

## BENGAL REGULATION 6 OF 1825.

(THE BENGAL TROOPS TRANSPORT REGULATION, 1825<sup>1</sup>.)

[4th April, 1825.]

A Regulation for rendering more effectual the  
 rules in force relative to supplies and prepara-  
 tions for troops \* \* \* \* \*

## Preamble.

1. Whereas it is enacted in the first clause of section 3, Regulation II, 1806, that, on receiving the notification mentioned in the proceeding section relative to a body of troops about to proceed, by land or by waters, through any part of the Company's territories, the Collector<sup>4</sup> of the district shall immediately issue the necessary orders to the landholders, farmers, tahsildars or other persons in charge of the lands through which the troops, are to pass for providing the supplies required and for making any requisite preparation of boats or temporary bridges, or otherwise for enabling the troops to cross such rivers or nalas as may intersect their march without impediment or delay; it being at the same time further directed, in the second clause of the section referred to, that the supplies so furnished shall be paid for by the persons receiving the same at the current bazar prices of the place at which they may be provided, and that the expenses incurred for crossing the troops and their baggage over rivers or nalas, after being duly ascertained, will be paid by Government;

and whereas experience has shown the necessity of enabling the Collectors or other public officers acting in that capacity to enforce their orders in the cases above-mentioned, by imposing a fine upon any landholder, tahsildar, or other person in the possession or management of land, who, after receiving the requisition issued in pursuance of the section above cited, may be proved to have wilfully disobeyed or neglected the same;

the Governor General in Council has therefore enacted the following rules, to be in force as soon as promulgated in all [territories]<sup>5</sup> immediately subject to the Presidency of Fort William.

<sup>1</sup> SHORT TITLE.—This short title was given by the Amending Act, 1897 (V of 1897), Sch. III.—See *post*.

LOCAL EXTENT.—This Regulation has been declared by notification under the Scheduled Districts Act, 1874 (XIV of 1874), s. 3, to be in force in Assam (except the North Lushai Hills). The application of the Regulation is barred in the Lushai Hills by notification under the Assam Frontier Tracts Regulation, 1880 (II of 1880).

<sup>2</sup> The words 'proceeding through the British territories' omitted by the A. O., 1950.

<sup>3</sup> The Bengal Troops Transport and Travellers' Assistance Regulation, 1806. It is printed, *ante*, P. 44.

<sup>4</sup> In Assam, the Deputy Commissioner. As to exercise of the functions of Deputy Commissioners, see the Assam Land and Revenue Regulation, 1886 (I of 1886), Chapter VII, *post*.

<sup>5</sup> Substituted for the word 'Provinces' by the A. O., 1950.

2. Any landholder, farmer, tahsildar or other person in the possession or management of land, who may have been duly required by a Collector<sup>1</sup> of the land-revenue (or any public officer acting in that capacity), in pursuance of section 3, Regulation II, 1806<sup>2</sup> to provide supplies for a body of troops about to proceed by land or water \* \* \* \* \* or to make preparations of boats, temporary bridges or otherwise, for enabling the troops to cross rivers or nalas intersecting their march, and after the receipt of such requisition shall wilfully disobey or neglect the same, or shall without sufficient cause fail to exert himself for the due execution of the duty so assigned to him, shall, on proof of such failure, neglect or disobedience to the satisfaction of the Collector<sup>1</sup> (or other officer acting in that capacity) by whom the order may have been issued, or of his successor in the same office, be liable to a fine proportionate to the defaulter's condition in life and the circumstances of the case, in such amount as the Collector<sup>1</sup> or other officer, with due regard to these considerations, may judge it proper to impose, so that the fine shall not in any case exceed the sum of one thousand \* \* \* \* \* rupees.

Penalty for zamindars not providing supplies for troops, etc.

3. The Collector<sup>1</sup> or other officer acting in that capacity, who may exercise the powers vested in him by this Regulation, shall previously make a summary inquiry, in the presence of the party charged with disobeying or neglecting the order issued to him, or of his representative, if, on being duly summoned, he shall attend in person or by wakil for that purpose.

Collector make summary inquiry.

If he shall fail to attend, either in person or by wakil, the summary inquiry shall be conducted *ex-parte*, and the Collector<sup>1</sup> shall record upon his proceedings the whole of the evidence obtained in proof of the neglect or disobedience for which a fine may be imposed.

4. The Collector<sup>1</sup> or other officer who may adjudge a fine under this Regulation shall be competent to levy the amount by the same process as is authorized for the recovery of the arrears of the public revenue :

Fine how levied.

<sup>1</sup> In Assam, the Deputy Commissioner. As to exercise of functions of Deputy Commissioners, see the Assam Land and Revenue Regulation, 1886 (I of 1886) Chapter VII, *post*.

<sup>2</sup> The Bengal Troops Transport and Travellers' Assistance Regulation, 1806. It is printed, *ante*, p. 44.

<sup>3</sup> The word "*sicca*" which was repealed by the Amending Act, 1903 (I of 1903) is omitted.

<sup>4</sup> The words 'through any part of the British territories' omitted by the A.O., 1956.

Proviso as to appeal. Provided that, if an appeal be preferred from his decision within six weeks from the date of it, to the Board of Revenue, \* \* \* <sup>3</sup> and sufficient security be tendered for performing the judgment of the Board<sup>2</sup> upon the appeal, the Collector<sup>1</sup> shall stay the execution of his order for levying the fine imposed by him, until he shall receive the final order of the Board.<sup>2</sup>

Petition of appeal against fine. 5. Appeals from the orders of Collectors<sup>1</sup> or other public officers, adjudging fines under this Regulation, may be preferred \* \* \* <sup>4</sup> either immediately to the \* \* \* <sup>5</sup> Board, or through the officer by whom the fine may have been adjudged; and, on admission of the appeal, the whole of the proceedings in the case shall be transmitted to the Board<sup>2</sup>.

Limitation of appeal. But no such appeal shall be receivable after the expiration of six weeks from the date of the judgment, without proof of sufficient reason for the delay, to the satisfaction of the Board \* \* \* <sup>6</sup>.

<sup>1</sup>In Assam, the Deputy Commissioner. As to exercise of functions of Deputy Commissioners, see the Assam Land and Revenue Regulation, 1886 (1 of 1886), Chapter VII, *post*.

<sup>2</sup>In Assam, the Chief Commissioner. (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, *post*, as adapted by the A.O. 1950.

<sup>3</sup>The words "in whose jurisdiction the district may be situate," which were repealed by the Amending Act, 1903 (1 of 1903), are omitted.

<sup>4</sup>The words "on the stamped paper prescribed for other appeals to the Revenue Boards," which were repealed by the Repealing Act, 1876 (XII of 1876), are omitted.

<sup>5</sup>The word "proper," which was repealed by the Amending Act, 1903 (1 of 1903), is omitted.

<sup>6</sup>The words "by whom the case may be cognizable," which were repealed by the same Act, are omitted.