Orders under the Indian Railways Act, 1890—contd.

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Applying certain British Indian Rules in regard to the working of open lines of Railway and the liability of Railway administrations to contribute to the aid of local funds.

No. 3143-1. B, dated the 9th October, 1896.—In exercise of the powers conferred by sections 47, 84, 85 and 135 of the Indian Railways Act (IX of 1890), as applied by the Notification of the Government of India in the Foreign Department, No. 910-E., dated the 2nd May, 1890, to that part of the North Western Railway which lies within the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Governor General in Council is pleased to issue the following orders :—

- I.—The general rules for working open lines of railway administered by the Government which were published under the Notification of the Government of India in the Public Works Department, No. 118, dated the 21st March, 1895, in the *Gazette of India* for 1895, Part I, page 173, shall, as modified for the time being and from time to time for British India, apply to all portions of the said line of railway for the time being used for the public carriage of passengers, animals, or goods.
- II.—Subject to the modification prescribed in the Circular of the Government of India in the Public Works Department, No. 18 Railway, dated the 2nd November, 1895, published in the *Gazette of India* for 1895, Part I, page 948, and any further modifications which may from time to time be prescribed for British India, the rules which were published with the Circular of the Government of India in the Public Works Department, No. 7 Railway, dated the 19th April, 1895, in the *Gazette of India* for 1895, Part I, pages 336 to 338, and the directions contained in paragraphs 2 and 3 of the Resolution embodied in that circular shall apply to the aforesaid railway.
- III.—The provisions of the Notifications of the Government of India in the Public Works Department, No. 270, dated the 12th June, 1890, published in the *Gazette of India* for 1890, Part I, page 438, and No. 186, dated the 5th April, 1893, published in the *Gazette of India* for 1893, Part I, page 190, declaring railway administrations in British India to be liable to pay certain taxes in aid of the funds of local authorities, shall apply and shall be deemed to have applied (save as regards any tax actually paid or accrued due before the date of this notification) with effect from the dates which they bear, respectively, to the administration of the aforesaid railway.
- IV.—Clause (ii) of the Notification of the Government of India in the Foreign Department, No. 1662-1., dated the 12th May, 1893, is hereby cancelled.

[See *Gazette of India*, 1896, Pt. I, p. 821.]

# CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—conts.

### Orders under the Indian Railways Act, 1890—contd.

#### Reports of accidents on the Sind-Pishin Railway.

No. 1683, dated the 7th April, 1897.—In exercise of the powers conferred by section 83 of the Indian Railways Act (IX of 1890), as extended to the part of the Sind-Pishin Section of the North Western Railway lying beyond the Province of Bind under <sup>1</sup>[Public Works] Department Notification No. 209, dated the 2nd May, 1890, the Agent to the Governor General is pleased to direct that reports of accidents occurring at or near a railway station specified in column 3 of the subjoined list shall be made by the railway official whose duty is to make such reports to the Police Stations and Magistrates entered in columns 4 and 5 of the list opposite the said railway station:—

| Railway.                                    | District.      | Railway Station.             | Police Station at which reports of accidents should be made. | Magistrate.                         | REMARKS. |
|---------------------------------------------|----------------|------------------------------|--------------------------------------------------------------|-------------------------------------|----------|
| Sind-Pishin Section, North Western Railway. | Thal-Chotiali. | Sibi . . . .                 | District Police Station, Sibi.                               | Extra Assistant Commissioner, Sibi. |          |
|                                             |                | Sunnari . . . .              | District Police Station, Hurnai.                             | Tahsildar, Sharigh.                 |          |
|                                             |                | Hurnai . . . .               |                                                              |                                     |          |
|                                             |                | Nakus . . . .                |                                                              |                                     |          |
|                                             |                | Sharigh . . . .              |                                                              |                                     |          |
|                                             |                | Khosh . . . .                | Railway Police Station, Sharigh.                             | Ditto.                              |          |
|                                             |                | Dirgi . . . .                |                                                              |                                     |          |
|                                             |                | Mangi . . . .                |                                                              |                                     |          |
|                                             |                | Mud Gorge . . . .            |                                                              |                                     |          |
|                                             | Pishin.        | Kach . . . .                 | District Police Station, Bostan.                             | Magistrate of Pishin.               |          |
|                                             |                | Kach Kotal . . . .           |                                                              |                                     |          |
|                                             |                | Fuller's Camp . . . .        | District Police Station, Pishin.                             | Ditto.                              |          |
|                                             |                | Khanai . . . .               |                                                              |                                     |          |
|                                             |                | Postan . . . .               | District Police Station, Killa Abdulla.                      | Ditto.                              |          |
|                                             |                | Yaru . . . .                 |                                                              |                                     |          |
|                                             |                | Sarpan . . . .               | District Police Station, Chaman.                             | Native Assistant, Chaman.           |          |
|                                             |                | Suiyad Hamid . . . .         |                                                              |                                     |          |
|                                             |                | Gulistan . . . .             |                                                              |                                     |          |
|                                             |                | Killa Abdulla . . . .        |                                                              |                                     |          |
|                                             |                | Ditto Distant Signal . . . . |                                                              |                                     |          |
|                                             |                | Shelabagh . . . .            |                                                              |                                     |          |
|                                             |                | Sanzal . . . .               |                                                              |                                     |          |
|                                             |                | Chaman . . . .               |                                                              |                                     |          |

[See Gazette of India, 1897, Pt. I I, p. 495.]

No. 1884, dated the 7th April, 1897.—In exercise of the powers conferred by section 88 of the Indian Railways Act (IX of 1890), as applied to that part of the Sind-Pishin Section of the North Western Railway which lies within the territories administered by the Agent to the Governor General in Baluchistan as such Agent, under Foreign Department Notification No. 910-E., dated the 2nd May, 1890,

<sup>1</sup> These words were substituted for the word " Foreign " by Notification No. 2987, dated the 20th May, 1897, see Gazette of India, 1897, Pt. I I, p. 669. Under this Notification, Act IX of 1890 was extended to that portion of the Railway which lies beyond the Province of Sindh.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## R—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Apts—contd.

*Orders under the, Indian Railways Act, 1890—concl'd,*

*Reports of accidents on the Sind-Pishin Railway—concl'd.*

the Agent to the Governor General is pleased to direct that reports of accidents occurring at or near a railway station specified in column 3 of the subjoined list shall be made by the railway official whose duty is to make such reports to the Police Stations and Magistrates entered in columns 4 and 5 of the list opposite the said railway station :—

| Railway.                                    | District.                     | Railway Station.                 | Police Station at which reports of accidents should be made.   | Magistrate.                           | REMARKS. |                       |
|---------------------------------------------|-------------------------------|----------------------------------|----------------------------------------------------------------|---------------------------------------|----------|-----------------------|
| Sind-Pishin Section, North Western Railway. | Sinjawi and Railway District. | Jhat Pat . . . . .               | District Police Station, Sibi.                                 | Extra Assistant Commissioner, Sibi.   |          |                       |
|                                             |                               | Temple Dera . . . . .            |                                                                |                                       |          |                       |
|                                             |                               | Nuttall . . . . .                |                                                                |                                       |          |                       |
|                                             |                               | Bell Pat . . . . .               |                                                                |                                       |          |                       |
|                                             |                               | Lindsay . . . . .                |                                                                |                                       |          |                       |
|                                             |                               | Mithri . . . . .                 |                                                                |                                       |          |                       |
|                                             |                               | Nari . . . . .                   |                                                                |                                       |          |                       |
|                                             |                               | Tanduri . . . . .                |                                                                |                                       |          |                       |
|                                             |                               | Dabar Kach . . . . .             |                                                                |                                       |          |                       |
|                                             |                               | Kuchali . . . . .                |                                                                |                                       |          |                       |
|                                             | Quetta.                       | Daluljal . . . . .               | District Police Station, Hunai.                                | Ditto.                                |          |                       |
|                                             |                               | Spintangi . . . . .              |                                                                |                                       |          |                       |
|                                             |                               | Kuchlak . . . . .                |                                                                |                                       |          |                       |
|                                             | Sinjawi and Railway District. | Baleili . . . . .                | Railway Police Station, Quetta.                                | Extra Assistant Commissioner, Quetta. |          |                       |
|                                             |                               | Quetta . . . . .                 |                                                                |                                       |          |                       |
|                                             |                               | Nari Bank . . . . .              | District Police Station, Sibi.                                 | Extra Assistant Commissioner, Sibi.   |          |                       |
|                                             |                               | Bolan Pass.                      |                                                                |                                       |          | Mushkaf . . . . .     |
|                                             |                               |                                  |                                                                |                                       |          | Ooeppur . . . . .     |
|                                             |                               |                                  |                                                                |                                       |          | Paoh . . . . .        |
|                                             |                               |                                  |                                                                |                                       |          | Peshi . . . . .       |
|                                             |                               |                                  |                                                                |                                       |          | Chidarzai . . . . .   |
|                                             |                               |                                  |                                                                |                                       |          | Ab-i-gum . . . . .    |
|                                             |                               |                                  |                                                                |                                       |          | Bohar . . . . .       |
|                                             |                               |                                  |                                                                |                                       |          | Mach . . . . .        |
|                                             |                               |                                  |                                                                |                                       |          | Sar-i-Bolan . . . . . |
| Hirok . . . . .                             |                               |                                  |                                                                |                                       |          |                       |
| Quetta .                                    | Dozan . . . . .               | District Police Station, Dozan.  | Native Assistant to Agent to the Governor General, Bolan Pass. |                                       |          |                       |
|                                             | Kolpur . . . . .              |                                  |                                                                |                                       |          |                       |
|                                             | Spezand . . . . .             |                                  |                                                                |                                       |          |                       |
| Quetta .                                    | Sariab . . . . .              | District Police Station, Quetta. | Extra Assistant Commissioner, Quetta.                          |                                       |          |                       |

[See Gazette of India, 1897, Pt. I I, p. 495.]



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments —2-(a) Local Rules and Orders under Acts—*contd.*

*For order relating to the Acquisition of Land, see p. 321, supra, for orders under the Excise Act, 1896 (XII of 1896), see p. 866, supra.*

#### Delegation of functions under the Epidemic Diseases Act 1897.

No. 444-1.A., dated the 4th February, 1897, printed, *infra*, p. 447.

No. 809-1.A., dated the 1st March, 1897.—Whereas the Epidemic Diseases Act (III of 1897) has been applied to, amongst other places, the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent, by the Notification of the Government of India in the Foreign Department,<sup>1</sup> No. 448-I. A., dated the 4th February, 1897:

In exercise of the powers conferred by section 2, sub-section (3), of the said Act as so applied, the Governor General in Council is pleased to direct that all the powers conferred by section 2, sub-section (1), thereof may be exercised by the Local Government.

[See *Gazette of India*, 1897, Pt. I, p. 176.]

#### Orders under the Code of Criminal Procedure, 1898.

##### Division of Districts into Sub-divisions.

No. 86-C, dated the 19th January, 1895.—In exercise of the powers conferred by section 8 of the<sup>2</sup> Code of Criminal Procedure, 1882, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to divide the districts of Quetta, Zhob, the Bolan Pass, and Sinjawi and the Railway into the following sub-divisions, namely:—

| District.                                  | Sub-division.                                                                                                                          |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| The Quetta District . . . . .              | The Quetta Sub-division.                                                                                                               |
| The Zhob District . . . . .                | { (1) The Bori Sub-division.<br>(2) The Lower Zhob Sub-division.<br>(3) The Upper Zhob Sub-division.<br>(4) The Musakhel Sub-division. |
| The Bolan Pass District . . . . .          | The Bolan Pass Sub-division.                                                                                                           |
| The Sinjawi and Railway District . . . . . | { (1) The Sinjawi Sub-division.<br>(2) The Barkhan Sub-division.<br>(3) The Railway Sub-division.                                      |

(ii) Notifications Nos. 294-C, dated the 19th April, 1890, and 606-F.C, dated the 80th July, 1890, are hereby cancelled.

[See *Gazette of India*, 1895, Pt. II, p. 88.]

<sup>1</sup> Printed, *infra*, p. 447.

<sup>2</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), printed, General Acts, Vol. VI, Ed. 1898, p. 380, which was applied by Notification No. 1005-E.B., dated the 29th June, 1898, printed, *supra*, p. 234. Under a. 2 (2) of Act V of 1898, this notification is kept in force.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2—(a) Local Rules and Orders under Acts—contd.

*Orders under the Code of Criminal Procedure, 1899—contd.*

Declaration as to Courts to which certain areas are to be subject for purposes of the Baluchistan Civil Justice Law, 1896, and appointment of Magistrates.

No. 291-C, dated the 19th April, 1890.—By direction of the Governor General in Council, and in exercise of powers conferred on the Local Government by the <sup>1</sup> Code of Criminal Procedure, 1882, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and by the Baluchistan Agency Civil Justice Law, 1890,<sup>2</sup> the Agent to the Governor General is pleased to issue the following orders :—

- (1) Each of the districts specified in Notification <sup>3</sup> No. 290-C. of this date shall be a district for the purposes of the <sup>1</sup> Code of Criminal Procedure, 1882, as applied to the territories above referred to, and shall be the area subject to the jurisdiction of the Court of a Political Agent for the purposes of the Baluchistan Agency Civil Justice Law, 1890.<sup>3</sup>
- (2) The person for the time being appointed by the Governor General in Council to hold the office of Political Agent in each of those districts shall be a Magistrate of the first class and the District Magistrate for the purposes of the <sup>1</sup> Code of Criminal Procedure, 1882, as applied to the territories above referred to.

[See *Gazette of India*, 1890, Pt. II, p. 188.]

No. 697-C, dated the 8th February, 1898.—In exercise of the powers conferred on the Local Government by the <sup>1</sup> Code of Criminal Procedure, 1882, as applied by the Baluchistan Agency Criminal Justice Law, 1896, to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased, in supersession of his Notification No. 7289, dated the 12th November, 1895, to direct that the person for the time being appointed by the Governor General in Council to hold the office of Political Agent, Bolan Pass, shall be a Magistrate of the 1st class and the District Magistrate for the Bolan Pass District.

[See *Gazette of India*, 1898, Pt. I I, p. 184.]

## Appointment of Magistrates.

No. 295-C., dated the 19th April, 1890.—In exercise of the powers conferred on the Local Government by section 12 of the <sup>1</sup> Code of Criminal Procedure, 1882, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to appoint the persons for the time being holding the office\* specified in the first column of the annexed table to be Magistrates of the class specified opposite those offices in the

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied by Notification No. 1006-E.B., dated the 29th June, 1898, printed, *supra*, p. 234, by s. 2 (2) of which this notification is kept in force. For the Code, see General Acta, Vol. VI, Ed. 1898, p. 380.

<sup>2</sup> See now the Baluchistan Agency Civil Justice Law, 1896, printed, *supra*, p. 287.

<sup>3</sup> See now Notification No. 4863, dated the 23rd July, 1892, printed, *infra*, p. 410, by which this notification is cancelled.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

*Orders under the Code of Criminal Procedure, 1898—contd.*

Appointment of Magistrates—contd.

second column of that table, in the local areas specified opposite those offices in the third column of that table, respectively :—

| I.—Offices.                                                                        | II.—Classes.   | III.—Local areas.                                |
|------------------------------------------------------------------------------------|----------------|--------------------------------------------------|
| The office of Assistant Political Agent of Quetta .                                | First class .  | The Quetta District.                             |
| The office of Extra Assistant Commissioner of Quetta.                              | Ditto .        | Ditto.                                           |
| <sup>1</sup> The office of Assistant Political Agent of Upper Zhob                 | Ditto .        | The Zhob District.                               |
| <sup>1</sup> The office of Assistant Political Agent, Lower Zhob .                 | Ditto .        | Ditto.                                           |
| <sup>2</sup> The office of Extra Assistant Commissioner of Zhob                    | Ditto .        | Ditto.                                           |
| The office of Assistant Political Agent of <sup>3</sup> [Sinjawi] and the Railway. | Ditto .        | The <sup>3</sup> [Sinjawi] and Railway District. |
| The office of Extra Assistant Commissioner of the Railway.                         | Ditto .        | The Railway Sub-division.                        |
| The office of Extra Assistant Commissioner of <sup>4</sup> [Sinjawi].              | Ditto .        | The <sup>4</sup> [Sinjawi] Sub-division.         |
| The office of Treasury Officer of Quetta . . . .                                   | Second class . | The Quetta Sub-division.                         |
| The office of Munsif of Quetta . . . . .                                           | Ditto .        | Ditto.                                           |
| The office of Tahsildar of Quetta . . . . .                                        | Ditto .        | Ditto.                                           |
| <sup>4</sup> The office of Native Assistant in the Bolan . .                       | First class .  | The Bolan Pass District.                         |
| The office of Tahsildar of Zhob . . . . .                                          | Ditto .        | The Zhob Sub-division.                           |
| The office of Tahsildar of Bori . . . . .                                          | Ditto .        | The Bori Sub-division.                           |
| The office of Tahsildar of Barkhan . . . . .                                       | Ditto .        | The Barkhan Sub-division.                        |
| The office of Naib Tahsildar of Quetta . . . .                                     | Third class .  | The Quetta Sub-division.                         |
| The office of Naib Tahsildar of Bori . . . . .                                     | Ditto .        | The Bori Sub-division.                           |
| <sup>5</sup> The office of the Naib Tahsildar of Sinjawi . .                       | Second class . | The <sup>5</sup> [Sinjawi] Sub-division.         |

[See *Gazette of India*, 1890, Pt. I I , p. 189.]

<sup>1</sup> As amended and added respectively by Notification No. 4644, dated the 24th June, 1896, see *Gazette of India*, 1890, Pt. I I , p. 679.

<sup>2</sup> But see Notification No. 607-F.C. dated the 30th July, 1890, printed, *infra*, p. 887.

<sup>3</sup> Substituted for the word "Loralai" by Notification No. 88-C., dated the 19th January, 1895, see *Gazette of India*, 1896, Pt. II, p. 89.

<sup>4</sup> As amended by Notification No. 696-F.C., dated the 6th October, 1890, see *Gazette of India*, 1890, Pt. I I , p. 635.

<sup>5</sup> Added by Notification No. 6484, dated the 10th October, 1891, see *Gazette of India*, 1891, Pt. I I , p. 559.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.****Orders under the Code of Criminal Procedure, 1898 -contd.*Appointment of Magistrates-*contd.*

No. 607-F.C, dated the 30th July, 1890.—In exercise of the powers conferred on the Local Government by section 12 of the <sup>1</sup> Code of Criminal Procedure, 1882, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and in supersession, so far as may be necessary, of this Office Notification No. 295-C, dated the 19th April, 1890, the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be Magistrates of the class specified opposite those offices in the second column of that table, in the local areas specified opposite to those offices in the third column of that table, respectively :—

| I.—Offices.                                                          | II.—Class.   | III.—Local areas.            |
|----------------------------------------------------------------------|--------------|------------------------------|
| <sup>2</sup> The office of Extra Assistant Commissioner, Upper Zhob. | First class  | The Zhob District.           |
| <sup>2</sup> The office of Extra Assistant Commissioner, Lower Zhob. | Ditto        | Ditto.                       |
| The office of Tahsildar of Lower Zhob . . .                          | Second class | The Lower Zhob Sub-division. |
| The office of Tahsildar of Upper Zhob . . .                          | Ditto        | The Upper Zhob Sub-division. |
| The office of Naib Tahsildar of Lower Zhob . . .                     | Third class  | The Lower Zhob Sub-division. |
| The office of Naib Tahsildar of Upper Zhob . . .                     | Ditto        | The Upper Zhob Sub-division. |
| The office of Naib Tahsildar of Barkhan . . .                        | Ditto        | The Barkhan Sub-division.    |

[See *Gazette of India*, 1890, Pt. I I, p. 497.]

No. 4362, dated the 23rd July, 1892.—In exercise of the powers conferred on the Local Government by section 12 of the <sup>1</sup> Code of Criminal Procedure, 1882, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and in continuation of this Office Notification No. 607-F.C, dated the 30th July, 1890, the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be Magistrates of the class specified opposite those offices in the

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied by Notification No. 1005-E.B., dated the 29th June, 1898 (printed, *supra*, p. 234), by s. 2 (2) of which this notification is kept in force. For the Code, see *General Acts*, Vol. VI, Ed. 1898, p. 380.

<sup>2</sup> As amended by Notification No. 5146, dated the 7th August, 1894, see *Gazette of India*, 1894, Pt. II, p. 762.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.-British-Baluchistan Agency Territories Enactments-2.-(a) Local Rules and Orders under Acts—contd.

*Orders under the Code of Criminal Procedure, 1898—contd.*

*Appointment of Magistrates—contd.*

second column of that table, in the local areas specified opposite those offices in the third column of that table, respectively :—

| Office                                           | Classes.    | Local areas.         |
|--------------------------------------------------|-------------|----------------------|
| The office of Tahsildar, Musakhel . . . . .      | 2nd class . | The Musakhel Tahsil. |
| The office of Naib-Tahsildar, Musakhel . . . . . | 3rd class   | Ditto.               |

[See *Gazette of India*, 189a, Pt. I, p. 493.]

