

THE SONTHAL PARGANAS ACT, 1855

ACT NO. XXXVII OF 1855

[Passed on the 22nd December, 1855.]

1. *Certain specified Districts taken out of the operation of the general laws; and (cl. 2,) to be placed under a special officer.*

2, 3, 4. *Administration of Civil and Criminal Justice and Collection of Revenue vested in that officer; (3) Who shall be bound by the spirit and principle of the Criminal and Civil Law but not by futwa, and may hold Courts where ordered: and (4) his decisions to be final, except in sentence of death and in cases in which appeal is specially permitted by Lt. Governor.*

4, *cl. 2. Prescribes what on appeal the Sudder Court shall do.*

5. *Saves Europeans from operation of Act.*

6. *Act to come into operation, when.*

Schedule. Name of districts and places under Act.

An Act to remove from the operation of the general Laws and Regulations certain districts inhabited by Sonthals and others, and to place the same under the superintendence of an officer to be specially appointed for that purpose.

Preamble.—Whereas the general Regulations and Acts of Government now in force in the Presidency of Bengal are not adapted to the uncivilized race of people called Sonthals, and it is therefore expedient to remove from the operation of such laws the district called the Damin-I- Koh. and other Districts which are inhabited principally by that tribe, It is enacted as follows: —

I. Clause 1.—*Certain Districts removed from the operation of the general Regulations of the Bengal Code.*—The Districts described in the Schedule to this Act are hereby removed from the operation of the general Regulations of the Bengal Code and of the Laws passed by the Governor General of India in Council, except so far as is hereinafter provided; and no Law which shall hereafter be passed by the Governor General of India in Council shall be deemed to extend to any part of the said Districts, unless the same shall be specially name therein. Proviso. Provided that nothing herein contained shall extend to or affect any case now pending in any Court, nor remove any part of the said Districts from the operation of Regulation X. of 1804 of the Bengal Code; nor shall this Act affect any Revenue Settlement, Land Revenue due under the same, nor any Law relating to the sale of lands for arrears of Revenue, or relating to Putnee Talooks, or to the sale thereof for arrear of rent, nor any Law relating to Mutations or Butwara, or to any other matter to which the Lieutenant-Governor of Bengal shall at any time notify in the *Calcutta Gazette* that the General Laws and Regulations shall extend.

Clause 2. — *Districts to be under the superintendence of Officers subject to the control of the Lieutenant-Governor of Bengal.*—The said Districts shall be placed under the superintendence and jurisdiction of an Officer or Officers to be appointed in that behalf by the Lieutenant-Governor of Bengal, and such Officer or Officers shall be subject to the directions and control of the said Lieutenant-Governor.

II. Administration of Justice and collection of Revenue vested in such Officers.—The administration of Civil and Criminal justice, and the collection of Revenue, not being permanently settled Land Revenue, within the said Districts, are hereby vested in the Officer or Officers to be so appointed. Proviso as to suits exceeding the value of Rs. 1,000. Provided that all Civil suits, in which the matter in dispute shall exceed the value of one thousand Rupees shall be tried and determined according to the general Laws and Regulations, in the same manner as if this Act had not been passed. Collection of permanently settled Land Revenue. Provided also, that all permanently settled Land Revenue shall be collected and paid at the same places and in the same manner as if this Act had not been passed.

III. Mode of administering Civil and Criminal justice.— In the administration of Civil and Criminal Justice, the Officer or Officers appointed under this Act shall be guided by the spirit and principle of the Civil and Criminal Laws administered in the Courts of the East India Company in the Presidency of Bengal, but shall not be bound to take the futwa of a Law Officer ; and he or they may hold his or their Courts either within the said District or at any place or places that may be appointed for that purpose by the said

Lieutenant-Governor; and any person liable to be imprisoned in any civil or criminal jail, may be imprisoned in any civil or criminal jail, as the case may be, which the said Lieutenant-Governor may order, whether the same be in or out of the said District.

IV. Clause 1. — *Decisions to be final.* — All decisions in Civil suits and sentences in Criminal cases, which shall be passed by such Officer or Officers, to the extent of the powers which may be from time to time conferred upon them respectively by the Lieutenant-Governor of Bengal, according to the provisions of this Act, shall be final. Proviso. Provided that no sentence of death, passed by any such Officer, shall be carried into effect until it shall have been confirmed by the Sudder Court, and provided also that it shall be lawful for the said Lieutenant-Governor to direct that an appeal shall lie in any class of Civil suits or Criminal trials from any Officer appointed under this Act, to any other Officer appointed under the same, and also to direct the Officer or Officers appointed under this Act, to refer to the Sudder Court for sentence any class of Criminal trials.

Clause 2. — *Procedure on references to the Sudder Court.* — Upon the receipt of any Criminal trial referred to the Sudder Court under Clause 1 of this Section, the said Court shall, without submitting the proceedings for the futwa of their Law Officer, proceed to pass final judgment, or such other order as may seem to the Court requisite and proper, in the same manner as if the trial had been referred in ordinary course by a Sessions Judge; and in any case in which sentence of death passed by an Officer under this Act shall be transmitted to the Sudder Court for confirmation, the said Court may either confirm the same, or pass such other judgment warranted by Law, as may appear to the said Court to be just and proper.

V. Saving of Laws relating to European British subjects. — Nothing in this Act shall alter the laws now in force with respect to the amenability of European British subjects to any Court or Officer for any act of a criminal nature committed within the District.

VI. Act when to take effect. — This act shall take effect from such day as shall be fixed for that purpose by the said Lieutenant-Governor by notice to be published in the *Calcutta Gazette*.

SCHEDULE

BHAUGULPORE

Pergunnath	Bhaugulpore,..	[(So much of it as is embraced within the Police jurisdictions of Colgong and Pursa.)
”	Bahaderpore.	
”	Chetowleeah.	
”	Colgong,	[(So much of it as lies to the East of the Gerooa Nullah and to the South of the river Ganges.)
”	Godda.	
”	Hendwa.	
”	Jamoonee.	
”	Kankjole.	
”	Pussye.	
”	Sooltanabad.	
”	Teleeagurhee.	
”	Umbar.	
”	Akbernuggur.	
”	Huzzar Tukkee.	
”	Inayutnuggur.	
”	Mukraeen.	
”	Sooltangunj.	
”	Umloo Moteea.	
Tuppeh	Belputta.	
”	Muneeharee.	
The	Damun-i-Koh...	(Including the Rajmahal Hills.)

BEERBHOOM.

Pergunnath	Dureen Molisser, (Northern portion.)
Tuppeh	Kundit Kurayeh.
”	Mohumdabad.
Pergunnah	Nonee.
”	Pubbia
Tuppeh	Saruth Deoghur.
Pergunnah	Mullarpore.

” Hurripore.

” Hookmapore,{ (So much of it as lies North of the River More.)

Such portions of Pergunnahs appertaining to Purneah, Malda, and Moorshedabad, as lie on the right bank of the Ganges above the village of Downapore, in the Bhaugulpure Pergunnah of Kankjole.
