

[1873: Reg.5]

EASTERN FRONTIER

Annexure-III

[PART III]

[REGULATIONS MADE UNDER THE GOVERNMENT OF INDIA ACT, 1870 (32 & 34 VICT., C.3), AND GOVERNMENT OF INDIA ACT, 1915, IN FORCE IN THE PROVINCE OF ASSAM.]

REGULATION 5 OF 1873

(BENGAL EASTERN FRONTIER REGULATION, 1873)¹

(27th August 1873)

A Regulation for the peace and Government of certain
districts on the Eastern Frontier of Bengal.

WHEREAS the Secretary of State for India in Council has by Resolution in Council, declared the provisions of Act 33 Vict. Chap. 3, Section 1, to be applicable to the districts of Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur (Garo Hills)³, Khasi and Jainta Hills, Naga Hills, Cachar. *⁴

Preamble.

And whereas the Lieutenant Governor of Bengal has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same, for the peace and government of the said districts;

And whereas the Governor General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor General's assent;

The following Regulations is now published in the Gazette of India, and

will be published in the Calcutta Gazette, and will thereupon have the force of law, under the 33rd of Victoria, Chapter 3 :-

1. This Regulation shall extend to the districts named in the preamble, and shall come into force on the 1st of November, 1873.

1 SHORT TITLE – This short title was given by Notification No. 13; dated 11th October, 1875, published in Gazette of India, 1875, Part I, page 529.

LOCAL EXTENT – This Regulation extends pro prio vigore to the districts of Cachar, Darrang, Kamrup, Khasi and Jainta Hills, Lakhimpur, Naga Hills, Nowgong and Sibsagar – see the preamble and section 1.

It has been extended, by notification under the Scheduled Districts Act, 1874 (XIV of 1874), section 5, to the following Scheduled Districts, namely:-

THE Eastern Duars in the Goalpara District – see Vol.I of Manual of Local Rules and Orders, Local extent

the Mokokchang subdivision of the Naga Hills District – see ibid.

the Sadiya Frontier Tract,

the Balipara Frontier Tract,

the Lakhimpur Frontier Tract and the Lushai Hills district.

(see the Manual of Assam Local Rules and Orders, Volume I and Notification No713-L., dated the 27th September, 1937.)

The Government of India Act, 1870. It is printed in the Collection of statutes relating to India, Vol.I

Reg. V of 1873, so far as it applied to the Garo Hills Districts, was repealed by the Repealing Act, 1897 (V of 1897).

The words “and Chittagong Hills,” which were repealed by the Amending Act, 1903 (I of 1903), are omitted.

2. It shall be lawful for the [State Government] * * * * to prescribe, and from time to time to alter by notification in the [official Gazette]³, a line to be called “The Inner Line” in each or any of the above named districts.

The [State Government]¹ may, by notification in the [official Gazette], prohibit all [citizens of India or any class of such citizens]⁵ or any persons residing in or passing through such districts from going from beyond such line without a pass under the hand and seal of the chief executive officer of such district or of such other officer as he may authorize to grant such pass; and the [State Government]¹ may, from time to time, cancel or vary such prohibition⁴.

3. Any * * * * ⁶ person so prohibited, who after “the Inner Line” has been prescribed and notified in accordance with section 2 of this Regulation, goes beyond such line without a pass, shall be liable, on conviction before a Magistrate (to imprisonment of either description which may extend to one year, to a fine not exceeding one thousand rupees, or to both).

Power prescribe and alter inner line.

4. The [State Government]⁸ may from time to time prescribe by notification in the Official Gazette³ a form of pass⁹ for each district, and may in such form fix such restrictions or conditions as the [State Government]⁸ may deem fit and may require the payment of such dues and fees for such passes as the [State Government]⁸ may seem proper.

Any holder of such a pass shall, on breach of any restriction or condition be liable, on conviction (to imprisonment of either description which may extend to one year, or to a fine not exceeding one thousand rupees, or to both.)¹⁰

1 The Chief Commissioner of Assam (Now, the State Government) see the Bengal, Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912)s.3, and Sch.D, Pt.III, ante (as adopted by the A.O. 1937 and 1950).