No. 5804, dated the 26th October, 1893.—In exercise of the powers conferred on the Local Government by section 12 of the <sup>1</sup>Code of Criminal Procedure, 1882, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and in continuation of this Office Notification No. 607-F.C., dated the 80th July, 1890, the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed (able to be Magistrates of the third class, in the local areas specified opposite those offices in the second column of that table, respectively :—

| Offices.                                        | Local areas.           |
|-------------------------------------------------|------------------------|
| The office of second Naib-Tahsildar, Upper Zhob | The Upper Zhob Tahsil. |
| The office of second Naib-Tahsildar, Lower Zhob | The Lower Zhob Tahsil. |

[See *Gazette of India*, 1893, Pt. II, p. 911.]

No. 5998, dated the 6th November, 1893.—In exercise of the powers conferred on the Local Government by section 12 of the <sup>1</sup>Criminal Procedure Code, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to appoint the person for the time being holding the office specified in the first column of the annexed table, a Magistrate of class specified opposite that office in the second column of that table in the local area specified opposite that office in the third column of that table :—

| Office.                                              | Class.      | Local area.     |
|------------------------------------------------------|-------------|-----------------|
| The office of the Munsif in the Bolan Pass . . . . . | 3rd class . | The Bolan Pass. |

[See *Gazette of India*, 1893, Pt. II, p. 940.]

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied by Notification No. 1006-E.B., dated the 29th June, 1898, printed, *supra*, p. 234, by B. 2 (2) of which this notification is kept in force. For the Code, see General Acts, Vol. VI, Ed. 1898, p. 880.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.****Orders under the Code of Criminal Procedure, 1898— contd.**Appointment of Magistrates—conoid.*

No. 551-C, dated the 20th January, 1897,—Under the provisions of section 12 of the <sup>1</sup> Code of Criminal Procedure, 1882, the Cantonment Magistrate at Loralai is invested *ex officio* with the powers of a Magistrate of the second class within the local area of the Loralai Cantonment.

[See *Gazette of India*, 1897, Pt. I I, p. 107.]

No. 6689, dated the 16th October, 1897.—Under section 12 of the <sup>1</sup> Code of Criminal Procedure, 1882, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to appoint the Naib-Tahsildar of Kohlu to be a Magistrate of the second class in the sub-tahsil of Kohlu.

[See *Gazette of India*, 1897, Pt. I I, p. 1217.]

**Magistrates placed in charge of sub-divisions.**

No. 1271-Z., dated the 21st September, 1898,—Under the provisions of section 13 of Act V of 1898 (the Code of Criminal Procedure) as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to place the following Magistrates in charge of the sub-divisions named against each :—

| Magistrates.                                                                       | Sub-divisions.                        |
|------------------------------------------------------------------------------------|---------------------------------------|
| The Assistant Political Agent and 1st class Magistrates, Quetta.                   | The Quetta Sub-division.              |
| The Assistant Political Agent and 1st class Magistrates, Upper Zhob.               | The Upper Zhob Sub-division.          |
| The Extra Assistant Commissioner and 1st class Magistrate, Lower Zhob.             | The Lower Zhob Sub-division.          |
| The Extra Assistant Commissioner and 1st class Magistrate in the Railway District. | The Railway Sub-division.             |
| The Extra Assistant Commissioner and 1st class Magistrate of Sinjawi and Barkhan.  | The Sinjawi and Barkhan Sub-division. |
| The Native Assistant and 1st class Magistrate, Bolan Pass.                         | The Bolan Pass Sub-division.          |

[See *Gazette of India*, 1898, Pt. I I, p. 1097.]

**Magistrates of the 1st class appointed to try certain offences summarily.**

No. 2273, dated the 29th March, 1899.—Under the provisions of section 260 of the <sup>1</sup> Criminal Procedure Code, 1898, as applied to the territories administered by

<sup>1</sup> See now the Code of Criminal Procedure, 3898 (Act V of 1898), which was applied by Notification No. 1005-E.B, dated the 29th June, 1898, printed, *supra*, p. 234, under s 2 (2) of which these notifications are kept in force. For the Code, see General Acts, Vol. VI, Ed. 1898, p. 350.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.*

*Orders under the Code of Criminal Procedure, 1898—contd.*

*Magistrates of the 1st class appointed to try certain offences summarily—contd.*

the Agent to the Governor General in Baluchistan as such Agent and in supersession of all previous notifications on the subject except Notification<sup>1</sup> No. 4252 of the 20th June, 1898, the Agent to the Governor General is pleased to empower the persons for the time being holding the offices hereinafter named and being Magistrates of the first class, to try in a summary way all, or any, of the offences mentioned in the aforesaid section :—

1. The office of the Assistant Political Agent of Quetta.
2. The office of the Assistant Political Agent of Upper Zhob.
3. The office of the Assistant Political Agent of Lower Zhob.
4. The office of the Assistant Political Agent of the Railway District, Sinjawi, Barkhan and Kohlu.
5. The office of the Cantonment Magistrate in the Cantonment of Quetta.
6. The office of the Extra Assistant Commissioner of Quetta.
7. The office of the Extra Assistant Commissioner of Upper Zhob.
8. The office of the Extra Assistant Commissioner of Lower Zhob.
9. The office of the Extra Assistant Commissioner of the Railway District.
10. The office of the Extra Assistant Commissioner of Sinjawi, Barkhan and Kohlu.

[See *Gazette of India*, 1899, Pt. I I, p. 369.]

#### *Language of Criminal Courts.*

No. 85-C, dated the 4th January, 1897.—Under the provisions of section 356 ©E Act X of 1882 (the<sup>2</sup> Code of Criminal Procedure), the Agent to the Governor General is pleased to declare that Urdu shall be deemed to be the language of the Criminal Courts within the territories administered by the Agent to the Governor General in Baluchistan as such Agent.

[See *Gazette of India*, 1897, Pt. I I, p. 60.]

#### *Recording of Evidence of Witnesses.*

No. 89-C, dated the 4th January, 1897.—Under the provisions of section 357 of Act X of 1882 (the<sup>3</sup> Code of Criminal Procedure), the Agent to the Governor General is pleased to direct that, throughout the territories administered by the Agent to the Governor General in Baluchistan as such Agent in all proceedings before a Court of Session or a Magistrate, the evidence of each witness shall, in the cases referred to in section 356 of the said Code, be taken down by the Sessions Judge or Magistrate with his own hand, and in either the English or the Urdu language.

[See *Gazette of India*, 1897, Pt. I I, p. 60.]

#### *Appointment of persons to hear appeals from Magistrates of the 2nd and 3rd class.*

No. 3619, dated the 11th July, 1890.—In exercise of the powers conferred on the Local Government by section 407 of the<sup>4</sup> Code of Criminal Procedure, 1882, as

<sup>1</sup> This is a personal notification, see *Gazette of India*, 1898, Pt. I I, p. 720.

<sup>2</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied by Notification No. 1005-E.B., dated the 29th June, 1898, printed, *supra*, p. 234, under s. 2 (E) of which this notification is kept in force. For the Code, see General Acts, Vol. VI, Ed. 1898, p. 380.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

*Orders under the Code of Criminal Procedure, 1898—contd.*

Appointment of persons to hear appeals from Magistrates of the 2nd and 3rd class—conoid

applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to empower the persons for the time being holding the offices specified in the first column of the annexed table, to hear appeals from the decisions of any 2nd or 3rd class Magistrate exercising jurisdiction within the local areas specified opposite those offices in the second column of that table, respectively :—

| I.—Offices.                                                                                       | II.—Local areas.         |
|---------------------------------------------------------------------------------------------------|--------------------------|
| The office of Assistant Political Agent and 1st class Magistrate of Quetta.                       | The Quetta Sub-division. |
| The office of Extra Assistant Commissioner and 1st class Magistrate of Quetta.                    | The Quetta Sub-division. |
| <sup>1</sup> The office of Assistant Political Agent and 1st class Magistrate of Upper Zhob.      | The Zhob District.       |
| <sup>1</sup> The office of Assistant Political Agent and 1st class Magistrate of Lower Zhob.      | The Zhob District.       |
| <sup>2</sup> The office of the Extra Assistant Commissioner and 1st class Magistrate, Upper Zhob. | The Zhob District.       |
| <sup>2</sup> The office of the Extra Assistant Commissioner, Lower Zhob.                          | The Zhob District.       |

[See *Gazette of India*, 1890, Pt. I I, p. 457.]

Rules for the grant of copies and inspection of records of subordinate Courts.

No. 5859, dated the 23rd September, 1892.—In exercise of the powers conferred by section 553 of the <sup>4</sup> Code of Criminal Procedure, 1882, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and by section 90 of the Baluchistan Agency Civil Justice Law, 1890, and with the previous sanction of the Governor General in Council, in so far as they relate to the payment of fees, the Agent to the Governor General in Baluchistan is pleased to make the following rules to regulate the procedure relating to the [grant of copies] / [inspection] of records in the subordinate Courts :—

## A.—GRANT OF COPIES OF RECORDS,

*Definitions.*

## I.—In these rules—

"Record" means and includes any portion of a record, and any document, map, plan, or other paper attached to or forming part of the record of any suit or appeal, inquiry, or

trial, or other judicial proceeding in any Civil or Criminal Court.

N.B.—Correspondence that has not formed part of the judicial proceedings in Court is not to be considered part of the record.

<sup>1</sup> These two entries were substituted for the original entry by Notification No. 4643, dated the 24th June, 1896, see *Gazette of India*, 1896, Pt. I I, p. 679.

<sup>2</sup> This entry was substituted for the original entry by Notification No. 5146, dated the 1st August, 1894, see *Gazette of India*, 1894, Pt. I I, p. 762.

<sup>3</sup> This entry was added by Notification No. 6500, dated the 11th October, 1897, see *Gazette of India*, 1897, Pt. I I, p. 1196.

<sup>4</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), which was applied by Notification No. 1005-E.B., dated the 29th June, 1898, printed, *supra*, p. 234, under s. 2 (2) of which this notification is kept in force. For Act V of 1898, see General Acts, Vol. VI, Ed. 1898, p. 380.

<sup>5</sup> See now the Baluchistan Agency Civil Justice Law, 1896, printed, *supra*, p. 287.



## CHAFFER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B,—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

*Orders under the Code of Criminal Procedure, 1898—contd.*

Rules for the grant of copies and Inspection of records of subordinate Courts—contd.

"Copyist" means and includes any person engaged for the purpose of making a copy or copies of any such record.

"High Court" means the Court of the Agent to the Governor General in Baluchistan.

*Provision for supply of copies.*

I I . — (i) Subject to all proper exceptions and to these rules, due provision shall be made for the supply of copies of the records of every Court, whether Civil or Criminal, other than the High Court or a District or Sessions Court—

(a) at the head-quarters of the district in which such Court is situated, and, subject to the provisions of the next clause of this rule,

(6) at the place of sitting of every such Court which is situated at a distance of more than ten miles from such head-quarters.

(ii) Copies of the records of a Court of Small Causes, or Cantonment Magistrate, or of a Court the place of sitting of which is situated at a distance of more than ten miles from the head-quarters of the district, may, subject to all proper exceptions and to these rules, be supplied at the place of sitting of such Court—

fa) while the case, a copy of the record of which is applied for, is pending ;

(J) at any time before the record has been forwarded to the District Record office :

Provided that in the case of a Court of Small Causes or a Court of a Cantonment Magistrate having a record office of its own, copies of records of such Court may be supplied at the place of sitting of such Court at any time.

(iii) Copies of the records of the District or Sessions Court shall be supplied at the ordinary place of sitting of such Court.

*Persons entitled to copies of records.*

III. — (i) A copy of a record may be granted in the manner prescribed by these rules to any person who, under the law for the time being in force, is entitled to receive it.

(II) A plaintiff or a defendant who has appeared in the suit is entitled, at any stage of the suit, to obtain copies of the record of the suit, including exhibits which have been put in and finally accepted by the Court as evidence.

N.B.—A party who has been ordered to file a written statement is not entitled to inspect without the special permission of the Court, or to take a copy of, a written statement filed by another party until he has first filed his own.

(iii) A stranger to the suit may, after decree, obtain, as of course, copies of the plaint, written statements, affidavits, and petitions filed in the suit ; and may, for sufficient reason shown to the satisfaction of the Court, obtain copies of any such documents before decree.

(iv) A stranger to the suit may also obtain, as of course, copies of judgments, decrees, or orders at any time after they have been passed or made.

(v) A stranger to the suit has no right to obtain copies of exhibits put in evidence, except with the consent of the person by whom they were produced.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.****Orders under the Code of Criminal Procedures 1898—contd.***Rules for the grant of copies and inspection of records of subordinate Courts—contd.***Applications for copies of records.*

IV.—(i) Applications for copies of records of District or Sessions Courts will be received by the chief ministerial officer for the time being of the Court, or other officer for the time being appointed by the District or Sessions Judge in that behalf.

**Presentation of applications for copies of records.**

(ii) Applications for copies of the records of Courts of Small Causes, or of Cantonment Magistrates, will be received by the chief ministerial officer for the time being of such Court : provided the record, a copy of which is applied for, is, at the time of the application, in the possession of such Court.

(iii) Applications for copies of records of any Civil or Criminal Court other than the High Court, not provided for in clauses (i) and (ii) of this rule, will be received, in the case of applications made at the head-quarters of a district, by the officer (being a judicial officer) for the time being appointed by the Political Agent in that behalf ; and in the case of applications for copies of records of Magistrate\* or Munsifs whose Courts are situated at a distance of more than ten miles from the head-quarters of the district, and made to such Courts, by the Magistrate or Munsif a copy of whose record is applied for :

Provided that an application for a copy of a record of the High Court or of a District or Sessions Court, made to a Lower Court or Office in which the record may be at the time of the application, shall not be complied with without the permission of the Court concerned :

Provided further that applications for copies made to Magistrates or Munsifs whose Courts are situated at a distance of more than ten miles from the head-quarters of the district shall be returned for presentation at the head-quarters of the district, if the record has been transmitted to the District Record office.

Endorsement to be made on V.—(i) Every officer receiving an application application, and registration thereof, for a copy of a record shall —

- (a) endorse or cause to be endorsed thereon the date of presentation;
- (b) initial the endorsement ;
- (c) cause the application to be registered as hereinafter provided ; and
- (d) cause the Court-fee thereon to be cancelled according to law.

(ii) Registers (in the Form A annexed to these rules) shall be maintained in which every application for a copy of a record shall, upon presentation, be forthwith entered by or under the orders of the officer receiving the same. Separate registers shall be kept for English and Vernacular copies respectively.

VI.—(i) Every application for a copy of a record shall be accompanied by a deposit in cash of a sum which shall not be less than the cost of preparing and certifying such copy under these rules.

**Deposit to be made in cash.**

(ii) If the application is not accompanied by the cash deposit required by the preceding clause of this rule, it shall be returned to the person presenting it with an endorsement recorded thereon stating the amount of the deposit required ; such endorsement shall be dated and signed by the officer returning the application ; and a **note of the date of return shall be made in the register.**

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B,—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

*Orders under the Code of Criminal Procedure, 1898—contd.*

Rules for the errant of copies and Inspection of records of subordinate Courts—contd.

(iii) The Court-fee stamp, if any, which the law requires to be affixed to the copy, shall not be taken from the applicant until the copy is ready for delivery; but at the time of receiving his application, the applicant should be informed of the value of the Court-fee (if any) required, and that, unless it is furnished when the copy is ready for delivery, the copy will not be delivered to him.

#### *Fees.*

Scale of fees and disposal of fees VII.—(i) For every copy there will be realised. charged a copying fee and a record office fee.

(ii) The record office fee will be a sum charged in addition to the copying fee, and equal to one-fourth of its amount.

(iii) The following shall be the maximum scale of copying fees :—

#### *English copies.*

|                                       | <i>R a.</i> |
|---------------------------------------|-------------|
| Two hundred words and under . . . . . | 0 6         |
| Every additional 100 words . . . . .  | 0 2         |

#### *Vernacular copies.*

|                                        |     |
|----------------------------------------|-----|
| Two hundred words and under, . . . . . | .03 |
| Every additional 100 words . . . . .   | 0 1 |

These rates include the cost of the paper which will be supplied by the copyist. For field maps, boundary maps, tabular work, etc., a special charge will be fixed by the officer granting the copy, subject to the approval of the Court a copy of whose record is applied for.

(iv) Subject to the provisions of these rules, all copying fees which shall be levied shall be expended on the making, revising, and attesting of copies of records applied for.

(v) Every record office fee levied under this rule shall be credited to the Record Office Fund of the Court concerned, in accordance with the rules for the time being regulating such funds.

#### *Appointment, remuneration, and removal of copyists.*

VIII.—(0 District or Sessions Judges in regard to their own Courts, Judges of Courts of Small Causes and Cantonment Magistrates in regard to their own Courts, and Political Agents in regard to all Courts, whether Civil or Criminal, within their respective districts, whose

#### **Appointment and removal of copyists. Register of copies.**

records are kept in the District Record Office, may engage a sufficient number of persons qualified to make copies of records for the purpose of being supplied to persons entitled thereto. The number of persons so engaged should be strictly limited to actual requirements for the work of copying, in either the English or Urdu language, as the case may be.

(ii) Persons engaged as copyists should be—

(a) of assured good character; and

(b) competent to write fast and well in English or Urdu, as the case may be.

CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—*contd.****Orders under the Code of Criminal Procedure, 1898—contd\****Rules for the grant of copies and inspection of records of subordinate Courts—*contd.***

(iii) A register (in the Form B annexed to these rules) of copyists appointed shall be maintained in the office of every authority empowered to engage copyists under this rule. The name of every person engaged as a copyist shall be entered in such register, together with the further particulars therein prescribed.

IX.—Copyists will be remunerated from the fees realised under those rules.

**Remuneration of copyists.**

Subject to the provisions of these rules, every copyist will receive nine-tenths of the entire copying fee taken in respect of the copy made from the person applying for it. In no case should the fees realised for making copies be placed in a fund, and under no circumstances should a copyist be entertained at a fixed salary.

**Control over copyists.**

X.—(i) The authority engaging a copyist may, at any time, dispense with his services.

(ii) Any copyist who is found to be—

- (a) unfit to be entrusted with judicial records for the purpose of his duties ;
- (b) careless or negligent in the performance of his duties ; or
- (c) inefficient or otherwise unsuitable,

may be dismissed by the authority engaging him. The appointing authority may, for any sufficient reason, reduce the rate of remuneration allowed to any copyist under Rule IX to such rate, and for such period, as such authority may deem fit.

*Manner of making copies.***How copies are to be written.**

XI.—Every copy made under these rules shall be written—

- (a) in a fair legible hand ;
- (J) in the case of copies made in the Urdu language, in the *nastalik* character.

•Copies to be limited to records applied for. Exception to this rule. Copies of copies.

XII.—(i) The copies supplied should be limited to the records applied for.

(ii) If the application includes the whole or any portion of the record in addition to the judgment or order and decree, the copy of the judgment or order and decree shall be first made and supplied, and then the copy of the other portion of the record applied for. In no case should the delivery of a copy of the judgment or order and decree (required for purposes of appeal) be delayed until copies of other portions of the record applied for can be made and delivered.

(iii) Copies of copies should not be granted unless expressly asked for *as such*. When granted, they should be expressly marked as copies of copies.

XIII.—In granting copies of records, if the copies cover more than one sheet of paper, the sheets of paper on which the copy is made should be stitched together in book form,

and should not be attached one to the end of another so as to form a roll.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

*Orders under the Code of Criminal Procedure, 1898—contd.*

*Bulot for the grant of copies and inspection of records of subordinate Courts—contd.*

XIV.—After the copy has been made, and before it has been revised, and Endorsements to be made on copy. attested, the following matters shall be endorsed thereon and in the prescribed register, in the case of copies made in the English language, in English, and in the case of copies made in Urdu, in that language :

- (a) the number on the register ;
- (b) the date of presentation of the application for a copy ;
- (c) the date of return for deposit of copying fees, if so returned ;
- (d) the date of making the required deposit of copying fees;
- (e) the number of words copied ;
- (f) the amount paid as copying fees ;
- (g) the name of the copyist;
- (h) the date on which the copy was completed by the copyist.

The copy will then be revised and attested in the manner hereinafter prescribed.

*Appointment, duties, and remuneration of revising and attesting officer.*

XV.—Every copy shall be revised and attested, in the case of District or Revision and attestation of copies. Sessions Courts, Courts of Small Causes, Courts of Cantonment Magistrates, or Courts at a distance of more than ten miles from head-quarters, by the chief ministerial officer for the time being of such Court, and, in the case of the Courts of District Magistrates and Magistrates subordinate to them, and of Courts subordinate to District Judges, by the Head Clerk for the time being of the English Office of the Political Agent, the Superintendent for the time being of the Vernacular Office of the Political Agent, or such other officer as the Political Agent may, from time to time, appoint in that behalf :

Provided that no officer other than a paid officer of Government occupying a position lower than that of Reader to a Court shall be appointed under this rule :

Provided further that in the case of any copy certified by an officer other than the chief ministerial officer or Head Clerk or Superintendent aforesaid, such copy shall, before delivery to the person applying for the same, be countersigned by a Judicial Officer. Such Judicial Officer shall, if possible, be the Judicial Officer of the Court of whose record a copy is being issued.

