

ACT No. XXII OF 1860.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

*(Received the assent of the Governor General on the 21st May 1860).*

*An Act to remove certain tracts on the Eastern border of the Chittagong District from the jurisdiction of the tribunals established under the general Regulations and Acts.*

WHEREAS it is expedient to remove the Hilly and Forest tracts of country situated on the Eastern border of the District of Chittagong from the jurisdiction exercised by the Civil, Criminal, and Revenue Courts and Offices of that District, under the general Regulations and Acts of the Government; It is enacted as follows:—

Preamble.

I. The tracts of country described in the Schedule to this Act are hereby removed from the jurisdiction of the Courts of Civil and Criminal Judicature, and from the control of the Offices of Revenue constituted by the Regulations of the Bengal Code and the Acts passed by the Governor General of India in Council and the Legislative Council of India, as well as from the system of procedure prescribed for the said Courts and Offices by the Regulations and Acts aforesaid; and no Act hereafter passed by the Legislative Council of India relative to the constitution or procedure of the said Courts and Offices shall be deemed to extend to any part of the said tract, unless the same be specially named therein: provided that nothing herein contained shall extend to or affect any case now pending in any Court or Office.

Certain tracts removed from the operation of the General Regulations and Acts.

Proviso.

II. The

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II. The administration of Civil and Criminal justice and the superintendence of the settlement and realization of the public Revenue and of all matters relating to rent within the said tracts, are hereby vested in such Officer or Officers as the Lieutenant Governor of Bengal may for the purpose of tribunals of first instance or of reference and appeal appoint, and the Officer or Officers so appointed shall, in the matter of the administration and superintendence aforesaid, be subject to the direction and control of the Lieutenant Governor of Bengal, and be guided by such instructions as the Lieutenant Governor of Bengal may from time to time issue.

III. It shall be lawful for the Lieutenant Governor of Bengal to direct that an appeal may be heard in any of the matters described in the last preceding Section by the Civil and Sessions Judge of Chittagong or the Commissioner of Revenue for that District or by the Sudder Dewanny and Nizamut Adawlut or by the Board of Revenue, and to declare in what cases the order made by any Officer or Court empowered by the Lieutenant Governor to dispose of any of the matters aforesaid, shall be final.

IV. It shall be lawful to the Lieutenant Governor of Bengal to direct any Officer empowered to administer Criminal jurisdiction in or for the tracts aforesaid, to refer the sentence passed by him in any class of Criminal trials for the confirmation of the Sudder Court; and no sentence of death passed by any person competent under the direction of the Lieutenant Governor to pass such sentence, shall be carried into execution until it be confirmed by the Sudder Court. In disposing of any trial referred for disposal under this Section, the Sudder Court shall not call for the Futwah of its Law Officer, and shall pass such order as it may deem just and proper, so as that it shall not convict any person acquitted by the referring Officer, or enhance any sentence pronounced by him.

V. Any person liable to be imprisoned in any Civil or Criminal Jail or to be transported beyond sea under any order or sentence passed by any Officer or Court empowered as provided in this Act, may be imprisoned in any Civil or Criminal Jail or transported to any place which the Lieutenant Governor of Bengal may direct.

VI. When

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VI. When a question shall arise whether any place falls within the tracts described in the Schedule of this Act, it shall be competent to the Commissioner of Revenue for the District of Chittagong to consider and determine on which side of the described boundary the place aforesaid may lie, and the order made by the Commissioner shall be final.

Questions of disputed boundary to be determined by Commissioner of Chittagong.

VII. This Act shall take effect from such date as shall be fixed by the Lieutenant Governor of Bengal, and notification thereof shall be published in the Office of the Commissioner of Revenue and the Courts of the Civil and Sessions Judge and of the Magistrate of Chittagong, and in such other manner as the Lieutenant Governor may direct.

Commencement of Act.

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SCHEDULE.

The boundary of the Hilly and Forest tract referred to in the foregoing Act shall be understood generally to run to the eastward of the surveyed area of the villages situated on the eastern frontier of the Chittagong District as surveyed and mapped in the course of the Revenue Survey of that District, and shall be more particularly taken to be indicated as follows:—

- As respects Thannah Futtickcherree, all the country lying east of the villages Ramghur, Joozkola, Hapuneah, Fuckeerachung, Kunchunpoor, and Goomareetulla.
- ” ” Thannah Hathezaree, all the country lying East of Mugkatta, Radahmadheepoor, and other surveyed villages of this Thannah and of a line drawn from the south-eastern boundary to Gogra in Faree Rungunneah.
- ” ” Faree Rungunneah, all the country lying to the east of Gogra, Nichintapoor, Kodala, Puddooa, Dood-Pookereah, and other surveyed villages of this Faree situated on both sides of the Fenny River.

As respects

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As respects Thannah Putteah, all the country lying east of the surveyed villages of this Thannah, that is to say lying east of a line drawn from the eastern surveyed boundary of Dood-Pookereah in Faree Run-gunneah down to the eastern surveyed boundary of the village Doobacherree lying north of the River Sunkoo.

„ „ Thannah Sutkuneah, all the country lying east of Pooranghur, Bur-dooara, Andar Manik, Rajbarree, and other surveyed villages of this Thannah.

„ „ Thannah Chuckereah, all the country lying eastward of a line drawn from the village Rajbarree in Thannah Tulkuneah to the surveyed villages Boonoo and Bilcherrie on the Moree River in Thannah Chuckereah, and also all the country lying eastward of the surveyed villages of this Thannah between Bilcherrie and Pagoleebeel.

„ „ Thannah Ramoo, all the country lying east of a line drawn from Pagoleebeel in Thannah Chuckeriah to Edghur, Gurjamah, and Kucheppeah in Thannah Ramoo.

Also all the country comprised in Thannah Teknaaf and lying south of the mouth of the Rajoo River and south and east of a line drawn from the Rajoo River to the surveyed village Kucheppeah of Thannah Ramoo.