2 The words “with the previous sanction of Governor General in Council”, omitted by the A.O. 1937.

Penalty for crossing line without pass.

3 Now the official Gazette – see the Bengal Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912) s.3, and Sch.D, Pt.III, ante (as adopted by the A.O.) 1937.

4. For notifications prescribing and altering Inner Lines, and prohibiting persons from going beyond such lines without a pass, see the Manual of Assam Local Rules and Orders.

5. Substituted for "British subjects or any class of British subjects" by A.O. 1950.
 6. The words, "British subject or other" omitted by A.O. 1950.
 7. The words under brackets were substituted for the words "to a fine not exceeding Rupees 100 for a first offence and to a fine not exceeding Rupees 500 or to simple or rigorous imprisonment, which may extend to three months or to both, for each subsequent offence" by s.2 of Regulation V of 1925.
 8. Substituted by the A.O. 1937 for "L.G." which was again substituted by A.O. 1950 to read as above.
 9. For notifications prescribing forms of pass, the Manual of Assam Local Rules and Orders, Vol.III.
 10. The words under brackets were substituted for the words "to a fine not exceeding Rupees 100 for a first offence and to a fine not exceeding Rupees 500 or to simple or rigorous imprisonment, which may extend to three months or to both, for each subsequent offence."
- Power to
prescribe form of
pass.
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5. (1) Any rubber, wax, ivory or other jungle-product,¹ (or any book, diary, manuscript, map, picture, photograph, film, curio or article of religious or scientific interest) found in the possession of any person convicted of any offence under this Regulation may be confiscated to Government by an order to be passed at the time of conviction by the Magistrate.

² (2) If the Magistrate has reason to believe that any article which if found in the possession of a person convicted under this Regulation would have been liable to confiscation under sub-section (1) has been acquired or wholly or partly written, made or taken by such person beyond "the Inner Line", the Magistrate after giving the person in whose possession the article is found an opportunity to show cause why an order under the sub-section should not be passed in respect of the article any, unless it is proved that the article was not acquired, written, made or taken as aforesaid, order that such article be confiscated to Government.

6. The Chief Executive Officer of any district comprised in any notification as aforesaid may, subject to the approval of the [State Government]³ authorize,

by a written instrument under his hand any public servant to arrest and bring before him with the least practicable delay -

firstly, any person prohibited from crossing "the Inner Line" prescribed for such district, if such person shall be found beyond the line and when asked to produce his pass shall refuse or be unable so to do.

secondly, any person to whom a pass may have been granted and who has committed any infraction of its conditions.

7. It shall not be lawful for any * * * person, not being a Native of the districts comprised in the preamble of this Regulation, to acquire any interest in land or the product of land beyond the said "Inner Line" without the sanction of the [State Government]³ or such officer as the [State Government]³ shall appoint in this behalf.

Any interest so acquired may be dealt with as the [State Government] or its said officer shall direct.

Confiscation of
jungle products
found with
offender.

The [State Government]³ may also, by notification in the [Office Gazette]⁵ extend the prohibition contained in this section to any class of persons, Natives of the said districts, and may from time to time in like manner cancel or vary such extension.

8 to 10. [Killing or capturing elephant]. Rep by Reg. 1 of 1880.

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

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1. The words under brackets were inscribed by s.3 of Regulation V of 1925.
 2. Section 5(2) was inserted by s.4 of Regulation V of 1925.
 3. Substituted by the A.O. 1937 of "L.O." which was again substituted by A.O. 1950 to read as above.
 4. The word "British subject or other" omitted by A.O. 1950.

Now the Official Gazette – see the Bengal, Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912), s.3 and Sch.D., Pt. III, ante (as adopted by the A.O.) 1937.

Power to authorize arrest.

Acquisition of interest in land by other than natives of districts – comprised in preamble.

Jurisdiction as to

offences.