Duties of revising and attesting officers. X V I . — (i) Every revising and attesting officer shall, before he attests any copy in the manner prescribed by these rules,—

- (a) personally compare every such copy with the original record from which it has been made ;
- (b) attest every alteration made in such copy, by initialling the same ;
- (c) examine and initial the endorsements made upon the copy in accordance with these rules;

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.—(a) Local Rules and Orders under Acts—*contd.**Orders under the Code of Criminal Procedure, 1898—contd.*Rules for the grant of copies and Inspection of records of subordinate Courts—*contd.*

- (d) examine the headings and form of the copy, and see that they are in accordance with the law, rules, and directions applying to such copy ;
- (e) see that the copy is written in neat and legible handwriting ; and
- (f) be responsible that the provisions of the law and of the rules and orders of the High Court have been in all respects complied with.

(it) When any copy is found to be in all respects correct and ready for delivery to the applicant, the revising and attesting officer shall endorse thereupon a certificate written, dated, subscribed, and sealed in the manner prescribed by section 76 of the Indian Evidence Act. If the copy comprises more than one sheet of paper, the revising and attesting officer shall endorse the word " *attested* " on every such sheet, and shall enter his initials and the date thereunder.

(iii) The officer attesting copies shall, before any copy is delivered, endorse thereupon the date of such delivery, and cancel the Court-fee labels (if any) affixed to it, by punching out a portion of the label in such a manner as to remove neither the figure-head nor that part of the label upon which its value is expressed. He shall then write the date and his own signature across each such label upon which its value is expressed, so that some portion of such signature shall appear upon the paper to which the label is affixed as well as on the label itself.

Copy unfit to issue. X VII. — In the event of any copy being found to be unfit for issue by reason that it—

- (a) has not been clearly, legibly, or neatly written ;
- (b) is not in the prescribed form ;
- (c) is so incorrect that revision has rendered it unfit for issue ;
- (d) does not conform to the rules and orders of the High Court ; or
- (e) is otherwise incomplete, defective, or open to objection,

the revising and attesting officer shall forthwith write the word " cancelled " across the copy, and shall direct the copyist who prepared it to make a fresh copy without further charge. Such copyist shall forthwith comply with the order.

X V I I I. — Revising and attesting officers should bring to the notice of the head of the office the conduct of any copyist who contravenes any of these rules.

X I X. — The revising and attesting officer shall receive, by way of remuneration, one-tenth of the entire copying fee taken in respect of the copy attested from the person applying for it:  
Remuneration of revising and attesting officers.

Provided that where the revising and attesting officer is the chief ministerial officer of a Court, the presiding officer of such Court, and in any other case, the Political Agent may, for any sufficient reason, withhold the whole or any portion of the remuneration allowed by this rule in respect of a particular copy or in respect of all copies for a specified period.

## CHAPTER II.—THE BALUCHISTAK AGEKCY TEREITORIES—contd.

### B—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

*Orders under the Code of Criminal Procedure, 1898—contd.*

*Rules for the grant of copies and Inspection of records of subordinate Courts—contd.*

#### *Deductions to be credited to Government.*

XX.—All sums deducted or withheld from the remuneration of copyists or revising and attesting officers, under the provisions of Rules X and XIX, shall be paid into the Treasury to the credit of Government.

#### *Delivery of copies.*

XXI.—(i) When any copy has been duly made, revised, and attested, and in all respects complete and ready for delivery, the copyist will present it to the officer entrusted with the duty of receiving applications for copies. Such officer will call for the applicant, and, if it has not already been supplied, demand the Court-fee (if any) leviable in respect of such copy, and shall cause the same to be affixed to the copy and to be duly cancelled, and the date and initials of the revising officer to be written across each Court-fee label so affixed. The copy shall then be delivered to the applicant.

(ii) If the cash deposited under Rule VI (i) is in excess of the fees required by these rules, the excess shall be returned to the depositor.

(iii) Should the applicant not be present when first called to receive the copy, it shall be filed along with the application and shall be delivered to the applicant on his attending to receive it at any time within one month from the date on which it was ready for delivery. Should the applicant fail to present himself within such period, the copy shall not be given to him without a fresh application on the prescribed Court-fee.

XXII.—The cause of delay in preparing a copy beyond the third day from the date of application should invariably be noted on the copy, and should be certified to by the revising and attesting officer.

#### *Supervision.*

XXIII.—(i) An Assistant Political Agent, Extra Assistant Commissioner, or Treasury Officer should be placed in immediate charge of the copying department at the headquarters of each district, under the Political Agent.

(ii) The officer in charge should be required—

- (a) to examine the registers of applications for copies frequently;
- (b) to see that copies are supplied within three days of the date of application, unless he shall, for sufficient reason, have allowed further time in any particular case;
- (c) to see that Court-fees have been correctly affixed to copies, and entered in the prescribed registers of Court-fees;\*
- (d) to supervise the copyists and revising and attesting officers in the discharge of their duties, and report any dereliction of duty on the part of any member of the establishment to the Political Agent; and
- (e) to take measures to have the rules promptly and carefully complied with.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.**

*Orders under the Code of Criminal Procedure, 1898—contd.*

*Rules for the grant of copies and Inspection of records of subordinate Courts—contd.*

(iii) The Political Agent should occasionally inspect the registers of Court-fees and applications for copies.

(iv) In the case of District or Sessions Courts, Small Cause Courts, or other Courts granting copies of records without reference to the District Record office, the presiding officer of the Court should exercise supervision over the copying department in the manner specified in clause (ii) of this rule.

*Copies of records before the High Court.*

XXIV.—Whenever an application is made for a copy of a record in a case in which the files are before the High Court, the application should be forwarded to the High Court for disposal. If the application be made under section 548 of the Criminal Procedure Code, by a prisoner in jail, and be submitted with grounds of appeal or for revision, the petition of appeal or for revision should be forwarded at the same time.



## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

## Orders under the Code of Criminal Procedure, 1898—contd.

## Rules for the grant of copies and Inspection of records of subordinate Courts—contd.

FORM A.—RULE V.  
*Register of applications for copies.*

| 1              | 2                  | 3                                                               | 4                                     | 5               | 6                 | 7                                             | 8                                                      | 9                                                               | 10                      | 11                      | 12                            | 13               | 14                                               | 15                                             | 16                                     | 17       |
|----------------|--------------------|-----------------------------------------------------------------|---------------------------------------|-----------------|-------------------|-----------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------------|-------------------------|-------------------------|-------------------------------|------------------|--------------------------------------------------|------------------------------------------------|----------------------------------------|----------|
| Serial number. | NAME OF APPLICANT. | Name of officer who passed the order of which copy is required. | Number of cases and names of parties. | Nature of case. | Date of decision. | Date of presentation of application for copy. | Date of return for deposit of copying and record fees. | Date of making the required deposit of copying and record fees. | Number of words copied. | Amount of copying fees. | Amount of record office fees. | Name of copyist. | Date on which copy was completed by the copyist. | Date on which copy was examined and certified. | Date of delivery of copy to applicant. | REMARKS. |

FORM B.—RULE VIII.

*Register of copies in the Court (or Office) of the*

| 1     | 2              | 3          | 4    | 5                              | 6               | 7                                | 8                                                                                                                                                                                                      |
|-------|----------------|------------|------|--------------------------------|-----------------|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NAME. | FATHER'S NAME. | Residence. | Age. | Education sent passed, if any. | Where employed. | Signature of appointing officer. | In this column should be entered any order affecting the position of the copies as such, with the date of such order, e.g., censure or other punishment, transfer, death, resignation, dismissal, etc. |

CHAPTER II. — THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British Baluchistan Agency Territories Enactments—2.-(a) **Local Rules and Orders under Acts—*contd.****Orders under the Code of Criminal Procedure, 1898—concl'd.***Rules for the grant of copies and inspection of records of subordinate Courts—*concl'd.*****B.—INSPECTION OF RECORDS.**

- (1) Records of decided cases shall be open to the inspection of the parties interested in these cases, subject to the control of the head of the office.
- (2) The inspection of records shall be made in the Record-room between the hours of 11 A.M. and 4 P.M. on week days in the presence of the Record-keeper or one of his assistants.
- (3) Application for inspection of records shall be made in writing on plain paper, and shall distinctly specify the record the inspection of which is desired.

The application shall be addressed to the head of the office concerned, and shall be accompanied by the prescribed fee.

- (4) The following— fee shall be paid for inspection, *vis* :—

|                                                       | <i>R a.</i> |
|-------------------------------------------------------|-------------|
| For the first, hour or part of an hour . . . . .      | 1 0         |
| For each subsequent hour or part of an hour . . . . . | 0 8         |

If more time than is covered by the fee paid with the application be occupied in the inspection, the balance shall be paid at the close of the inspection.

- (5) A separate application shall be made, and separate fee paid, for each record, inspection of which is desired.
- (6) If any record, for inspection of which an order has been given, is incomplete or absent from the Record-room, or, for any sufficient cause, not available for inspection, the officer entrusted with this duty shall direct refund of the fee, and shall pass such order regarding future inspection as he may think right.
- (7) The copying of any document or paper of a record during inspection and the use of pen and ink are strictly prohibited. Pencil and paper may be used for the purpose of taking notes, but no mark shall be made on any record or paper inspected. Infringement or attempted infringement of this rule shall deprive the person infringing of the right of inspection. The fee paid will also be forfeited.
- (8) The fees realised under these rules shall be credited monthly into the Treasury.
- (9) The District Officer may, with the sanction of the Agent to the Governor General in Baluchistan, appoint any establishment necessary for the inspection of records, provided the cost does not exceed the income derived from inspection fees.

*N.B.*—Official correspondence about judicial cases is not to be considered as part of the record, nor is it open to inspection.

[See *Gazette of India*, 1892, Pt. II, p. 668.]

*For Notification as to supply and sale of stamps and the duties and remuneration of vendors, see p. 852.*

Chief Controlling Revenue authority under the Stamp Act, 1899.

No. 9513, *Hated the 9th December, 1899.*—In exercise of the powers conferred by section 2 (8) (c) of the Indian Stamp Act (II) of 1899, as applied to the terri-

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

Chief Controlling Revenue authority under the Stamp Act, 1899—contd.

territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Officiating Agent to the Governor General is pleased to appoint the Revenue Commissioner in Baluchistan to be Chief Controlling Revenue authority<sup>1</sup> for the purpose of the said Act.

[See *Gazette of India*, 1899, Pt. I I, p. 1370.]

Collectors under the Stamp Act, 1899.

No. 9614, dated the 9th December, 1899.—In exercise of the powers conferred by section 8 (9) (b) of the Indian Stamp Act (II) of 1899, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Officiating Agent to the Governor General is pleased to appoint the persons for the time being holding the offices of Political Agents, Quetta, Sinjawi and the Bailway District, Zhob, and the Bolan Pass, to be Collectors for the purposes of the Act

[See *Gazette of India*, 1899, Pt. I I, p. 1370.]

Orders under the Glanders and Farcy Act, 1899.

Application of Act to sub-division of Quetta.

No. 783-C, dated the 27th August, 1899.—In exercise of the powers conferred by section 8 of the Glanders and Farcy Act, 1899 (XIII of 1899), the Agent to the Governor General is pleased to apply the provisions of the said Act to the sub-division of Quetta.

[See *Gazette of India*, 1899, Pt. I I, p. 963.]

Appointment of Inspectors for certain local areas.

No. 786-C, dated the 27th August, 1899.—In exercise of the powers conferred by section 4 of the Glanders and Farcy Act, 1899 (XIII of 1899), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to appoint the officers mentioned in the first column of the annexed table to be Inspectors under the Act and to exercise and perform within the areas specified opposite their names in the second column of the table, the powers conferred and the duties imposed on such officers by the said Act;—

|                                                                                                                                                                                                              |                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| The Superintendent, Civil Veterinary Department, Baluchistan and Sind.<br>The District Superintendent, Police, Quetta.<br>The Deputy Inspector of Police, Quetta Town.<br>The Cantonment Magistrate, Quetta. | The Sub-Division of Quetta.<br>The Sub-Division of Quetta.<br>The Municipality of Quetta.<br>The Cantonment of Quetta. |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|

[See *Gazette of India*, 1899, Pt. II, p. 963.]

<sup>1</sup> For notification directing that the Punjab Chief Court shall be the Court to which the Chief Controlling Revenue authority shall refer cases under s. 67 (1) (c) of the Act, see No. 266-E. A., dated the 26th January. 1900. *Gazette of India*, 1900, Pt. I, p. 60.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(a) Local Rules and Orders under Acts—contd.

*Orders under the Glanders and Farcy Act, 1899—contd.**Appointment of Inspectors for certain local areas—conoid*

No. 7094, dated the 19th September, 1899.—In exercise of the powers conferred by section 4 of the Glanders and Farcy Act, 1899 (XIII of 1899), as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, and in continuation of this Office Notification No. 786 C, dated the 27th August, 1899, the Agent to the Governor General is pleased to appoint the officers mentioned in the first column of the annexed table to be Inspectors under the Act and to exercise and perform within the areas specified opposite their names the powers conferred and the duties imposed on such officers by the said Act :—

|                                                                                           |                                       |
|-------------------------------------------------------------------------------------------|---------------------------------------|
| The Salutri, Quetta-Pishin Police.<br>The Salutri, Civil Veterinary Department at Quetta. | The Sub-Division of Quetta.<br>Ditto. |
|-------------------------------------------------------------------------------------------|---------------------------------------|

[See *Gazette of India*, 1899, Pt. I I , p. 1088.]

*Rules under the Glanders and Farcy Act. 1890.*

No. 8988, dated the 22nd November 1899.—Under the authority vested in him by section 14 of the Glanders and Farcy Act, XIII of 1899 (which has been applied to the Agency territories by Foreign Department Notification No. 1258-E.A, dated the 21st August, 1899), the Agent to the Governor General is pleased to make the following rules under the said Act :—

*Rule 1.*—Every Inspector who receives information of the supposed existence, or who has reasonable grounds to suspect the existence of glanders or farcy in any place within the sub-divisions to which this Act has been applied, shall proceed immediately to such place, and there execute and discharge the powers and duties conferred and imposed upon him under this Act.

*Rule 2.*—An Inspector may, for the purpose of seizing any such horse, enter and search any field, enclosure, building, or other place where he has reason to believe that any diseased horse is to be found; but, as far as practicable, he shall conduct his search in the presence of the owner, or of the person in charge of the suspected horse, field, enclosure, or building, to whom notice shall be given previous to the search.

*Rule 3.*—Every person having in his possession or under his charge any diseased horse shall observe the following rules :—

1st—He shall, as far as possible, keep the diseased horse separate from other horses not diseased.

2nd—He shall give information of the fact of the disease as soon as possible to the nearest Police station, and the Officer in charge of the station shall forthwith report the same to the District Superintendent of Police, who shall communicate it directly to the Inspector.

*Rule 4.*—The Inspector whose duty it is under section 8 of the Act to cause the destruction of any horse which is within the limits attached to a Police station may give written directions to the Officer in charge of that station to destroy the horse. The officer receiving such instructions shall have the horse promptly destroyed by

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### **B.—British-Baluchistan Agency Territories Enactments-2.-(a) Local Rules and Orders under Acts—*contd.***

#### *Orders under the Glanders and Farcy Act—concl'd.*

##### Rules under the Glanders and Farcy Act, 1899—*concl'd.*

shooting or otherwise. He shall also be responsible for seeing that the rule next following is complied with, or that the person failing to comply with that rule is proceeded against under Rule 9.

*Rule 5.*—When a diseased horse is destroyed under section 8 of the Act, the owner, or the person in charge, shall cause the carcass to be buried, without delay, 6 feet below the surface of the ground; and the skin to be slashed so as to prevent its being used. No person shall dig up, or cause to be dug up, the carcass of any horse so buried, or any part of it: provided that an Inspector may direct the carcass to be burnt instead of being buried and the owner or person in charge shall thereupon cause it to be destroyed by fire. The carcass shall be buried or burnt at a place to be fixed by the Political Agent and Deputy Commissioner.

*Mule 6.*—When a diseased horse has been destroyed, or has died of the disease, the Inspector may order that its dung and any hay, straw, litter, or other things commonly used for food or bedding of horses shall be destroyed, by burying or burning, or in some other way, as he may direct, and the owner, or person in charge of the building, shed, place, or line in which such diseased horse has been located, shall be bound to execute such order without delay. If the Inspector is of opinion that any clothing, saddlery, harness, or other gear used on a diseased horse should also be burnt, such clothing, saddlery, harness, or other gear shall be burnt, and the above provisions shall apply.

*Rule 7.*—The stable or building in which a diseased horse has been, shall be cleansed and disinfected in the following manner:—

*1st*—By sweeping out and removing all dung, litter, and other matter.

*2nd*—By thoroughly washing all wood-work with boiling water.

*3rd*—By application to all parts above the floor with which the horse or its droppings may have come into contact, after thoroughly scraping the walls, of a coating of lime-wash made by mixing immediately before its use good, freshly burnt lime with water.

*4th*—By removal, if practicable, of two feet of earth from the floor or standings, which shall not be renewed for at least two weeks.

The owner or person in charge of the stable or building shall be responsible for carrying out the measures indicated.

*Rule 8.*—The Inspector shall grant a license for removal of a horse which has been in contact with a diseased horse, only when he considers that there is no danger of the first horse becoming diseased.

If any horse which has been in such contact is removed without such license, the Inspector may require it to be taken back within the limits of the place from which it has been removed.

*Rule 9.*—Any person convicted of breaking any of the above rules, shall be punished with imprisonment, which may extend to one month, or with fine, which may extend to Rs50, or with both.

[ See *Gazette of India*, 1899, Pt. II, p. 1315. ]

#### *Order under the Punjab Frontier Crimes Regulation, 1887.*

No. 1113-C., dated the 3rd July 1897.—In exercise of the powers conferred by section 5 (2) of the Punjab Frontier Crimes Regulation, IX of 1887, as applied to

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.—British Baluchistan Agency Territories Enactments—2-(a) Local Rules and Orders under Acts—*concl'd.*

*Order under the Punjab Frontier Crimes Regulation, 1887— concl'd.*

the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to appoint the Assistant Political Agent, Upper Zhob, to be *ex-officio* an additional District Magistrate within the limits of the Zhob District.

[See *Gazette of India*, 1897, Pt II, p. 839.]

## B.—BRITISH-BALUCHISTAN AGENCY TERRITORIES ENACTMENTS.

### 2-(b) Local Rules and Orders under Special Local Laws.

Rules under the Quetta Hackney Carriage Law, 1899.

No, 7803, dated the 12th October, 1899.—In exercise of the powers conferred by sections 3 and 4 of the Quetta Hackney Carriage Law, 1889, the Agent to the Governor General in Baluchistan has been pleased in supersession of all previous rules to issue the following for the regulation and control of Hackney Carriages in the Quetta District, including the town and cantonment of Quetta. The rules will come into force from 15th November, 1899 :—

AU hackney carriages to be licensed. 1. Every hackney carriage shall be required to take out a license from the Municipality.

2. Such license shall be granted by the Secretary to the Quetta Municipality after Place and office for issue of the carriages, horses and males have been inspected and approved by a Committee, consisting of himself, license. the District Superintendent of Police and the

Cantonment Magistrate who shall also jointly determine the class to which the carriages shall belong.

3. There shall be three classes of licensed hackney carriages according to the Conditions of license. quality of the horses, mules and vehicles ; and licenses shall be granted to them subject to all the provisions contained in these bye-laws and the following conditions, viz.:—

(1) The carriages, horses, mules and harness to be maintained in what is considered by the authority granting the license, good serviceable order.

(2) Every carriage to be provided with two lamps.

(3) All four-wheeled carriages to be in the 1st and 2nd classes, and all two-wheeled carriages to be in the 2nd and 3rd classes.

4. Licenses issued under these rules shall continue in force during that official Period and revocation of license. year for which they are granted. But they shall be liable to revocation within that time by order of the Committee granting the license on proof before it that the proprietor or his agent has been guilty of an infringement of any of these bye-laws or has been convicted of any offence under these rules, or that the conditions on which the license has been granted are not fully maintained.

5. Application for the renewal of licenses shall be made one month before the Renewal of license. expiry of the year of license, and the renewed license shall be granted in the same way, and by the same officer, as provided in Rules 2 and 3, and on payment of the same fee as for the original license.

## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments-2.-(b) Local Rules and Orders under Special Local Laws—contd.

#### Rules under the Quetta Hackney Carriage Law, 1899—contd.

6. When a licensed hackney carriage is transferred to a new proprietor during the year of license, the name of such proprietor shall be duly reported by the transferer to the Secretary to the Quetta Municipality and shall be substituted in the license for the name of transferer without further payment.

7. Each license shall bear a serial number, and this number shall be printed in English and Urdu, on the right panel of the driver's box in 1st and 2nd class carriages, and on the boot of 3rd class carriages.

8. All hackney carriage licenses shall be produced for inspection when required by any Magistrate or Police officer, or the Secretary to the Quetta Municipality.

9. No person shall be allowed to act as a driver of a licensed carriage or vehicle\* except under a driver's license granted on that behalf by the officer mentioned in Rule 2. A driver's license should not be granted to any person under 18 years of age.

10. Before a driver's license is granted to any person he shall be practically examined in his knowledge of driving and of locality, both in civil lines and cantonments. Such examination shall be conducted by one of the members of the Committee constituted under Rule 2.

11. Every driver so licensed, while driving a licensed carriage or plying for hire, shall wear a brass badge on his arm bearing the number of his license.

Form of license for carriages and drivers.

12. The license for hackney carriages and drivers shall be in the form attached to these rules, and shall be printed on strong paper.

The fee for each carriage license shall be :—

|                               | R  | a. | p. |
|-------------------------------|----|----|----|
| Omnibuses.                    | 18 | 0  | 0  |
| 1st class carriages . . . . . | 12 | 0  | 0  |
| 2nd,, „ . . . . .             | 8  | 0  | 0  |
| 3rd „ „ . . . . .             | 4  | 0  | 0  |

and for each driver's license and badge R2.

Fee for renewal of badge or license, 4 annas.

18. Any proprietor or agent of the proprietor, or driver of a licensed vehicle who knowingly permits it to be drawn by a less number of horses or mules than is provided in the licence, or knowingly permits more passengers or greater weight to be carried in such carriage than is permitted by the bye-laws, shall be liable to a fine which may extend to R50 and to forfeiture of his license.

14. Any driver who cruelly beats, ill-treats, over-drives, or otherwise misuses any horses or mule driven in a licensed vehicle or who drives recklessly or without due care shall be liable to forfeiture of his license to drive, in addition to any other punishment to which he may be liable under any law in force for the time being.

15. It shall be lawful for any person named in Rule 2, or any Magistrate or other person authorised on his behalf, to enter premises on which licensed vehicles, animals, harness

Inspection of premises.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2 -(b) Local Rules and Orders under Special Local Laws—contd.

## Rules under the Quetta Hackney Carriage Law, 1899—contd

and other things used therewith are kept in order to carry out the provisions of these bye-laws,

16. The Committee named in the rule 2 shall appoint places as stands for licensed hackney carriages. The following place is for the present appointed as a hackney carriage stand :—

*In Bruce road, near the Ingle market,  
and  
on Sandeman road below the Bazar Guard.*

Drivers of such carriages found waiting for hire at places other than those appointed shall be liable to forfeit their license to drive. The regulation of the order in which hackney carriages shall rank on the stands shall be under the control of the Police,

17. The driver or proprietor of a licensed carriage waiting on a public stand or publicly plying for hire shall at any time of the day or night be bound to give such carriage on hire to any person demanding the same unless for good or sufficient reason, the burden of proving which shall be on the driver or proprietor so refusing.

18. The driver or proprietor of any licensed carriage who without good or sufficient reason refuses to give such carriage on hire shall be liable to forfeiture of his license.

19. The maximum number of persons which may be carried by each description of hackney carriage is as follows :—

| <i>Description of vehicles.</i>                               | <i>No. of persons.</i>                    |
|---------------------------------------------------------------|-------------------------------------------|
| 1. By a dog-cart . . . . .                                    | Four persons, including syce or driver.   |
| 2. By a four-wheeled carriage (classes I and II) if drawn by— |                                           |
| (a) One horse or mule . . . . .                               | Five persons in all.                      |
| (b) Two horses or mules . . . . .                             | Six persons in all.                       |
| 8. Omnibus . . . . .                                          | Twelve persons, including syce or driver. |

Two children under ten years of age shall be reckoned as one adult person.

20. Maximum load, inclusive of luggage, which may be carried by each description of carriage, is as follows :—

|                                               |           |
|-----------------------------------------------|-----------|
| Carriage drawn by one horse or mule . . . . . | 8 maunds. |
| "    "    two horses or mule . . . . .        | 12    "   |

Each adult person shall be considered as weighing 14 maunds, and each child under 10 years of age as | of a maund,

81. Every licensed carriage shall have affixed in it a list of the fares prescribed in the following rules ; such list shall be printed in English and Urdu. One copy shall be provided early at the time of licensing by the Committee granting the license; but the newal of a list, which has become destroyed or defaced, shall rest with the proprietor, who shall renew it at once.



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—contd.

## Rules under the Quetta Hackney Carriage Law, 1899—contd.

22. In the absence of any private arrangement between the proprietor; agent, or driver of a licensed carriage and hirer, the following rates shall be paid :—

Fares.

## BY THE HOUR.

*First Class Carriage\*.*

|                                         | In the day.<br>(From sunrise to sunset.) |    |    | At night.<br>(From sunset to sunrise.) |    |    |
|-----------------------------------------|------------------------------------------|----|----|----------------------------------------|----|----|
|                                         | R                                        | a. | p. | R                                      | a. | p. |
| For the first hour . . . . .            | 1                                        | 8  | 0  | 1                                      | 8  | 0  |
| For each hour after the first . . . . . | 0                                        | 12 | 0  | 1                                      | 0  | 0  |
| For a day of 9 hours . . . . .          | 6                                        | 8  | 0  | ...                                    |    |    |
| For over 5 and up to 6 hours . . . . .  | ...                                      |    |    | 6                                      | 0  | 0  |
| Above 6 hours . . . . .                 | ...                                      |    |    | 8                                      | 0  | 0  |

*Second Class Carriages.*

|                                         | In the day.<br>(From sunrise to sunset.) |    |    | At night.<br>(From sunset to sunrise.) |    |    |
|-----------------------------------------|------------------------------------------|----|----|----------------------------------------|----|----|
|                                         | R                                        | a. | p. | R                                      | a. | p. |
| For the first hour . . . . .            | 1                                        | 0  | 0  | 1                                      | 0  | 0  |
| For each hour after the first . . . . . | 0                                        | 8  | 0  | 0                                      | 10 | 0  |
| For a day of 9 hours . . . . .          | 4                                        | 0  | 0  | ...                                    |    |    |
| For over 5 and up to 6 hours . . . . .  | ...                                      |    |    | 4                                      | 8  | 0  |
| Over 6 hours . . . . .                  | ...                                      |    |    | 6                                      | 0  | 0  |

*Third Class Carriages.*

|                                         | R | a. | p. |
|-----------------------------------------|---|----|----|
| For the first hour . . . . .            | 0 | 10 | 0  |
| For each hour after the first . . . . . | 0 | 4  | 0  |
| For a day of 9 hours . . . . .          | 2 | 4  | 0  |

## BY DISTANCE.

- (a) From any place in the civil lines to any place in the civil lines, including Railway quarters, Gymkhana and Railway station, and from any place in Cantonments to any place in Cantonments—

|                              | By day. |    |    | Evening.<br>7 P.M. to 12 P.M. |    |    |
|------------------------------|---------|----|----|-------------------------------|----|----|
|                              | R       | a. | p. | R                             | a. | p. |
| 1st class carriage . . . . . | 0       | 8  | 0  | 0                             | 12 | 0  |
| 2nd " " . . . . .            | 0       | 6  | 0  | 0                             | 8  | 0  |
| 3rd " " . . . . .            | 0       | 4  | 0  | 0                             | 6  | 0  |

- (b) From any place in civil lines to any place in Cantonments and *vice versa*.

|                              | By day. |    |    | Evening.<br>7 P.M. to 12 P.M. |    |    |
|------------------------------|---------|----|----|-------------------------------|----|----|
|                              | R       | a. | p. | R                             | a. | p. |
| 1st class carriage . . . . . | 0       | 12 | 0  | 1                             | 0  | 0  |
| 2nd " " . . . . .            | 0       | 8  | 0  | 0                             | 10 | 0  |
| 3rd " " . . . . .            | 0       | 6  | 0  | 0                             | 8  | 0  |

- (c) To Beleli, Sumungle, Hanna Bungalow, the Brewery or Siriab—

|                                        | R | a. | p. |
|----------------------------------------|---|----|----|
| 1st class for single journey . . . . . | 4 | 0  | 0  |
| " " there and back . . . . .           | 6 | 8  | 0  |
| 2nd " for single journey . . . . .     | 2 | 12 | 0  |
| " " there and back . . . . .           | 4 | 0  | 0  |
| 3rd " for single journey . . . . .     | 1 | 12 | 0  |
| " " there and back . . . . .           | 3 | 0  | 0  |

**B,—British-Baluchistan Agency Territories Enactments—2,—(b) Local Rules and Orders under Special Local Laws—*contd.***

For each hour of detention beyond that time the driver will be entitled to charge as follows :—

[illegible]

|                                                     |                   |
|-----------------------------------------------------|-------------------|
| From Railway station to Market . . . . .            | 2 annas per seat. |
| " " " to Cantonment . . . . .                       | 3 "               |
| " Market to Barracks or <i>vice versa</i> . . . . . | 2 "               |

28. Cases of breach of these rules may be tried by any Magistrate authorized to do so by the Political Agent, Quetta and Pishin.

1. Quetta Municipality.
2. Number and class of license.
3. Date of issue of license.
4. Date of expiry of license.
5. Name of proprietor or agent.
6. Residence of proprietor or agent.
7. Description of vehicle.
8. License to carry passengers if drawn by one horse : if drawn by two horses.
9. Remarks.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—*contd.*Rules under the Quetta Hacking Carriage Law, 1899—*concl.**Form of Driver's License.*

1. Quetta Municipality.
2. Number of license.
3. Date of issue of license.
4. Name of driver.
5. Father's name.
6. Residence.
7. Remarks.

[See *Gazette of India*, 1899, Pt. II, p. 1156.]*Orders under the Baluchistan Agency Laws Law, 1890.**Formation of Districts and Tahsils.*

No. 4863, dated the 23rd July, 1892.—In exercise of the powers conferred by section 3 of the <sup>1</sup> Baluchistan Agency Laws Law, 1890, and with the previous sanction of the Governor General in Council, the Agent to the Governor General in Baluchistan is pleased to divide the territories administered by him as such Agent into four districts, namely :—

- (1) The Quetta District,
- (2) The Zhob District,
- (3) The Bolan Pass District,
- (4) The [Sinjawi]<sup>2</sup> and Railway District,

and the above-named districts into the following tahsils, respectively, namely :—

| Districts.                                   | Tahsils.                                                                           |
|----------------------------------------------|------------------------------------------------------------------------------------|
| Quetta . . . . .                             | Quetta.                                                                            |
| Zhob . . . . .                               | (1) Bori.                                                                          |
|                                              | (2) Lower Zhob.                                                                    |
|                                              | (3) Upper Zhob.                                                                    |
|                                              | (4) Musa Khel.                                                                     |
| Bolan Pass . . . . .                         | Bolan Pass.                                                                        |
| [Sinjawi] <sup>3</sup> and Railway . . . . . | (1) [Sinjawi].                                                                     |
|                                              | (2) Barkhan.                                                                       |
|                                              | (3) Railway.                                                                       |
|                                              | (N.B.—This is for the Railway from Sibi to Jacobabad and from Nari to Spin Tangi.) |

I I . Notifications Nos. 290-C, dated the 19th April, 1890, and 603-F.C, dated the 80th July, 1890, are hereby cancelled, and the reference to the former of these

<sup>1</sup> Printed, *supra*, p. 288.

<sup>2</sup> The word "Sinjawi" was substituted for the word "Loralai" by Notification No. 87-C., dated the 19th January, 1895, see *Gazette of India*, 1895, Pt. 11, p. 88.

CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2, (b) Local Rules and Orders under Special Local Laws—*contd.**Orders under the Baluchistan Agency Laws Law, 1890—concl'd.**Formation of Districts and Tahsils—concl'd.*

Notifications in Notification <sup>1</sup> No. 291-C, dated the 19th April, 1890, shall be read as if made to this Notification.

[See *Gazette of India*, 1892, Pt. I I, p. 493.]

*Altering the name and limits of the Loralai and Railway District.*

No. 85-C, dated the 19th January, 1895,—In exercise of the powers conferred by section 3 of the <sup>2</sup> Baluchistan Agency Laws Law, 1890, and with the previous sanction of the Governor General in Council, the Agent to the Governor General in Baluchistan has been pleased to transfer the military and civil station of Loralai and the village of Pathankot from the Loralai and Railway District to the Zhob District, and to include the same in the Bori sub-division of that district, and to declare that the district hitherto known as the Loralai and Railway District shall be in future called the "Sinjawi and Railway District."

[See *Gazette of India*, 1895, Pt. I I, p. 88.]

*Declaration as to Lands occupied by the Mushkaf-Bolan Railway in territories of the Khan of Kalat.*

No. 6900, dated (he 20th August, 1896.—Whereas His Highness the Khan of Kalat has ceded to the British Government full jurisdiction in respect of certain lands which lie within his territory, and are occupied by the Mushkaf-Bolan State Railway (including the lands occupied as stations, out-buildings, and for all other railway purposes) :

And whereas the said lands are now administered by the Agent to the Governor General in Baluchistan as such Agent;

In exercise of the powers conferred by section 8 of the Baluchistan Agency Laws Law, and with the previous sanction of the Governor General in Council, the Agent to the Governor General in Baluchistan is pleased to direct that the said lands shall form part of the Bolan Pass District.

[See *Gazette of India*, 1896, Pt. I I, p. 890.]

*Orders under the Baluchistan Agency Forest Law, 1890.**Declaration of certain lands to be State Forests.*

<sup>2</sup> Ne. 6776, dated the 22nd October, 1890.—In exercise of the powers conferred by section 8 of the Baluchistan Agency Forest Law, 1890, the Agent to the Gov-

<sup>1</sup> Printed, *supra*, p. 385.

<sup>2</sup> Printed, *supra*, p. 238.

<sup>3</sup> Several other notifications of this kind have been issued from time to time, but they are not of sufficient importance to be included in this volume.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—*contd.*

*Orders under the Baluchistan Agency Forest Law, 1890—contd.*

Declaration of certain lands to be State Forests—*concl'd.*

Governor General is pleased to declare the undermentioned lands to be State Forests, with effect from the 15th November, 1890:—

| No. | Name of Forest. | Talaqa. | Area.  | BOUNDARIES.                                                                                                                                             |                                                             |                                                             |                                                       | REMARKS.                                                   |
|-----|-----------------|---------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------|------------------------------------------------------------|
|     |                 |         |        | East.                                                                                                                                                   | South.                                                      | West.                                                       | North.                                                |                                                            |
|     |                 |         | Acres. |                                                                                                                                                         |                                                             |                                                             |                                                       |                                                            |
| 1   | Chauter         | Zhob    | 1,920  | A line of stone pillars from Kaza over crest of hill to Bateter nala.                                                                                   | Bateter nala.                                               | Line of pillars from Chauter over ridge to Chauter orchard. | Line of stone pillars nearly parallel with main nala. | Comprises both sides of the hill south of Chauter village. |
| 2   | Zarghun         | Quetta  | 5,780  | Line of stone pillars from bottom of valley to water shed above Chasan Bazó.                                                                            | Crest of hill forming north part of the Zarghun horse shoe. | Line of pillars from crest of valley.                       | Bed of stream from Chasan Bazó to Sarra-khula.        | A block occupying the north face of the Zarghun mountain.  |
| 3   | Dhobi Ghat      | Ditto   | 10     | A narrow strip of low land north of the Railway line and south of the boundary of the Race Course.                                                      |                                                             |                                                             |                                                       |                                                            |
| 4   | Zangl Lora      | Ditto   | 40     | A narrow strip of land below the Zangl Lora ravine from the Military road northwards to the junction with the Lora river; demarcated with earth mounds. |                                                             |                                                             |                                                       |                                                            |

[See *Gazette of India*, 1890, Pt. II, p. 684.]

## Declaration as to reserved trees.

<sup>1</sup> No. 774-F.C., dated the 13th August, 1890.—In exercise of the powers conferred by section 11 of the Baluchistan Agency Forest Law, 1890, the Agent to the Governor General is pleased to declare that the undermentioned trees, wherever growing naturally on land at the disposal of Government in the territories administered by him as such Agent, shall, from the 1st October, 1890, be reserved trees:—

| Latin.                          | English.   | Vernacular. |
|---------------------------------|------------|-------------|
| <i>Juniperus excelsa.</i>       | Juniper.   | Obisht.     |
| <i>Pistachia khanjak.</i>       | Pistachio. | Khanjak.    |
| <i>Pistachia mutica.</i>        | Ditto.     | Sawan.      |
| <i>Fraxinus Xanthoxyloides.</i> | Ash.       | Shang.      |
| <i>Olea cuspidata.</i>          | Olive.     | Kahu.       |
|                                 |            | Shisham.    |
| <i>Dalbergia sisso.</i>         | Shisham.   | Tali-sishu. |

[See *Gazette of India*, 1890, Pt. II, p. 523.]

## Rules regulating hunting, shooting, fishing, etc., in State Forests.

No. 1349-Z., dated the 6th October, 1894.—In exercise of the powers conferred by section 9 (4) (iii) of the Baluchistan Agency Forest Law, 1890, and with the previous sanction of the Governor General in Council, the Agent to the Gov-

<sup>1</sup> Several notifications of this kind have been issued from time to time, but they are not of sufficient importance to be included in this volume.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.—(b) Local Rules and Orders under Special Local Laws—*contd.**Orders under the Baluchistan Agency Forest Law, 1890—contd.*Rules regulating hunting, shooting, fishing, etc., in State Forests—*contd.*

ernor General in Baluchistan is pleased to prescribe the following rules to regulate hunting, shooting, fishing, the poisoning of water, and the setting of traps or snares in the State Forests of the territories administered by the Agent to the Governor General as such Agent :—

I.—The poisoning or dynamiting of rivers or other waters is absolutely prohibited.

II.—Hunting, shooting, fishing, snaring or trapping of any description shall not be allowed, save under a license granted by the Deputy Conservator of Forests in Baluchistan, to be current for the period mentioned in the license : provided that, with the sanction of the Revenue Commissioner, the Deputy Conservator may, on due cause being shown, permit by order in writing and free of charge, during specified periods, the hunting and shooting of any animal or animals dangerous to life.

III.—A license granted under these rules shall not be transferable.

IV.—Every person to whom a license has been granted under these rules, and who is found hunting, shooting, fishing, snaring or trapping in any forest to which these rules apply, shall, on the demand of any Forest-officer or Police-officer, produce his license.

V (i).—The Deputy Conservator of Forests may, at his discretion, close any State Forest altogether against hunting and shooting, at such seasons and for such periods as he may think necessary, or against hunting and shooting of any class or classes of animals, and may, in the public interests, at any time, cancel any license granted under these rules.

(ii).—If any person to whom a license has been granted under these rules commits a breach of any provision of the Forest Law or of any of these rules, the license shall be cancelled in addition to any other punishment to which such person may be liable under the Forest Law, or otherwise.

## FORM OF LICENSE.

## OBVERSE.

Book No.

License No.

License is hereby granted under the rules to regulate hunting, shooting, etc., in the State Forests in Baluchistan, to (as the case may be, hunt, shoot, fish, snare or trap) from \_\_\_\_\_ to \_\_\_\_\_ subject to the conditions specified on the reverse in the \_\_\_\_\_ State Forest of the Range.

(a) To

(b) Of

(c) Profession

(d) District

The \_\_\_\_\_ day of \_\_\_\_\_ 189 .

*Signature and designation of the Officer  
granting the license.*

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2, b) Local Rules and Orders under Special Local Laws—contd

#### *Orders under the Baluchistan Agency forest Law, 1890—contd.*

##### **Rules regulating hunting, shooting, fishing, etc., in State Forests—conold.**

This license is to be returned to the Deputy Conservator of Forests when the period allowed has expired.

#### **REVERSE.**

The conditions subject to which this license is granted are—

- (1) That the licensee is not transferable.
- (2) That the license shall always be kept with the holder when shooting or when entering the forest with a gun or other implements of the chase
- (3) That none of the following animals or birds shall be hunted or shot from 1st April to 31st August, both days inclusive :—

Hare.  
Pea-fowl.  
Bustard.

Pheasant.  
Florican.  
Sand grouse.

Spur fowl.

- (4) That the following birds shall not be hunted or shot from the 1st <sup>1</sup>[March] to the 31st August, both days inclusive :—

Chikor.

Sisi.

Partridge.

#### *Rules regarding the cutting, marking, lopping, etc., of reserved trees.*

No. 2104, dated the 1st April, 1898.—In supersession of Notification No. 1833,

\* *Juniperus excelsa*.  
*Pistachia kharjak*.  
*Pistachia mirtica*.  
*Fraxinus xanthoxyloides* (Ash).  
*Olea cuspidata* (Olive).  
*Dalbergia sissoo*.  
*Acacia Modesta* (Phulai).  
*Zizyphus nummularia*.  
*Zizyphus oxyphylla*.  
*Tecoma undulata*.  
*Prunus eburnea*.  
*Populus Euphratica*.  
*Tamarix articulata*.  
*Tamarix Indica*.  
*Periploca aphylla*.  
*Pinus Gerardiana* (Edible pine).  
*Pinus excelsa* (Blue pine).

dated 29th March, 1892, which is hereby cancelled, and with reference to Notifications Nos. 774 to 777-F.C, dated 14th August, 1890, published in the *Gazette of India*, the Agent to the Governor General and Chief Commissioner, in exercise of the powers conferred by section 12, Baluchistan Agency Forest Law, and by section 12, British Baluchistan Forest Regulation, 1890, hereby prohibits the cutting, marking, lopping, girdling, and injuring by fire or otherwise of all reserved trees \* except as provided under the following rules :—

- I. The Chief Forest Officer shall establish stations at convenient places for the issue, examination and return of permits to cut timber, and shall from time to time specify the localities in which reserved trees shall be out and the routes for removal of the produce.

<sup>1</sup> The word " Maroh " was substituted for the word " February " by Notification No. 2790 dated the 30th April, 1895, see *Gazette of India*, 1895, Pt. I I , p. 595.

CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—*contd.**Orders under the Baluchistan Agency Forest Law, 1890— contd.*

Rules regarding the cutting, marking, tapping, etc., of reserved trees—*contd.*

I I . Each permit shall specify :—

(I) Name of holder.

(II) Locality in which holder is thereby authorised to cut.

(III) Description and quantity of timber for which permit is granted.

(IV) Period allowed for cutting, removal of timber and return of permit.

(V) Destination of timber removed.

(VI) The rate and amount paid.

I I I . Every holder of a permit shall produce it for inspection, when called on to do so by any Forest Officer or Political Officer, Extra Assistant Commissioner, or Tahsildar, and any such officer may stop for examination any timber of the reserved trees ; the permit shall be returned, at the expiration of the period for which it runs, to the station nearest to the destination of the timber, whether the timber has been removed or not.

Permit holders must comply with the Regulations of the Forest Department as to the locality, mode of felling, conversion, removal, etc., of timber. If the timber cut by any permit holder or found in his possession under cover of a permit does not correspond with the description therein set forth, it shall be liable to be confiscated.

Extension of period may be granted at the discretion of the Chief Forest Officer or any officer empowered by him for this purpose, on payment of a renewal fee of  $\frac{1}{4}$ th of the original sum paid.

I V . Payment shall be made in advance at the following rates :—

*A.—Firewood.*

|                   |   | Juniper. | Hardwood. |
|-------------------|---|----------|-----------|
|                   |   | ₹ a. p.  | ₹ a. p.   |
| (1) Per head load | . | 0 0 6    | 0 0 9     |
| „ Donkey          | . | 0 1 0    | 0 1 6     |
| „ Bullock or pony | . | 0 2 0    | 0 3 0     |
| „ Camel           | . | 0 4 0    | 0 6 0     |

For firewood imported in any other manner :—

|                     |       |       |
|---------------------|-------|-------|
| Per maund . . . . . | 0 0 9 | 0 1 0 |
|---------------------|-------|-------|

<sup>1</sup> (I) The above rates shall not apply to the Khojak sub-division of the Pishin District, where royalty shall be levied on every description of firewood at a uniform rate of one anna per maund, with effect from the 1st April, 1899.

(II) The fee payable for charcoal shall be three times the above rates.

<sup>2</sup> This paragraph was added by Notification No. 2805, dated the 10th April, 1899, see *Gazette of India*, 1899, Ft. I I , p. 430.



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### B.—British-Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—*contd.*

*Orders under the Baluchistan Agency Forest Law, 1890—concl'd.*

**Rules regarding the cutting, marking, lopping, etc., of reserved trees—*concl'd.***

#### *B.—Timber.*

The fee payable on building timber shall be per piece :—

|                                  | R | a. | p. |
|----------------------------------|---|----|----|
| Up to 10' long and 9" girth each | 0 | 0  | 6  |
| " 10' " 12" "                    | 0 | 1  | 0  |
| " 12' " 15" "                    | 0 | 1  | 6  |

For timber of other dimensions, trees must be taken at the following rates :—

|                | R |
|----------------|---|
| Per green tree | 2 |
| " dry tree     | 1 |

V. Whoever cuts, marks, lope, girdles, taps or injures by fire or otherwise any reserved tree, or commits any act in contravention of the above rules, shall be liable to be punished with a fine, which may extend to R20, or when the damage resulting from his offence amounts to more than R10, to double the amount of such damage.

VI. On the recommendation of the Political Agent of the District concerned, the Chief Forest Officer shall grant, without payment, permits for the cutting of timber of the reserved class to supply the *bond fide* requirements of the people of the country, for instance, for agricultural implements or for building purposes, such permits to be issued subject to the same conditions as those issued on payment.

[See *Gazette of India*, 1898, Pt. I I, p. 383.]

#### Compounding of Forest offences.

No. 775-F.C, dated the 13th August, 1890.—In exercise of the powers conferred by sections 34 (1) of the Baluchistan Agency Forest Law, 1890, the Agent to the Governor General for Baluchistan is pleased to empower the person, for the time being holding the office of Chief Forest Officer in Baluchistan, (a) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence other than an offence specified in section 29 or section 31 of the aforesaid law, a sum of money by way of compensation for the offence which such person is suspected to have committed ; and (b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof estimated by such officer.

[See *Gazette of India*, 1890, Pt. I I, p. 523.]

*Orders under the Baluchistan Agency Civil Justice Law, 1890.*

**Declaration as to areas subject to Court of Political Agents for purposes of Law.**

No. 291-C., dated the 19th April, 1890, printed, *supra*, p. 385.

#### Appointment of Presiding Officers of Civil Courts.

No. 293-C, dated 19th April, 1890.—In exercise of the powers conferred by section 8, sub-section (3), of the Baluchistan Agency Civil Justice Law, 1890,<sup>1</sup> the

<sup>1</sup> See now the Baluchistan Agency Civil Justice Law, 1896, printed *supra*, p. 287, under s. 2 of which this Notification is kept in force.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactment—2.-(a) Local Rules and Orders under Special Local Laws—contd.

*Orders under the Baluchistan Agency Civil Justice Law, 1806—contd.*

## Appointing of Presiding Officers of Civil Courts—contd.

Agent to the Governor General is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be the presiding officers of the Courts specified opposite those offices in the second column of that table respectively :—

| Offices. <sup>1</sup>                          | Courts. <sup>1</sup>                       |
|------------------------------------------------|--------------------------------------------|
| The office of Treasury Officer of Quetta . . . | The Court of the Senior Munsif of Quetta.  |
| The office of Munsif of Quetta . . .           | The Court of the Munsif of Quetta.         |
| The office of Tahsildar of Quetta . . .        | The Court of the Tahsildar of Quetta.      |
| The office of Tahsildar of Bori . . .          | The Court of the Tahsildar of Bori.        |
| The office of Tahsildar of Barkhan . . .       | The Court of the Tahsildar of Barkhan.     |
| The office of Naib Tahsildar of Quetta . . .   | The Court of the Naib Tahsildar of Quetta. |
| The office of Naib Tahsildar of Bori . . .     | The Court of the Naib Tahsildar of Bori.   |

[ See *Gazette of India*, 1890, Pt. I I , p. 188. ]

No. 605-F. C, dated 30th July, 1890.—In exercise of the powers conferred by section 8, sub-section (2), of the Baluchistan Agency Civil Justice Law, 1890, and in supersession of that part of this office Notification No. 293-C, dated the 19th April, 1890, which refers to the Tahsildar of Zhob, the Agent to the Governor General is pleased, to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be the presiding officers of the Courts specified opposite these offices in the second column of that table, respectively :—

| Offices.                                         | Courts.                                        |
|--------------------------------------------------|------------------------------------------------|
| The office of Tahsildar of Lower Zhob . . .      | The Court of the Tahsildar of Lower Zhob.      |
| The office of Tahsildar of Upper Zhob . . .      | The Court of the Tahsildar of Upper Zhob.      |
| The office of Naib Tahsildar of Lower Zhob . . . | The Court of the Naib Tahsildar of Lower Zhob. |
| The office of Naib Tahsildar of Upper Zhob . . . | The Court of the Naib Tahsildar of Upper Zhob. |
| The office of Naib Tahsildar of Barkhan . . .    | The Court of the Naib Tahsildar of Barkhan.    |

[ See *Gazette of India*, 1890, Pt. I I , p. 496. ]

<sup>1</sup> The references superseded by Notification No. 605-P. C., dated the 30th July, 1890 (printed on the page), have been omitted.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*

### B.—British Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—*contd.*

#### *Orders under the Baluchistan Agency Civil Justice Law, 1896—contd.*

##### Appointment of Presiding Officers of Civil Courts—*contd.*

No. 4361, dated the 23rd July, 1892.—In exercise of the powers conferred by section 8, sub-section (2), of the <sup>1</sup> Baluchistan Agency Civil Justice Law, 1890, and in continuation of the Notifications of this office No. 293-C, dated the 19th April, 1890, and No. 605-F.C., dated the 80th July, 1890, the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be the presiding officers of the Courts specified opposite those offices in the second column of that table :—

| Office.                                              | Court.                                       |
|------------------------------------------------------|----------------------------------------------|
| The office of the Tahsildar of Maea Khel . . .       | The Court of the Tahsildar of Muea Khel.     |
| The office of the Naib Tahsildar of Muea Kliel . . . | The Court of the Naib Tahsildar of Musa Kheh |

[See *Gazette of India*, 1892, Pt. I I , p. 493.]

No. 7461, dated the 19th November, 1891.—In exercise of the powers conferred by section 3, sub-section (2) of the <sup>1</sup> Baluchistan Agency Civil Justice Law, 1890, the Agent to the Governor General is pleased to appoint the person for the time being holding the office specified in the first column of the annexed table, to be the presiding officer of the Court specified in the second column of that table :—

| Office.                                        | Court.                              |
|------------------------------------------------|-------------------------------------|
| The Office of Naib Tahsildar of Sin jawi . . . | The Court of the Munsif of Sinjawi. |

[See *Gazelle of India*, 1891, Ft. I I , p. 628.]

No. 5802, dated the 26th October, 1893.—In exercise of the powers conferred by section 8, sub-section (2), of the <sup>1</sup> Baluchistan Agency Civil Justice Law, 1890, and in continuation of this Office Notification No. 605-F.C., dated the 30th July, 1890, the Agent to the Governor General is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table, to be the presiding officers of the Courts specified opposite those offices in the second column of that table :—

| Office.                                          | Court,                                              |
|--------------------------------------------------|-----------------------------------------------------|
| The Office of second Naib Tahsildar, Upper Zhob. | The Court of the second Naib Tahsildar, Upper Zhob. |
| The Office of second Naib Tahsildar, Lower Zhob. | The Court of the second Naib Tahsildar, Lower Zhob. |

[See *Gazette of India*, 1893, Pt. I I , p. 910.]

<sup>1</sup> See now the Baluchistan Agency Civil Justice Law, 1896, by s. 2 of which this Notification is kept in force.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

**B,—British Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—contd.***Orders under the Baluchistan Agency Civil Justice Law, 1896—contd.*

## Appointment of Presiding Officers of Civil Courts—contd.

No. 5997, dated the 6th November, 1893.—In exercise of the powers conferred by section 3, sub-section (2) of the <sup>1</sup> Baluchistan Agency Civil Justice Law, 1890, and in continuation of the Notifications of this office<sup>2</sup> No. 293.C, dated 19th April, 1890, <sup>2</sup> No. 605-F.C, dated 80th July, 1890, <sup>2</sup> No. 7461, dated the 19th November, 1891, <sup>2</sup> No. 4361, dated 23rd July, 1892, and <sup>2</sup> No. 5802, dated the 26th October, 1898, the Agent to the Governor General is pleased to appoint the person for the time being holding the office specified in the first column of the annexed table to be the presiding officer of the Court specified in the second column of that table :—

| Office.                                     | Court.                                      |
|---------------------------------------------|---------------------------------------------|
| The Office of the Munsiff in the Bolan Pass | The Court of the Munsiff in the Bolan Pass. |

[See *Gazette of India*, 1893, Pt. I I, p. 946.]

No. 273-E.A., dated the 12th February, 1897.—In exercise of the powers conferred by section 4, sub-section (2), of the Baluchistan Agency Civil Justice Law, 1896, and in supersession of the Notification of the Government of India in the Foreign Department, No. 817-E., dated the 19th April, 1890, as amended by subsequent Notification, the Governor General in Council is pleased to appoint the persons for the time being holding the offices specified in the first column of the annexed table to be the presiding officers of the Courts specified opposite those officers in the second column of that table respectively :—

| Offices.                                                                                                                     | Courts.                                                                                                                     |
|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| The office of the Judicial Commissioner in Baluchistan.                                                                      | The Court of the Judicial Commissioner in Baluchistan.                                                                      |
| The office of the Political Agent in Quetta                                                                                  | The Court of the Political Agent in Quetta.                                                                                 |
| The office of the Political Agent in Zhob                                                                                    | The Court of the Political Agent in Zhob.                                                                                   |
| The office of the Political Agent in the Bolan Pass.                                                                         | The Court of the Political Agent in the Bolan Pass.                                                                         |
| The office of the Political Agent in the Railway District, Sinjawi, Barkhan and Kohlu.                                       | The Court of the Political Agent in the Railway District, Sinjawi, Barkhan and Kohlu.                                       |
| The office of the Assistant Political Agent in Quetta.                                                                       | The Court of the Assistant Political Agent in Quetta.                                                                       |
| The office of the Assistant Political Agent in Upper Zhob.                                                                   | The Court of the Assistant Political Agent in Upper Zhob.                                                                   |
| The office of the Assistant Political Agent in Lower Zhob.                                                                   | The Court of the Assistant Political Agent in Lower Zhob.                                                                   |
| The office of the Assistant Political Agent in the Railway District, Sinjawi, Barkhan and Kohlu.                             | The Court of the Assistant Political Agent in the Railway District, Sinjawi, Barkhan and Kohlu.                             |
| The office of the Cantonment Magistrate vested with the powers of the Assistant Political Agent in the Cantonment of Quetta. | The Court of the Cantonment Magistrate vested with the powers of the Assistant Political Agent in the Cantonment of Quetta. |

<sup>1</sup> See now the Baluchistan Agency Civil Justice Law, 1896, by s. 2 of which this Notification is kept in force.

\* These Notifications are printed *supra*.

CHAFFER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British Baluchistan Agency Territories Enactments—2, (b) Local Rules and Orders under Special Local Laws—*contd.**Orders under the Baluchistan Agency Civil Justice Law, 1896—contd.*Appointment of Presiding Officers, of Civil Courts—*concl.*

| Office.                                                                       | Courts.                                                                      |
|-------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| The office of the Extra Assistant Commissioner of Quetta.                     | The Court of the Extra Assistant Commissioner of Quetta.                     |
| The office of the Extra Assistant Commissioner of Upper Zhob.                 | The Court of the Extra Assistant Commissioner of Upper Zhob.                 |
| The office of the Extra Assistant Commissioner of Lower Zhob.                 | The Court of the Extra Assistant Commissioner of Lower Zhob.                 |
| The office of the Extra Assistant Commissioner of Sinjawi, Barkhan and Kohlu. | The Court of the Extra Assistant Commissioner of Sinjawi, Barkhan and Kohlu. |
| The office of the Extra Assistant Commissioner in the Railway District.       | The Court of the Extra Assistant Commissioner in the Railway District.       |
| The office of the Native Assistant in the Bolan Pass.                         | The Court of the Native Assistant in the Bolan Pass.                         |

[See *Gazette of India*, 1897, Pt. I, p. 119.]

Investiture of Cantonment Magistrate. Quetta, with the powers of an Assistant Political Agent.

No. 274-E.A., dated the 12th February, 1897.—In exercise of the powers conferred by sub-section (3) of section 3 of the Baluchistan Agency Civil Justice Law, 1896 the Governor General in Council is pleased to invest the Cantonment Magistrate of Quetta with the powers of the Assistant Political Agent in respect of the Quetta Cantonment.

[See *Gazette of India*, 1897, Pt. II, p. 119.]*Constitution of Courts and declaration of jurisdictional limits.*

No. 292-C, dated the 19th Aprils 1890.—In exercise of the powers conferred by sections 4 and 5 of the <sup>1</sup>Baluchistan Agency Civil Justice Law, 1890, the Agent to the Governor General, with the previous sanction of the Governor General in Council, is pleased to constitute the undermentioned Courts, and to fix the local limits of the jurisdiction of each such Court as follows :—

| Name of Court. <sup>2</sup>                                                                                     | Local limits of jurisdiction <sup>2</sup> |
|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| <b>I.—Courts of the Assistant Political Agents, the Extra Assistant Commissioners and the Native Assistant.</b> |                                           |
| The Court of the Assistant Political Agent of Quetta.                                                           | The Quetta District.                      |
| The Court of the Extra Assistant Commissioner of Quetta.                                                        | Ditto.                                    |
| * The Court of the Assistant Political Agent of Upper Zhob.                                                     | The Zhob District.                        |
| * The Court of the Assistant Political Agent of Lower Zhob.                                                     | Ditto.                                    |

<sup>1</sup> See now the Baluchistan Agency Civil Justice Law, 1890, printed, *supra*, p. 287, under s. 2 of which this Notification is kept in force.

<sup>2</sup> The references superseded by Notification No. 604-F. C, dated the 30th July, 1890 (printed, *infra*, p. 421), have been omitted.

These two entries were substituted for the original entry by Notification No. 4642. dated the 24th June; 1896, see *Gazette of India*, 1896, Pt. II, p. 679.

## CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B—British-Baluchistan Agency Territories Enactments—2, (b) Local Rules and Orders under Special Local Laws—contd.

*Orders under the Baluchistan Agency Civil Justice Law, 1896—contd.*

## Constitution of Courts and declaration of Jurisdictional limits—contd.

| Name of Court.                                                                                                  | Local limits of jurisdiction.                    |
|-----------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| <i>I.—Courts of the Assistant Political Agents, the Extra Assistant Commissioners and the Native Assistant.</i> |                                                  |
| The Court of the Native Assistant in the Bolan.                                                                 | The Bolan Pass District.                         |
| The Court of the Assistant Political Agent of <sup>1</sup> [Sinjawi] and the Railway.                           | The <sup>1</sup> [Sinjawi] and Railway District. |
| The Court of the Extra Assistant Commissioner of the Railway.                                                   | The Railway Tahsil.                              |
| The Court of the Extra Assistant Commissioner of <sup>1</sup> [Sinjawi].                                        | The <sup>1</sup> [Sinjawi] Tahsil.               |
| <i>II.—Courts of the Tahrildars and Munsifs.</i>                                                                |                                                  |
| The Court of the Senior Munsif of Quetta .                                                                      | The Quetta Tahsil.                               |
| The Court of the Tahsildar of Quetta . .                                                                        | Ditto.                                           |
| The Court of the MunBif of Quotta . .                                                                           | Ditto.                                           |
| The Court of the Tahsildar of Bori .                                                                            | The Bori Tahsil.                                 |
| The Court of the Tahsildar of Barkhan . .                                                                       | The Barkhan Tahsil.                              |
| <i>III.—Courts of the Naib Tahsildars—</i>                                                                      |                                                  |
| The Court of the Naib Tahsildar of Quetta .                                                                     | The Quetta Tahsil.                               |
| The Court of the Naib Tahsildar of Bori . .                                                                     | The Bori Tahsil.                                 |

[See *Gazette of India*, 1899, Pt. I I, p. 188.]

No. 604-F.C., dated 30th July, 1890—In exercise of the powers conferred by sections 4 and 5 of the <sup>2</sup> Baluchistan Agency Civil Justice Law, 1890, and in supersession of that part of this office Notification No. 292-C, dated the 19th April, 1890, which refers to the Extra Assistant Commissioner and the Tahsildar of Zhob, the Agent to the Governor General, with the previous sanction of the Governor

<sup>1</sup> The word "Sinjawi" was substituted for the word "Loralai" by Notification No. 87-C., dated the 19th January, 1895, see *Gazette of India*, 1895, Pt. I I, p. 88.

<sup>2</sup> See now the Baluchistan Agency Civil Justice Law, 1896, printed, *supra*, p. 287, under s. 2 of which this Notification is kept in force.

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*contd.*B.—British-Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—*contd.**Orders under the Baluchistan Agency Civil Justice Law, 1896—contd.*Constitution of Courts and fixing of Jurisdictional limits—*contd.*

General in Council, is pleased to constitute the undermentioned additional Courts and to fix the local limits of the jurisdiction of each such Court as follows :—

| Name of Court.                                                          | Local limits of jurisdiction. |
|-------------------------------------------------------------------------|-------------------------------|
| <sup>1</sup> The Court of the Extra Assistant Commissioner, Upper Zhob. | The Zhob District.            |
| <sup>1</sup> The Court of the Extra Assistant Commissioner, Lower Zhob. | Ditto.                        |
| The Court of the Tahsildar of Lower Zhob                                | The Lower Zhob Tahsil.        |
| The Court of the Tahsildar of Upper Zhob                                | The Upper Zhob Tahsil.        |
| The Court of the Naib Tahsildar of Lower Zhob.                          | The Lower Zhob Tahsil.        |
| The Court of the Naib Tahsildar of Upper Zhob.                          | The Upper Zhob Tahsil.        |
| The Court of the Naib Tahsildar of Barkhan                              | The Barkhan Tahsil.           |

[See *Gazette of India*, 1890, Pt. I I, p. 496.]

No. 4360, dated the 23rd July, 1892.—In exercise of the powers conferred by sections 4 and 5 of the <sup>2</sup> Baluchistan Agency Civil Justice Law, 1890, and in continuation of the Notifications of this office » No. 291-C, dated the 19th April, 1890, and No. 604-F.C., dated the 30th July, 1890, the Agent to the Governor General, with the previous sanction of the Governor General in Council, is pleased to constitute the undermentioned Courts and to fix the local limits of their jurisdiction as follows :—

| Name of Court.                                 | Local limits of jurisdiction. |
|------------------------------------------------|-------------------------------|
| The Court of the Tahsildar of Musa Khel .      | The Musa Khel Tahsil.         |
| The Court of the Naib Tahsildar of Musa Khel . | Ditto.                        |

[See *Gazette of India*, 1892, Pt. I I, p. 493.]

No. 7460, dated the 19th November, 1891.—In exercise of the powers conferred by sections 4 and 5 of the <sup>2</sup> Baluchistan Agency Civil Justice Law, 1890, the Agent to the Governor General, with the previous sanction of the Governor

<sup>1</sup> These two entries were substituted for the original entries by Notification No. 5147, dated the 7th August, 1894, see *Gazette of India*, 1894, Pt. I I, p. 762.

<sup>2</sup> See now the Baluchistan Agency Civil Justice Law, 1896, printed, *supra*, p. 287 by s. 2 of which this Notification is kept in force.

<sup>3</sup> Printed, *supra*, p. 420.

CHAPTER II—THE BALUCHISTAN AGENCY TERRITORIES—*contd.***B.—British-Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—*contd.****Orders under the Baluchistan Agency Civil Justice Zata, 1896—contd.***Constitution of Courts and fixing of Jurisdictional limits—*concl.***

General in Council, is pleased to constitute the undermentioned Court, and to fix the local limits of its jurisdiction as follows :—

| Name of Court.                                     | Local limits of jurisdiction.      |
|----------------------------------------------------|------------------------------------|
| The Court of the Munsiff of [Sinjawi] <sup>1</sup> | The [Sinjawi] <sup>1</sup> Tahsil. |

[See *Gazette of India*, 1891, Pt. I I, p. 628.]

No. 5803, dated the 26th October, 1893.—In exercise of the powers conferred by sections 4 and 5 of the <sup>2</sup> Baluohistan Agency Civil Justice Xlaw, 1890, and in continuation of this Office Notification <sup>3</sup> No. 604-F.C, dated the 30th July, 1890, the Agent to the Governor General, with the previous sanction of the Governor General in Council, is pleased to constitute the undermentioned Courts, and to fix the local limits of their jurisdiction as follows :—

| Name of Court.                                      | Local limits of jurisdiction. |
|-----------------------------------------------------|-------------------------------|
| The Court of the second Naib Tahsildar, Upper Zhob. | The Upper Zhob Tahsil.        |
| The Court of the second Naib Tahsildar, Lower Zhob. | The Lower Zhob Tahsil.        |

[See *Gazette of India*, 1893, Pt. I I, p. 910.]

No. 6996, dated the 6th November, 1893.—In exercise of the powers conferred by sections 4 and 5 of the <sup>2</sup> Baluchistan Agency Civil Justice Law, 1890, and in continuation of the Notifications of this office No. 292-C, dated 19th April, 1890, <sup>3</sup> No. 604. F.C, dated 30th July, 1890, No. 7460, dated the 19th November, 1891, No. 4360, dated 28rd July, 1892, and No. 5803, dated the 26th October, 1893, the Agent to the Governor General, with the previous sanction of the Governor General in Council, is pleased to constitute the undermentioned Court, and to fix the local limits of its jurisdiction as follows :—

| Name of Court.                             | Local limits of jurisdiction. |
|--------------------------------------------|-------------------------------|
| The Court of the Munsiff in the Bolan Pass | The Bolan Pass.               |

[See *Gazette of India*, 1893, Pt. I I, p. 946.]

<sup>1</sup> The word " Sinjawi " was substituted for the word " Loralai " by Notification No. 87-C, dated the 19th January, 1896, see *Gazette of India*, 1895, Pt. I I, p. 88.

<sup>2</sup> See now the Baluohistan Agency Civil Justice Law, 1896, printed, *supra*, p. 287, by s. 2 of which this Notification is kept in force.

<sup>3</sup> Printed, *supra*, p. 421.



## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITOR

### B—British-Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—contd.

*Orders under the Baluchistan Agency Civil Justice Law, 1896—concl'd.*

#### Language of the Civil Courts.

No. 87-C., dated the 4th January, 1897.—With reference to sections 44 and 47 of the Baluchistan Agency Civil Justice Law, 1896, the Agent to the Governor General is pleased to prescribe Urdu as the language of the Civil Courts within the territories administered by the Agent to the Governor General in Baluchistan as such Agent.

[See *Gazette of India*, 1897, Pt. II, p. 60]

#### Power to hear appeals from subordinate officers exercising original Jurisdiction.

No. 2288, dated the 26th April, 1897.—The Agent to the Governor General, in exercise of the powers conferred by section 93 (1) of the Baluchistan Agency Civil Justice Law, 1896, is pleased to invest the persons for the time being holding the appointments specified in the first column of the annexed table with the powers conferred on Political Agents by section 67 (9) of the same Law as far as relates to the hearing of appeals from the decrees or orders of Talmidars, Munsifs and Naib Tahsildars exercising jurisdiction in original suits within the local areas specified opposite those appointments respectively in the second column of the same table :—

|                                                                                       |                                               |
|---------------------------------------------------------------------------------------|-----------------------------------------------|
| 1. The Assistant Political Agent in Upper Zhob.                                       | Upper Zhob.                                   |
| 2. The Assistant Political Agent in the Railway District, Sinjawi, Barkhan and Kohlu. | Railway District, Sinjawi, Barkhan and Kohlu. |
| 3. Extra Assistant Commissioner of Sinjawi, Barkhan and Kohlu.                        | Sinjawi, Barkhan and Kohlu.                   |
| 4. Extra Assistant Commissioner in the Railway District.                              | Railway District.                             |
| <sup>1</sup> The Assistant Political Agent at Quetta.                                 | The Quetta District.                          |
| <sup>1</sup> The Extra Assistant Commissioner at Quetta.                              | Ditto.                                        |
| <sup>1</sup> The Assistant Political Agent in Lower Zhob.                             | The Zhob District.                            |
| <sup>1</sup> The Extra Assistant Commissioner in Upper Zhob.                          | Ditto.                                        |
| The Extra Assistant Commissioner in Lower Zhob.                                       | Ditto.                                        |

[See *Gazette of India*, 1897, Pt. II, p. 575.]

Order under the Criminal Justice Law, 1896, as to trial by Cantonment Magistrate, Loralai, of certain offences summarily.

No. 623, dated the 4th March, 1897.—Under the provisions of section 5 (3) of the Baluchistan Agency Criminal Justice Law, the Cantonment Magistrate at Loralai is hereby authorised to try in a summary way all, or any, of the offences mentioned in section 260 of the Criminal Procedure Code, which under section 29 he is competent to try.

[See *Gazette of India*, 1897, Pt. I I, p. 282.]

<sup>1</sup> These entries were added by Notification No. 6501, dated the 11th October, 1897, see *Gazette of India*, 1897, Pt. I I, p. 1196.

## CHAPTER II. - THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.—(b) Local Rules and Orders under Special Local Laws—contd.

Orders under the Quetta Municipal Law, 1806.

*Declaration as to date of coming into force of Law.*

No. 6992, dated the 6th October, 1896.—In exercise of the powers conferred by sub-section (3) of section 1 of the Quetta Municipal Law, 1896, the Officiating Agent to the Governor General in Baluchistan is pleased to appoint the 15th October, 1896, as the day on which the said law shall come into force.

[See *Gazette of India*, 1896, Pt. I I, p. 1051.]

Octroi duty leviable in the Quetta Municipality.

No. 1807, dated the 24th March, 1898.—Under sections 21 (1), clause (e) of the Quetta Municipal Law, the Agent to the Governor-General in Baluchistan is pleased to revise the rates of Octroi on animals and goods brought within the limits of the Quetta Municipality as below :—

*Revised Schedules of Octroi rates in the Municipality of Quetta.*

| 1   | 2                                                                       | 3               | 4   | 5                         | 6   | 7              |
|-----|-------------------------------------------------------------------------|-----------------|-----|---------------------------|-----|----------------|
| No. | Names of Articles.                                                      | Rate of Octroi. | Per | Tariff value of articles. | Per | Rate per cent. |
|     | <b>CLASS I.</b>                                                         |                 |     |                           |     |                |
|     | <i>(Articles of food or drink for men and animals.)</i>                 | <i>R a. p.</i>  |     | <i>R a. p.</i>            |     | <i>R a. p.</i> |
| 1   | Wheat . . . . .                                                         | 0 1 3           | md. | 2 8 0                     | md. | 3 2 0          |
| 2   | Rice . . . . .                                                          | 0 2 6           | "   | 5 0 0                     | "   | 3 2 0          |
| 3   | Gram . . . . .                                                          | 0 1 3           | "   | 2 8 0                     | "   | 3 2 0          |
| 4   | Barley . . . . .                                                        | 0 1 0           | "   | 2 0 0                     | "   | 3 2 0          |
| 5   | Jawar . . . . .                                                         | 0 1 8           | "   | 2 8 0                     | "   | 3 2 0          |
| 6   | Indian corn . . . . .                                                   | 0 0 9           | "   | 1 8 0                     | "   | 3 2 0          |
| 7   | Dhall Gram . . . . .                                                    | 0 1 6           | "   | 3 0 0                     | "   | 3 2 0          |
| 8   | " Mutter . . . . .                                                      | 0 1 6           | "   | 3 0 0                     | "   | 3 2 0          |
| 9   | " Mung . . . . .                                                        | 0 1 6           | "   | 3 0 0                     | "   | 3 2 0          |
| 10  | " Mash . . . . .                                                        | 0 1 6           | "   | 3 0 0                     | "   | 3 2 0          |
| 11  | " Toohar . . . . .                                                      | 0 1 6           | "   | 3 0 0                     | "   | 3 2 0          |
| 12  | " Masoor . . . . .                                                      | 0 1 6           | "   | 3 0 0                     | "   | 3 2 0          |
| 13  | " Orad . . . . .                                                        | 0 1 6           | "   | 3 0 0                     | "   | 3 2 0          |
| 14  | Atta . . . . .                                                          | 0 1 6           | "   | 3 0 0                     | "   | 3 2 0          |
| 15  | Flour (Maida) . . . . .                                                 | 0 4 0           | "   | 3 0 0                     | "   | 3 2 0          |
| 16  | Sugar (other than red unrefined) and articles made from sugar . . . . . | 0 12 9          | "   | 20 0 0                    | "   | 4 0 0          |
| 17  | Sugar, red (unrefined) . . . . .                                        | 0 3 10          | "   | 3 0 0                     | "   | 4 0 0          |
| 18  | Goor . . . . .                                                          | 0 3 6           | "   | 5 8 0                     | "   | 4 0 0          |
| 19  | Ghee . . . . .                                                          | 1 4 0           | "   | 22 0 0                    | "   | 4 0 0          |
| 20  | Almonds and Pistachio nuts . . . . .                                    | 0 8 0           | "   | 16 0 0                    | "   | 3 2 0          |
| 21  | Dried fruits . . . . .                                                  | 0 4 0           | "   | 8 0 0                     | "   | 3 2 0          |

## CHAPTER II.-THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.(b) Local Rules and Orders under Special Local Laws—contd.

## Revised Schedules of Octroi rates in the Municipality of Quetta—contd.

| 1   | 2                                                                          | 3               | 4     | 5                        | 6    | 7               |
|-----|----------------------------------------------------------------------------|-----------------|-------|--------------------------|------|-----------------|
| No. | Names of Articles.                                                         | Rate of Octroi. | Per   | Tariff value of article. | Per  | Rate percent.   |
|     | <b>CLASS I—contd.</b>                                                      | <i>Rs a. p.</i> |       | <i>Rs a. p.</i>          |      | <i>Rs a. p.</i> |
|     | (Articles of food or drink for men and animals)—contd.                     |                 |       |                          |      |                 |
| 21  | Fresh Fruits—                                                              |                 |       |                          |      |                 |
|     | Apples, Grapes, Pears, Mangoes of all kinds, ripe and unripe, and oranges. | 0 6 0           | "     | 12 0 0                   | "    | 3 2 0           |
| 23  | Pomegranates, Quinces, Peaches and Apricots                                | 0 3 0           | "     | 6 0 0                    | "    | 3 2 0           |
| 24  | Surdah melons                                                              | 0 1 6           | "     | 3 0 0                    | "    | 3 2 0           |
| 25  | Water                                                                      | 0 0 6           | "     | 1 0 0                    | "    | 3 2 0           |
| 26  | Other Musk Melons                                                          | 0 1 0           | "     | 2 0 0                    | "    | 3 2 0           |
| 27  | Onions                                                                     | 0 0 9           | "     | 1 8 0                    | "    | 3 2 0           |
| 28  | Potatoes                                                                   | 0 1 0           | "     | 2 0 0                    | "    | 3 2 0           |
| 29  | Tea, black                                                                 | 0 0 6           | rupee | ad valorem.              |      |                 |
| 30  | Tea, green                                                                 | 0 0 6           | "     |                          |      |                 |
| 31  | Oilman's stores                                                            | 0 0 6           | "     |                          | "    |                 |
| 32  | Green forage of all descriptions—                                          |                 |       |                          |      |                 |
| a   | Truck load                                                                 | 0 0 2           | md.   | 0 5 0                    | md.  | 3 5 4           |
| b   | Cart load (eight maunds)                                                   | 0 1 4           | each  | 2 8 0                    | each | 3 5 4           |
| c   | Camel load (six maunds)                                                    | 0 1 0           | "     | 1 14 0                   | "    | 3 5 4           |
| d   | Bullock load (four maunds)                                                 | 0 0 8           | "     | 1 4 0                    | "    | 3 5 4           |
| e   | Donkey or Pony load (two maunds)                                           | 0 0 4           | "     | 0 10 0                   | "    | 3 5 4           |
| f   | Man's load (one maund)                                                     | 0 0 2           | "     | 0 5 0                    | "    | 3 5 4           |
| 33  | Lucerne, dry—                                                              |                 |       |                          |      |                 |
| a   | Cart load (eight maunds)                                                   | 0 8 0           | "     | 15 0 0                   | "    | 3 5 4           |
| b   | Camel load (six maunds)                                                    | 0 6 0           | "     | 11 4 0                   | "    | 3 5 4           |
| c   | Bullock load (four maunds)                                                 | 0 4 0           | "     | 7 8 0                    | "    | 3 5 4           |
| d   | Donkey or Pony load (two maunds)                                           | 0 2 0           | "     | 3 12 0                   | "    | 3 5 4           |
| e   | Man's load (one maund)                                                     | 0 1 0           | "     | 1 14 0                   | "    | 3 5 4           |
| 34  | Bhoosa—                                                                    |                 |       |                          |      |                 |
| a   | Cart load (eight maunds)                                                   | 0 2 8           | "     | 5 0 0                    | "    | 3 5 4           |
| b   | Camel load (four maunds)                                                   | 0 1 4           | "     | 2 8 0                    | "    | 3 5 4           |
| c   | Bullock load (two maunds)                                                  | 0 0 8           | "     | 1 4 0                    | "    | 3 5 4           |
| d   | Donkey or Pony load (one and half maunds)                                  | 0 0 6           | "     | 0 15 0                   | "    | 3 5 4           |
| e   | Man's load (one maund)                                                     | 0 0 4           | "     | 0 10 0                   | "    | 3 5 4           |
| f   | Bhoosa brought by rail                                                     | 0 0 4           | md.   | 0 10 0                   | "    | 3 5 4           |
| 35  | Eggs—                                                                      |                 |       |                          |      |                 |
| a   | " brought by road                                                          | 0 0 2           | doz.  | 0 5 0                    | doz. | 3 5 4           |
| b   | " in Kerosine-oil tin (25 doz.)                                            | 0 4 2           | tin.  | 7 13 0                   | tin. | 3 5 4           |
| c   | " Donkey or Pony load (96 doz.)                                            | 1 0 0           | each  | 30 0 0                   | each | 3 5 4           |
| d   | " brought by rail (80 doz. in maund)                                       | 0 13 4          | md.   | 25 0 0                   | md.  | 3 5 4           |
|     | <b>CLASS II.</b>                                                           |                 |       |                          |      |                 |
|     | (Animals for sale or slaughter.)                                           |                 |       |                          |      |                 |
| 36  | Horned cattle and their young                                              | 0 1 0           | head  |                          |      |                 |
| 37  | Goats, kids, sheep and lambs                                               | 0 1 0           | "     |                          |      |                 |

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments-2, (b) Local Rules and Orders under Special Local Laws—contd.

## Revised Schedules of Octroi rates in the Municipality of Quetta—contd.

| 1   | 2                                                                       | 3               | 4     | 5                         | 6                  | 7              |
|-----|-------------------------------------------------------------------------|-----------------|-------|---------------------------|--------------------|----------------|
| No. | Names of Articles.                                                      | Rate of Octroi. | Per   | Tariff value of articles. | Per                | Rate per cent. |
|     | <b>CLASS II—contd.</b>                                                  | <b>R a. p.</b>  |       | <b>R a. p.</b>            |                    | <b>R a. p.</b> |
|     | <i>(Animals for sale or slaughter—contd.)</i>                           |                 |       |                           |                    |                |
| 38  | Poultry—                                                                |                 |       |                           |                    |                |
| a   | Fowls, ducks, geese and Turkeys, etc., brought by road                  | 0 0 6           | each  | 0 12 8                    | each               | 4 0 0          |
| b   | Fowls, ducks, geese and Turkeys, etc., brought by rail                  | 0 12 0          | md.   | 18 12 0                   | md.                | 4 0 0          |
|     | <b>CLASS II</b>                                                         |                 |       |                           |                    |                |
|     | <i>(Articles used for fuel, lighting and washing).</i>                  |                 |       |                           |                    |                |
| 39  | Charcoal . . . . .                                                      | 0 0 9           | md.   | 1 8 0                     | md.                | 3 2 0          |
| 40  | Coal . . . . .                                                          | 0 0 4           | "     | 0 8 0                     | "                  | 4 0 0          |
| 41  | Sweet and other oils other than Kerosine                                | 0 8 0           | "     | 16 0 0                    | "                  | 3 2 0          |
| 42  | Soap, Europe, and country, in bars                                      | 0 6 0           | "     | 12 0 0                    | "                  | 3 2 0          |
| 43  | Soap, in fancy cakes                                                    | 0 0 6           | rupee |                           | <i>ad valorem.</i> |                |
|     | <b>CLASS IV.</b>                                                        |                 |       |                           |                    |                |
|     | <i>(Articles used in the decoration and construction of Buildings.)</i> |                 |       |                           |                    |                |
| 44  | Timber, teak . . . . .                                                  | 0 2 3           | md.   | 4 8 0                     | md.                | 3 2 0          |
| 45  | Timber of all other sorts . . . . .                                     | 0 0 6           | rupee |                           | <i>ad valorem.</i> |                |
| 46  | Bullas, local, of all descriptions . . . . .                            | 0 2 0           | score | 4 0 0                     | score              | 3 2 0          |
| 47  | Glass and glass China stone and earthenware . . . . .                   | 0 0 6           | rupee |                           | <i>ad valorem.</i> |                |
|     | <b>CLASS V</b>                                                          |                 |       |                           |                    |                |
|     | <i>(Drugs and Spices.)</i>                                              |                 |       |                           |                    |                |
| 48  | Prepared medicines and drugs . . . . .                                  | 0 0 6           | rupee |                           | <i>ad valorem.</i> |                |
| 49  | Cardamoms, small, . . . . .                                             | 0 0 6           | "     |                           | "                  |                |
| 50  | Cardamoms, large, cloves, nutmegs, and pepper . . . . .                 | 0 0 6           | "     |                           | "                  |                |
| 51  | Cinnamon . . . . .                                                      | 0 0 6           | "     |                           | "                  |                |
|     | <b>CLASS VI.</b>                                                        |                 |       |                           |                    |                |
|     | <i>(Tobacco.)</i>                                                       |                 |       |                           |                    |                |
| 52  | Tobacco, manufactured according to European methods . . . . .           | 0 0 6           | rupee |                           | <i>ad valorem.</i> |                |
| 53  | Kandahari and Mustungi tobacco . . . . .                                | 0 8 0           | md.   | 16 0 0                    | md.                | 3 2 0          |
| 54  | Poorbi and country tobacco . . . . .                                    | 1 0 0           | "     | 32 0 0                    | "                  | 3 2 0          |
| 55  | Snuff . . . . .                                                         | 1 0 0           | "     | 32 0 0                    | "                  | 3 2 0          |
| 56  | Cheroots, cigars and cigarettes . . . . .                               | 0 0 6           | rupee |                           | <i>ad valorem.</i> |                |
| 57  | Cigarettes, country . . . . .                                           | 0 0 3           | lb    | 0 8 0                     | lb                 | 3 2 0          |

## CHAPTER II—THE BALUCHTSTAH AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(b) Local Rules and Orders under Special Local Laws—contd..

## Revised Schedule of Octroi rates in the Municipality of Quetta—contd.

| 1   | 2                                                                                                                                     | 3               | 4     | 5                         | 6                  | 7              |
|-----|---------------------------------------------------------------------------------------------------------------------------------------|-----------------|-------|---------------------------|--------------------|----------------|
| No. | Names of Articles.                                                                                                                    | Rate of Octroi. | Per   | Tariff value of articles. | Per                | Rate per cent. |
|     |                                                                                                                                       | R a. p.         |       | R a. p.                   |                    | R a. p.        |
|     | <b>CLASS VII.</b>                                                                                                                     |                 |       |                           |                    |                |
|     | <i>(Piece goods and other textile fabrics and manufactured articles of clothing and dress.)</i>                                       |                 |       |                           |                    |                |
| 58  | Cotton piece goods . . . . .                                                                                                          | 0 0 3           | rupee |                           | <i>ad valorem.</i> |                |
| 59  | Cotton, woollen, jute and hemp manufactures, including carpets and wearing apparel (wearing apparel not intended for sale, duty free) | 0 0 6           | "     |                           | "                  |                |
| 60  | Silk and silk manufactures . . . . .                                                                                                  | 0 0 6           | "     |                           | "                  |                |
| 61  | Gunny bags . . . . .                                                                                                                  | 0 0 3           | "     |                           | "                  |                |
| 62  | Leather and leather manufactures . . . . .                                                                                            | 0 0 6           | "     |                           | "                  |                |
| 63  | Embroidery . . . . .                                                                                                                  | 0 0 6           | "     |                           | "                  |                |
|     | <b>CLASS VIII.</b>                                                                                                                    |                 |       |                           |                    |                |
|     | <i>(Metals and their manufactures.)</i>                                                                                               |                 |       |                           |                    |                |
| 64  | Steel and iron of all descriptions . . . . .                                                                                          | 0 0 3           | rupee |                           | <i>ad valorem.</i> |                |
| 65  | Steel and iron manufactures . . . . .                                                                                                 | 0 0 3           | "     |                           | "                  |                |
| 66  | Copper, Zinc, Tin, Brass and Lead and articles made of them . . . . .                                                                 | 0 0 3           | "     |                           | "                  |                |
| 67  | Gold and silver lace . . . . .                                                                                                        | 0 0 3           | "     |                           | "                  |                |

Under section 24 (1) of the Quetta Municipal Law, the Agent to the Governor General is pleased to declare that the above rates shall come into force, with effect from the 1st May, 1898.

[See *Gazette of India*, 1898, Pt. I I, p. 346.]

Applying the Vaccination Act, 1880 (XIII of 1880) to Quetta.

No. 9083, dated the 15th December, 1896.—Under the authority given by section 101 of the Quetta Municipal Law of 1896, the Agent to the Governor General is pleased to declare that from the 1st January, 1897, the Vaccination Act (XIII of 1880), shall apply so far as it can be made applicable to the Municipality of Quetta.

[See *Gazette of India*, 1896, Pt. I I, p. 1300.]

Duration of terms of office of Members of the Quetta Municipality.

No. 7335, dated the 17th October, 1896.—In exercise of the powers conferred by clause (a) of sub-section (i) of section 102 of the Quetta Municipal Law, the Officiating Agent to the Governor General is pleased to make the following rule as to the term of office of members of the Quetta Municipal Committee, that is to say :—

" The term of office of a member of the Committee shall be one year : Provided that when a member is appointed to fill a vacancy caused by the death, resignation or removal of a member, the term of office shall last until the appointment of a fresh Committee."

[See *Gazette of India*, 1896, Pt. I I, p. 1084.]

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

## B.—British-Baluchistan Agency Territories Enactments—2.-(b) Local Rules, and Orders under Special Local Laws—contd.

Rules for the destruction of Records under the Quetta Municipal Law, 1899.

No. 9143, dated the 37th November, 1899.—The following rules for the destruction of useless records which have been framed by the Agent to the Governor General under section 102 (1) (i) of the Quetta Municipal Law, are published for general information :—

## RULES.

*Vernacular Papers.*

- (1) Papers relating to payment of salaries of establishment shall be destroyed after 85 complete account years, and of artisans and labourers after three complete account years from date of payment.
- (2) Papers relating to contracts not written or registered shall be destroyed three years after the period from which the contract was finished, broken or cancelled.
- (3) Papers relating to written or registered contracts shall be destroyed six years after the date of completion or annulment of the contract.
- (4) Miscellaneous papers, such as reports on inspection of carriages, etc., shall, as a general rule, be destroyed one year after the period to which they relate; but the Municipal Committees shall have power at their discretion, to retain any special papers for a longer period.
- (5) Registers and receipts for octroi duty which has been paid on goods brought within the Municipal limits, should be destroyed after five years from the date of payment, and rawana and other miscellaneous papers after three years.

*English Papers.*

- (1) Letters of an ephemeral nature, such as those furnishing explanations relative to points noticed in progress reports, differences in accounts since closed and adjusted, shall be destroyed annually.
- (2) All other English records and the general abstract of accounts and bonds shall be retained with the exception of octroi receipts connected with cases of refund which shall be destroyed annually.

[See *Gazette of India*, 1899, Pt. II, p. 1350.]

Rules for the registration of Births and Deaths in the Quetta Municipality.

No. 4719, dated the 8th July, 1898.—The following rules under section 102 (g) of the Quetta Municipal Law, for effecting the registration of births and deaths, having received the approval of the Agent to the Governor General, are published for general information :—

- (1) When a birth or death shall occur in any household within the Municipal limits, the head of the household shall, within seven days, make a report of the occurrence either orally at the Municipal office, or by writing addressed to the Secretary to the Municipal Committee. If, for any sufficient reason, the head of the household be unable to make the report, it shall be made by any adult member of his family residing in the house or on the premises, or, failing any such, then by an adult male servant so residing.
- (2) The Civil Surgeon shall furnish the Secretary to the Municipal Committee, not later than the 15th day of each month, with a return of births and deaths occurring during the previous calendar month in the jail, hospital and other institutions under his charge.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—contd.

### **B—British-Baluchistan Agency Territories Enactments—2.—(b) Local Rules and Orders under Special Local Laws—contd.**

Rules for the registration of Births and Deaths In the Quetta Municipality—contd.

- (3) In the case of births occurring in any public institution not under the charge of the Civil Surgeon, the person in charge of the same shall, within 15 days, make to the Secretary to the Municipal Committee a written report of the occurrence.
- (4) The reports and returns required in rules (1) to (3) preceding shall contain the following particulars, namely—
  - (A) as to births—
    1. Date of occurrence.
    2. Sex of child.
    3. Name of father.
    4. Residence of father,
    5. Occupation, (if any) religion of father.
    6. Name of person making the report or return.

Provided, in the case of illegitimate children, that, at the option of the person making the report or return, the name, residence, caste (if any) and religion of the mother may be substituted for particulars 3, 4 and 5,

- (B) as to deaths—
  1. Date of occurrence.
  2. Name of deceased.
  3. Father's name, or, in the case of a married woman, husband's name.
  4. Sex.
  5. Age.
  6. Occupation, caste (if any), religion.
  7. Residence.
- (5) In the case of a dead body found exposed, the District Superintendent of Police, Quetta, shall, within seven days, report the fact with, if possible, a certificate from the Civil Surgeon as to cause of death.
- (6) Two separate registers shall be kept by the Secretary to the Municipal Committee in which the particulars aforesaid as to births or deaths respectively shall be duly entered within 48 hours of receipt. These registers shall be open during the office hours to inspection by any inhabitant of the Municipality, and the Secretary shall be bound to give, on application and tender of costs incurred, certified extracts therefrom to persons interested.
- (7) No person shall wilfully destroy or injure, or cause to be destroyed or injured, any register of births and deaths, or wilfully insert, or cause to be inserted, in any such register or certified copy thereof any false entry of any births or deaths.
- (8) Any breach of these rules shall be punishable, on conviction by a Magistrate, with fine which may extend to R50, and, when the breach is a continuing breach, with a further fine which may extend to R50 for every day after the date of such conviction during which the breach is proved before a Magistrate to have been persisted in.

## CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*concl'd.*

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### STTPPLEMENTARY NOTES.

**Civil and Criminal Jurisdiction in Nushki, Chageh and the Western Slnjerani Country.**—The Political Assistant, Chageh, has been authorised to exercise within the limits of his charge all the powers of a District Magistrate and Sessions Judge as described in the Code of Criminal Procedure, 1898 (Act V of 1898), as modified by the Baluchistan Agency Criminal Justice Law, 1896, and the powers conferred on the Court of a Political Agent under the Baluchistan Agency Civil Justice Law, 1896. In subordination to the Political Assistant, Chageh, the Tahsildar of Nushki has been authorized to exercise the powers of a Magistrate of the 1st class as described in the Code of Criminal Procedure modified as above and of a Muncif under the Baluchistan Agency Civil Justice Law. The Political Assistant at Chageh has further been authorised to exercise the powers of a Deputy Commissioner under the Panjab Frontier Crimes Regulation as applied to Baluchistan and of a Sessions Judge as described in the Panjab Murderous Outrages Act, 1867 (XXIII of 1867). Moreover when exercising the powers first referred to these officers have been directed to follow the spirit and principles of the Indian Penal Code (Act XLV of 1860), and of the Code of Criminal Procedure modified as above referred to and of the Baluchistan Agency Civil Justice Law, 1896, and when exercising those under the Panjab Frontier Crimes Regulation and Act XXIII of 1867, the Political Assistant has been directed to act as if those enactments were in force in these Districts. All questions of appeal, reference, confirmation and revision in connection with the proceedings of these officers are to be dealt with by the Agent, Governor General in Baluchistan, or the Court of the Judicial Commissioner, in the same way as they are dealt with in the Agency Territories. Foreign Department letter No. 2864 P., dated the 1st November, 1899,





## GENERAL APPENDIX.

- I. ORDERS RELATING TO EXECUTION AND SERVICE RESPECTIVELY BY BRITISH COURTS IN NATIVE STATES OF DECREES AND SUMMONSES OF COURTS IN BRITISH INDIA AND OF CERTAIN NATIVE STATES COURTS,
- II. ORDER RELATING TO EXECUTION BY BRITISH-INDIAN COURTS OF DECREES OF CIVIL AND REVENUE COURTS IN COOCH BEHAR.
- III. ORDER EMPOWERING BRITISH COURTS IN NATIVE STATES TO SEND WARRANTS FOR EXECUTION OF CAPITAL SENTENCES TO JAILS IN BRITISH INDIA.
- IV. ORDER PROVIDING FOR THE RECOVERY IN TERRITORIES ADMINISTERED BY THE GOVERNOR GENERAL IN COUNCIL, BUT NOT FORMING PART OF BRITISH INDIA, OF REVENUE ARREARS ACCRUING IN BRITISH INDIA.
- V. ORDER REGULATING THE PRINTING AND PUBLICATION OF NEWSPAPERS IN TERRITORIES ADMINISTERED BY THE GOVERNOR GENERAL IN COUNCIL, BUT NOT FORMING PART OF BRITISH INDIA.
- VI. ORDERS PROVIDING FOR THE PREVENTION OF DANGEROUS EPIDEMIC DISEASES IN TERRITORIES ADMINISTERED BY THE GOVERNOR GENERAL IN COUNCIL, BUT NOT FORMING PART OF BRITISH INDIA.

# I.—EXECUTION AND SERVICE BY BRITISH COURTS IN NATIVE STATES OF DECREES AND SUMMONSES OF COURTS IN BRITISH INDIA AND OF CERTAIN COURTS IN NATIVE STATES.

## A.—Courts established or continued by the Governor General in Council in Native States.

No. 1861-I., dated the 29th March, 1889.—With reference to sections 90, 229, XIV of 1882. 229A, 229B and 650A of the Code of Civil Procedure, the Governor General in Council is pleased to notify that the following Courts among others are Courts established or continued by the Governor General in Council in the territories of Foreign Princes and States, namely :—

### *Civil and Military Station of Bangalore.*

The Courts of the Resident in Mysore, the Civil Judge and the Munsif.

### *Bajputana.*

The District Courts of those sections of the Rajputana-Malwa Railway which are situated within the territories of States in Rajputana ;

the District Courts of that section of the Cawnpore-Aohnera Railway which is situated within the State of Bhartpur ;

<sup>1</sup> the District Court of that section of the Indian Midland Railway which is situated in the Dholpur State;

the Court of the Magistrate of Abu ;

the Court of Small Causes for those sections of the Rajputana-Malwa Railway which are situated within the territories of States in Rajputana;

the Court of Small Causes of that section of the Cawnpore-Aohnera Railway which is situated within the State of Bhartpur ; and

<sup>1</sup> the Court of Small Causes for that section of the Indian-Midland Railway which is situated in the Dholpur State.

### *Central India,*

The District Courts, Rajputana-Malwa Railway, at Mhow and Neemuch;

<sup>1</sup> the District Courts of those sections of the Indian Midland Railway which are situated within the territories of States in the Central India Agency ;

the Courts of the Civil Judge of Mhow, Neemuch, Nowgong, and Indore ;

the Court of the Political Assistant, Guna ;

the Courts of Small Causes at Mhow, Neemuch, Nowgong, and Sipri ; <sup>2</sup>

the Courts of Small Causes, Rajputana-Malwa Railway, Mhow and Neemuch Sections; and

<sup>1</sup> the Court of Small Causes for those sections of the Indian Midland Railway which are situated within the territories of States in the Central India Agency.

### *Hyderabad.*

Ali Civil Courts in the Hyderabad Assigned Districts ; and

the Civil Courts of the First and Second Assistant Residents, the Cantonment and Assistant Cantonment Magistrates of Seunderabad, and the Superintendent of the Residency Bazaars\*

### *Baluchistan Agency.*

All Civil Courts in the territories administered by the Agent to the Governor General in Baluchistan as such Agent.

### *Baroda.*

The Court of Small Causes in the Cantonment of Baroda ; and

<sup>4</sup> the Court of the First Assistant to the Agent to the Governor General.

<sup>1</sup> Taae clauses were added by Notification No. 996-I., dated the 4th March, 1891, see *Gazette of India*, 1891, Pt. I, 254

<sup>2</sup> Sipri was given back to the Gwalior Durbar in 1898.

This clause was added by Notification No. 1480-B., dated the 17th July 1890, see *Gazette of India*, 1890, Pt. J, p. 530.

This clause was added by Notification No. 3331-I., dated the 4th October, 1890, see *Gazette of India*, 1890, Pt. 1,

I.—EXECUTION AND SERVICE BY BRITISH COURTS IN NATIVE STATES OF DECREES AND SUMMONSES OF COURTS IN BRITISH INDIA AND OF CERTAIN COURTS IN NATIVE STATES—*contd.*

A.—Courts established or continued by the Governor General in Council in Native States—*contd.*

*Manipur.*

The Court of the Political Agent at Manipur.

*Kashmir.*<sup>1</sup>

The Court of the Resident in Kashmir.

The Courts of Assistants to the Resident in Kashmir.

[See *Gazette of India*, 1889, Pt. I, p. 184.]

No. 2179-I., dated the 2nd July, 1890.—With reference to sections 90, 229, 229-A, 229-B and 650-A of the Code of Civil Procedure, and in continuation of Foreign Department Notification No. 1361-I., dated the 29th March, 1889, the Governor General in Council is pleased to notify that the following Courts in the territories of Native Chiefs under the political control of the Government of Bombay are Courts established or continued by the Governor General in Council in the territories of Foreign Princes and States, namely :—

Court of the Political Superintendent, Pálanpur.  
 Court of the Personal Assistant to the Political Superintendent, Pálanpur.  
 Court of the Political Agent, Kolhapur and Southern Maratha Country.  
 Court of the Political Agent, Kathiawar.  
 Court of the Assistant Political Agent, Jhalavas Prant.  
 Court of the Assistant Political Agent, Soráth Prant.  
 Court of the Assistant Political Agent, Halar Prant.  
 Court of the Assistant Political Agent, Gohelvad Prant.  
 Court of the Deputy Assistant Political Agent, Jhalavad Prant.  
 Court of the Deputy Assistant Political Agent, Sorath Prant.  
 Court of the Deputy Assistant Political Agent, Halar.  
 Court of the Deputy Assistant Political Agent, Gohelvad.  
 Court of Small Causes, Rajkot Civil Station.  
 Court of the Wadhwan District Thanadar,  
 Court of the Chotila Thanadar.  
 Court of the Dasada Thanadar.  
 Court of the Bhoika Thanadar.  
 Court of the Paliad Thanadar,  
 Court of the Vithalgad Thanadar.  
 Court of the Station Offioer, Wadh wan.  
 Court of the Bagasra Thanadar.  
 Court of the Lakhapadar Thanadar.  
 Court of the badhika Thanadar.  
 Court of the Dhrafa Thanadar.  
 Court of the Deputy Thanadar, Mulila.  
 Court of the Babra Thanadar.  
 Court of the Songad Thanadar.  
 Court of the Chamardi Thanadar.  
 Court of the Datba Thanadar.

<sup>1</sup> Added by Notification No. 1421-E., dated the 13th July, 1891, set *Gazttte of India*, 1891, Pt. 1, p. 420.

**I.—EXECUTION AND SERVICE BY BRITISH COURTS IN NATIVE STATES OF DECREES AND SUMMONSES OF COURTS IN BRITISH INDIA AND OF CERTAIN COURTS IN NATIVE STATES—  
contd.**

**A.—Courts established or continued by the Governor General in Council in Native States—concl'd.**

Court of the Chok Thanadar.  
 Court of the Political Agent, Mahi Kantha.  
 Court of the Assistant Political Agent, Mahi Itantba.  
 Court of the Personal Assistant to the Political Agent, Mahi Kantha.  
 Court of the Thanadar of the Bavhlai Zilla.  
 Court of the Thanadar of Sahar Kautha.  
 Court of the Thanadar of Katosan.  
 Court of the Thanadar of Gbadvada.  
 Court of the Thanadar of Hadol.  
 Court of the Thanadar of Jher Nirmali.  
 Court of the Aval Karkun at Mahisa.  
 Court of the Political Agent, Hewa Kantha.  
 Court of the Assistant Political Agent, Kewa Kantha.  
 Court of the Sankheda Thanadar.  
 Court of the Pandu Thanadar.  
 Court of the Thanadar of the Tharad Jamya village!.  
 Court of the Thanadar of Vav.  
 Court of the Thanadar of Santalpul.  
 Court of the Thanadar of Varahi.  
 Court of the Thanadar of Deodar.  
 Court of the Thanadar of Kankrej.  
<sup>1</sup> Court of the Assistant Political Agent, Kolhapur and Southern Maratha Country.

[See *Gazette of India*, 1890, Pt. I, p. 484.]

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*Br—Execution of Decrees.*

1.—Application of section 229-A of the Code of Civil Procedure to Courts established or continued by the Governor General in Council in Native States, and execution by those Courts of decrees of British Indian Courts.

No. 1362-L, dated the 29th March, 1889.—In exercise of the powers conferred  
 XXI of 1879. by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of  
 XIV of 1882. all other powers enabling him in this behalf, the Governor General in Council is  
 pleased to declare section 829-A of the Code of Civil Procedure to apply to the Courts  
 specified in the schedule hereto,<sup>2</sup> and to notify that a decree of any Court situate in  
 British India which cannot be executed within the jurisdiction of the Court by which  
 it was made may, if sent for execution to a Court specified in the schedule, be  
 executed by that Court to the same extent and in the same manner as that Court  
 might execute within the limits of its jurisdiction a decree made by itself.

SCHEDULE.

*Civil and Military Station of Bangalore*

The Court of the Civil Judge.

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<sup>1</sup> Added by Notification No. 4110-I., dated the 8th October, 1891, see *Gazette of India*, 1891, Pt. I, p. 572.

<sup>2</sup> For Courts in Native States under the Government of Boinbaj, to which section 229-A of the Code of Civil Procedure has been applied, see General Appendix to the Western India Volume.

# I.—EXECUTION AND SERVICE BY BRITISH COURTS IN NATIVE STATES OF DECREES AND SUMMONSES OF COURTS IN BRITISH INDIA AND OF CERTAIN COURTS IN NATIVE STATES— *contd.*

## *B.—Execution of Decrees—contd.*

### *Rajputana.*

The District Courts of those sections of the Rajputana-Malwa Railway which are situated within the territories of States in Rajputana;

the District Court of that section of the Cawnpore-Achnera Railway which is situated within the State of Bhartpur ;

<sup>1</sup> the District Court of the section of the Indian Midland Railway which is situated in the Dholpur State ;

the Court of the Magistrate of Abu ;

the Courts of Small Causes for the sections of the Rajputana-Malwa Railway which are situated within the territories of States in Rajputana ;

the Court of Small Causes for that section of the Cawnpore-Achnera Railway which is situated within the State of Bhartpur ; and

<sup>1</sup> the Court of Small Causes for the section of the Indian Midland Railway which is situated in the Dholpur State.

### *Central India,*

The District Courts, Rajputana-Malwa Railway, at Mhow and Neemuch ;

<sup>1</sup> the District Courts of those sections of the Indian Midland Railway which are situated within the territories of States in the Central India Agency;

the Courts of the Civil Judges of Mhow, Neemuch, Nowgong, and Indore;

the Court of the Political Agent, Guna ;<sup>2</sup>

the Courts of Small Causes at Mhow, Neemuch, Nowgong, and Sipri ;<sup>8</sup>

the Courts of Small Causes, Rajputana-Malwa Railway, Mhow and Neemuch Sections ; and

<sup>1</sup> the Courts of Small Causes for those sections of the Indian Midland Railway which are situated within the territories of States in the Central India Agency.

### *Hyderabad.*<sup>4</sup>

All Civil Courts in the Hyderabad Assigned Districts ; and

the Civil Courts of the Second Assistant Resident, the Cantonment and Assistant Cantonment Magistrates of Secunderabad, and the Superintendent of the Residency bazars.

### *Baluchistan Agency,*

\* All Civil Courts in the territories administered by the Agent to the Governor General in Baluchistan as such Agent.

### *Baroda.*

The Court of Small Causes in the Cantonment of Baroda ; and

the Court of the First Assistant to the Agent to the Governor General,

### *Manipur,*

The Court of the Political Agent at Manipur.

### *Kashmir.*<sup>7</sup>

The Court of the Resident in Kashmir.

The Courts of Assistants to the Resident in Kashmir.

[See *Gazette of India*, 1889, Pt. I, p. 185.]

<sup>1</sup> These clauses were added by Notification No. 907-1., dated the 4th March, 1891, see *Gazette of India*, 1891, Pt. I, p. 124.

<sup>2</sup> Now styled Assistant to the Resident at Gwalior.

<sup>3</sup> Sipri was given back to the Gwalior Durbar in 1896.

<sup>4</sup> Processes issued by these Courts may be served free of charge by the Courts of the Bombay Presidency, see Rule XIX of the Rules by the Bombay High Court under ss. 20 and 22 of the Court-fees Act, 1870 (VII of 1870), *Bombay Government Gazette*, 1888, Pt. I, p. 698.

<sup>5</sup> This clause was added by Notification No. 1481-E., dated the 17th July, 1890, see *Gazette of India*, 1890, Pt. I, p. 630.

<sup>6</sup> This clause was added by Notification No. 3332-1., dated the 4th October, 1890, see *Gazette of India*, 1890, Pt. I, p. 736.

<sup>7</sup> Added by Notification No. 1432-E., dated the 10th July, 1891, see *Gazette of India*, 1891, Pt. I, p. 434.

I.—EXECUTION AND SERVICE BY BRITISH COURTS IN NATIVE STATES OF DECREES AND SUMMONSES OF COURTS IN BRITISH INDIA AND OF CERTAIN COURTS IN NATIVE STATES—

*contd.*

B.—Execution of Decree—*contd.*

2.—Execution by all Courts established or continued by the Govenwr General in Council in Native States of decrees of other such Courts.

XXI of 1870. No. 1363-I., dated the 29th March, 1880.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to notify that a decree of any Court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State which cannot be executed within the jurisdiction of the Court by which it was made may, if sent for execution to any other such Court, be executed by the other Court, to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

[See *Gazette of India*, 1889, Pt. I, p. 186.]

3.—Execution by all Courts established or continued by the Governor General in Council in Native States of decrees of Civil and Revenue Courts not so established or continued in Mysore and in Bombay Native States.

XXI of 1879. No. 1364-1, dated the 29th March, 1889.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to notify that a decree of any Civil or Revenue Court situate in the territories of His Highness the Maharaja of Mysore, and not established or continued by the authority of the Governor General in Council, may if sent for execution to a Court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State, be executed by that Court to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

[See *Gazette of India*, 1889, Pt. I, p. 186.]

XXI of 1879. No. 2183-I., dated the 2nd July, 1890.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, and in continuation of Foreign Department Notification No. 1364-1., dated the 29th March, 1889, the Governor General in Council is pleased to notify that, pending further orders, a decree of any of the undermentioned Courts situate in Native States, within the political control of the Government of Bombay, and not established or continued by the authority of the Governor General in Council, may, if sent for execution to a Court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State, be executed by the Court to the same extent, and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.—

*Solhapur.*

- Court of the Council of Administration, Kolhapnr.

„ Chief Judge of Kolhapnr.

„ Sadar Amin of Kolhapur.

„ Munsif of Shivol.

„ Gad Hingla..

„ Joint Officer at Katkol.

„ Munsif of Vishalgad.

I.—EXECUTION AND SEE VICE BY BEI'FISH COUETS IN NATIVE STATES OF DECREES AND SUMMONSES OF COUETS IN BRITISH INDIA AND OF CERTAIN COUETS IN NATIVE STATES—  
*contd.*

*B.—Execution of Decrees—concl'd.*

*Kolhapur—cont'd.*

Court of the Munsif of Inehalkaranji.

- " Chief of Bayda.
- " Kurbhari of Bayda.
- " Kurbhari of Kagal.
- " Kurbhari of Kapsi.<sup>1</sup>

*Southern Maratha Country.*

Court of the Chief of Mudhol : : : } Mudhol State Courts.  
" Nyayadhish of Mudhol : : :

*Janjira.*

Court of the Sir Nyayadhish of Janjira.

*Mahi Kantha.*

Court of the Government Manager of Mansa.

- " Japtidar of Mohanpur.
- " " Varasda.
- " " Pethapur.
- " " Vasma.
- " " Valasna.
- " " Palej.
- " " Galeat.

*Rewa Kantha.*

Court of the Administrator of Rajpipla.  
" Assistant Administrator of Rajpipla.  
" Sir Nyayadhish of Rajpipla.  
" Subordinate Judge of Bhalod.

*Surat.*

Court of the Administrator of Sachin.  
" Diwan of Sachin.  
" Tahsildar of Sachin.

*Southern Maratha Country.*

Court of the Joint Administrators of Miraj (junior) . . . }  
" Munsif of Kowtha . . . . . } Courts of Miraj (junior).  
" " Gadgeri . . . . . }  
" " Karoli . . . . . }  
" Administrators of Ramdurg . . . . . } Courts of the Ramdurg State.  
" Nyayadhish of Ramdurg . . . . . }

*Savantvadi.*

Court of the Political Superintendent, Savantvadi.  
" Assistant Political Superintendent, Savantvadi.  
" [ Chief Judge of Savantvadi ].  
" Nyayadhish of Savantvadi.  
" Munsif of Kudal.  
" Small Causes of Vadi. <sup>2</sup>

*Sholapur.*

Court of the Subordinate Judge of Akalkot.  
Subordinate Court of Pilio.

Kurla.

[ See "Gazette of India, 1920, Pt. I, p. 486.]

<sup>1</sup> Added by Notification No. 2694-I., dated the 6th August, 1890, see *Gazette of India*, 1890, Pt. I, p. 612.  
The words the "Chief Judge of Sawitvadi" were substituted for the words "Judicial Assistant Political Superintendent, Savantvadi," by Notification No. 3631-I.A., dated the 24th September, 1897, see *Gazette of India* 1897, Pt. I, p. 862.  
<sup>2</sup> This Court was added by the Notification quoted in the second note, *supra*.



I,—EXECUTION AND SERVICE BY BRITISH COURTS IN NATIVE STATES OF DECREES AND SUMMONSES OF COURTS IN BRITISH INDIA AND OF CERTAIN COURTS IN NATIVE STATES—  
*contd.*

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C.—*Service of summonses.*

I,—Service by all Courts established or continued by the Governor General in Council in Native States of summonses issued by British Indian Civil or Revenue Courts.

XXI of 1870. No. 1366-I., dated the 29th March, 1589.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that a summons issued by any Civil or Revenue Court in British India for service within the local limits of the jurisdiction of a Court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State, shall, if sent to that Court, be served by that Court within those limits  
XIV of 1882. in manner provided by the Code of Civil Procedure, and, after being so served, be returned with such an endorsement under the hand of the Judge of the Court as is mentioned in section 90 of that Code.

[See *Gazette of India*, 1889, Pt. I, p. 186.]

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2. -Service by all Courts established or continued by the Governor General in Council in Native States of summonses issued by other such Courts.

XXI of 1879. No. 7367-I., dated the 29th March, 1889,—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that a summons issued by any Court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State, for service within the local limits of the jurisdiction of any other such Court, shall, if sent to the other Court, be served by that Court within those  
XIV of 1882. limits in manner provided by the Code of Civil Procedure, and, after being so served, be returned with such an endorsement under the hand of the Judge of the Court as is mentioned in section 90 of that Code.

[See *Gazette of India*, 1889, Pt. I, p. 188.]

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S,—Service by all Courts established or continued by the Governor General in Council in Native States of summonses issued by Civil and Revenue Courts not so established or continued in Hyderabad, Mysore, Central India and Bombay Native States.

XXI of 1879. No. 1368-I., dated the 29th March, 1889.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that a summons issued by any Civil or Revenue Court situate within the territories of His Highness the Nizam of Hyderabad, or His Highness the Maharaja of Mysore, or of any Prince or State in Central India, and not established or continued by the authority of the Governor General in Council, shall, if sent to any Court so established or continued in the territories of any Foreign Prince or State, be served by that Court as if the summons had been issued by itself, and, after being so served, be returned with an endorsement of such service under the hand of the Judge of the Court.

[See *Gazette of India*, 1889, Pt. I, p. 187.]

I.—EXECUTION AND SERVICE BY BRITISH COURTS IN NATIVE STATES OF DECREES AND SUMMONSES OF COURTS IN BRITISH INDIA AND OF CERTAIN COURTS IN NATIVE STATES—  
*concl.*

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C,—*Service of summonses—conoid.*

No. 2182-I., dated the 2nd July, 1890.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all XXI of 1870. other powers enabling him in this behalf, the Governor General in Council is pleased, in continuation of Foreign Department Notification No. 1368-1., dated 29th March, 1889, to direct that a summons issued by any Civil or Revenue Court in a Native State, situate within the political control of the Government of Bombay, and not established or continued by the authority of the Governor General in Council, shall, if sent to any Court so established or continued in the territories of any Foreign Prince or State, be served by that Court as if the summons had been issued by itself, and, after being so served, be returned with an endorsement of such service under the hand of the Judge of the Court.

[See *Gazette of India*, 1890, Pt. I, p. 486.]

## II.—EXECUTION BY BRITISH INDTAN COURTS OF DECREES OF THE CIVIL AND REVENUE COURTS IN COOCH BEHAR.<sup>1</sup>

No. 53-J., dated the 7th March 1879.—Under section <sup>2</sup> 434 of the Code of Civil Procedure, the Governor General in Council is pleased to deolare that decrees of the Civil and Revenue Courts of Cooch Behar may be executed in British India as if they had been made by the Courts of British India.

[See *Gazette of India*, 1879, Pt. I, p. 149.]

<sup>1</sup> The reciprocal service of civil processes between the Territories of His Highness the Nizam and British India has been arranged, see Resident's letter No. 145, dated the 10th September, 1889, and the Bukha from the Nizam's Minister, No. 2267, dated the 17th August, 1899.

As to the service of summons of Civil and Revenue Courts in the Nizam's Dominions by Courts in British India, see Notification No. 752-I.B., dated the 17th March, 1899, General Appendix to the Southern India (Hyderabad) Volume.

As to the reciprocal execution and realization of decrees of the City and Suburban Courts of the Nizam's Government, the Sikandarabad Cantonment, Hyderabad Residency Bazars and the Bolaram Cantonment, see Notification No. 26, dated the 19th December, 1884, see Southern India (Hyderabad) Volume, and Notification No. 3316-1., dated the 3rd October, 1890, *Gazette of India*, 1890, Pt. I, p. 720.

The reciprocal execution of decrees between all Civil Courts in the Nizam's Dominions subordinate to tho Reident at Hyderabad, has been arranged under directions issued by the Resident in 1871 and 1878.

For execution of decrees and service of summonses of Native States Courts, under the Government of Bombay and the service of summonses of Baroda Courts, see General Appendix to the Western India Volume.

For service of summonses of Civil Courts of the Khairpur State in Sind by British-Indian Courts, see *ibid*.

For service of summonses of Civil and Revenue Courts in Native States in Central India by Courts in British India, see the Central India Volume.

For execution of decrees of Cochin and Travancore Courts by British-Indian Courts, see the Southern India (Madras and Mysore) Volume.

For execution of decrees and service of summonses of Mysore Courts (including Courts In the Civil and Military Station of Bangalore) by Courts in British India, see the Madras and Mysore (Southern India) Volume.

<sup>2</sup> See now ss. 229A and 650 of the Code of Civil Procedure (Act XIV of 1882).

### III.—ORDER EMPOWERING BRITISH COURTS BEYOND THE LIMITS OF BRITISH INDIA TO SEND, IN CERTAIN CASES, THEIR WARRANTS FOR THE EXECUTION OF CAPITAL SENTENCES TO SUPERINTENDENTS OR KEEPERS OF JAILS IN BRITISH INDIA.

<sup>1</sup> No. 1431-I., dated the 27th April, 1893.—Whereas a capital sentence is occasionally passed by a British Court exercising in or with respect to territory beyond the limits of British India jurisdiction which the Governor General in Council has in such territory;

And whereas there may be in such territory no secure place for the confinement of a prisoner under sentence of death, or no suitable appliances for his execution in a decent and humane manner;

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct as follows :

1. When any person is sentenced to death by a British Court in the exercise of such jurisdiction as is referred to in the first paragraph of the preamble to this Notification, and, in the opinion of the Court, such sentence should for any such reason as is referred to in the second paragraph of the said preamble be executed in British India, the Court shall issue its warrant for such execution to the Superintendent or Keeper of a jail in British India, and shall in such warrant prescribe, as nearly as may be, the place in British India where such superintendent or keeper is to cause the execution to be carried out.

2. The Jail in British India to which the Court may send its warrant under the provisions of this Notification shall be such as the Governor General in Council, or a Local Government authorized by him in this behalf, may by general or special order direct.

3. Every warrant for the execution of a sentence of death to be issued by a Court under the provision of this Notification shall be in the form set forth in the schedule hereto annexed.

#### SCHEDULE.

##### FORM OF WARRANT.

*To the Superintendent or Keeper of the Jail at \_\_\_\_\_ in British India,*

Whereas at a trial held on the \_\_\_\_\_ day of \_\_\_\_\_, 189 , at (name of place), in (name of territory), before me A. B. (name of Judge), being the presiding officer of a British Court exercising in (or with respect to) territory beyond the limits of British India, jurisdiction which the Governor General in Council has in such territory, C. D. (name of prisoner) was duly convicted of the offence of culpable homicide amounting to murder and sentenced to suffer death [<sup>2</sup>and the said sentence has been confirmed by E. F. (name of authority) ] ;

And whereas there is in (name of territory) no secure place for the confinement of a prisoner under sentence of death (or no suitable appliances for the execution of a person under sentence of death in a decent and humane manner) ;

And whereas this Court is of opinion that for the reasons aforesaid the said sentence should be executed in British India;

<sup>1</sup> FOR complementary order issued under the powers conferred by section 2 of the Foreign Jurisdiction Capital Sentences Act, 1893 (V of 1893), appointing certain jails in the Bombay Presidency to which certain British Courts beyond British India may send their warrants for the execution of capital sentences, see *Bombay Government Gazette*, 1895, Pt. I, p. 777.

<sup>2</sup> To be omitted when sentence does not require confirmation.

III.--ORDER EMPOWERING BRITISH COURTS BEYOND THE LIMITS OF BRITISH INDIA TO SEND, IN CERTAIN CASES, THEIR WARRANTS FOR THE EXECUTION OF CAPITAL SENTENCES TO SUPERINTENDENTS OR KEEPERS OF JAILS IN BRITISH INDIA—*concl'd.*

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This is to authorize and require you, the said Superintendent (*or Keeper*), being a Superintendent (*or Keeper*) of a jail specified in an order under section 2 of Act No. V of 1893, passed by the Governor General of India in Council, to receive the said C. D. (*prisoner's name*) into your custody in the said jail, together with this warrant, and there him safely to keep until the time hereinafter appointed, and then to carry the said sentence into execution by causing the said C. D. (*prisoner's name*) to be hanged by the neck until he be dead, at (*time and place of execution*), and to return this warrant to this Court with an endorsement certifying that the sentence has been executed.

Given under my hand and the seal of the Court, this                      day of                      189

(*Seal.*)

(*Signature.*)

[See *Gazette of India*, 1893 Pt, I p. 229.]

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IV.—ORDER PROVIDING FOR THE RECOVERY IN TERRITORIES  
ADMINISTERED BY THE GOVERNOR GENERAL IN COUNCIL  
BEYOND BRITISH INDIA OF REVENUE ARREARS ACCRUING  
IN BRITISH INDIA.

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No. 1415-I., dated the 30th April, 1890.—The Governor General in Council is pleased to apply the Revenue Recovery Act (I of 1890), to all territories in India which are under the administration of the Governor General in Council, but which are not part of British India, including the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent, and to direct that an arrear of land revenue accruing in any part of British India, or a sum recoverable as such an arrear and payable to a Collector or other public officer, or to a local authority, in any part of British India, may be recovered in any of those territories under the said Act as hereby applied.

[See *Gazette of India*, 1890, Pt. I, p. 34&.]

V.—ORDER REGULATING THE PUBLICATION OF NEWSPAPERS AND OTHER PRINTED WORKS IN TERRITORIES ADMINISTERED BY THE GOVERNOR GENERAL IN COUNCIL BEYOND BEITISH INDIA,

No. 2651-I., dated the 25th June, 1891—(AN ORDER RESPECTING THE PUBLICATION OF NEWSPAPERS AND OTHER PRINTED WORKS IN PLACES ADMINISTERED BY THE GOVERNOR GENERAL IN COUNCIL BUT NOT FORMING PART OF BRITISH INDIA.)

Whereas some misapprehension has hitherto existed as to the regulations in force in territory under the administration of the Governor General in Council, but beyond the limits of British India, with reference to newspapers published within such territory, the Governor General in Council has been pleased to make the following orders:

1. No newspaper or other printed work, whether periodical or other, containing public news or comments upon public news, shall, without the written permission for the time being in force of the Political Agent, be edited, printed or published after the first day of August 1891 in any local area administered by the Governor General in Council, but not forming part of British India.

2. If after the day aforesaid any person shall, without such permission as aforesaid, edit, print or publish any such newspaper or other work as aforesaid in any such local area as aforesaid, the Political Agent may, by order in writing,—

(a) require him to leave such local area within seven days from the date of such order, and

(6) prohibit him from re-entering such local area without the written permission of the Political Agent.

8. If any such order as is mentioned in the last foregoing paragraph be disobeyed, the offender shall be liable to forcible expulsion from such local area in pursuance of an order to be made in writing by the Political Agent.

4. Any written permission granted by a Political Agent for the editing, printing or publishing of any such newspaper or other work as aforesaid, may at any time be withdrawn by the Political Agent or any of his successors in office.

5. The expression "Political Agent" has in these orders the meaning assigned thereto by the Foreign Jurisdiction and Extradition Act, 1879, and the Code of Criminal Procedure, 1882.<sup>1</sup>

[See *Gazette of India*, 1891, Pt. I, p. 382.]

<sup>1</sup> See now the Code of Criminal Procedure, 1898 (Act V of 1898), which repeals Act X of 1882.

VI.—ORDERS PROVIDING FOR THE PREVENTION OF DANGEROUS EPIDEMIC DISEASES IN TERRITORIES ADMINISTERED BY THE GOVERNOR GENERAL IN COUNCIL, BUT NOT FORMING PART OF BRITISH INDIA,

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1.—Application of the Epidemic Diseases Act, 1897 (III of 1897).

No. 443-I.A., dated the 4th February, 1897.—Whereas certain parts of India are visited by, and others threatened with, an outbreak of dangerous epidemic disease known as bubonic plague, the Governor General in Council is pleased to apply the Epidemic Diseases Act, 1897, to all territories in India which are under the administration of the Governor General in Council, but are not part of British India, including the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent, and including also all lands which are, or may hereafter be, occupied by railways, and in which the Governor General in Council has or exercises jurisdiction.

2, For the purposes of the said enactment so applied the expression "Local Government" shall be construed to mean the person who for the time being administers executive government in the territories concerned.

[See *Gazette of India*, 1897, Pt. I, p. 106.]

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2.—Delegation of power under section 2 (2) (b) of Act III of 1897.

No. 444-1. J., dated the 4th February, 1897.—Whereas certain parts of India are visited by, and others threatened with, an outbreak of dangerous epidemic disease known as bubonic plague, the Governor General in Council, in exercise of the powers conferred by section 2, sub-section (3), of the Epidemic Diseases Act, 1897, as applied by the Notification of the Government of India in the Foreign Department, No. 443-1.A., dated the 4th February, 1897, to all territories in India which are under the administration of the Governor General in Council, but are not part of British India, including all, railway lands and the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent, is pleased to direct that the powers conferred by section 2, sub-section (2), clause (6), of the said Act as so applied, may be exercised by the Local Government in each case.

[See *Gazette of India*, 1897, Pt. I, p. 106.]

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