

# ACT No. XV OF 1875.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 15th July 1875).

## An Act to amend the Panjáb Laws Act, 1872.

**W**HEREAS, in order to provide for the establishment of Rural Police and for the more efficient administration of law in the Panjáb, it is expedient to amend the Panjáb Laws Act, 1872; It is hereby enacted as follows:—

1. This Act may be called "The Panjáb Laws Amendment Act, 1875:"

It extends to the territories for the time being under the government of the Lieutenant-Governor of the Panjáb;

And it shall come into force at once.

2. The said Panjáb Laws Act, 1872, shall be read as if the following sections were inserted next after section thirty-nine thereof:—

"39 A. The Local Government may establish a system of village-watchmen in any part of the territories under its administration and not comprised within the limits of a municipality, and in furtherance of this object may from time to time make rules to provide for the following matters:—

- (a) the definition of the limits of watchmen's beats;
- (b) the determination of the several grades of watchmen, and the number of each grade to be appointed to each beat;
- (c) the appointment, suspension, dismissal and resignation of watchmen of each grade;

(d) the

[Price two annas.]

- (d) the equipment and discipline of, and the control and supervision over, such watchmen ;
- (e) the conferring upon them, and the exercise by them, of any powers, and the enjoyment by them of any protection or privilege, which may be exercised and enjoyed by a police-officer under any Act for the time being in force ;
- (f) the performance by them of such duties relating to police, sanitation or statistics, or for the benefit of the village-communities within their beat, as the Local Government thinks fit ;
- (g) the exercise of authority over, and the rendering of aid to, such watchmen, by the headmen of the villages comprised in their respective beats ;
- (h) the performance, by the headmen of the villages comprised in the beat, of any of the duties of a village-watchman in aid of, or substitution for, such watchman ;
- (i) the exercise, by such village-headmen, of any of the powers, and the enjoyment by them of any privilege or protection, of a village-watchman for the purposes referred to in clauses (g) and (h) of this section ;
- (j) the determination of the rate at which, and the mode in which, watchmen shall be paid, and of the mode in which their pay, the expenses of their equipment, and other charges connected with the village-watchman system, shall be provided for, whether out of cesses or funds already leviable or available in the villages comprised in the beat, or by a special tax in money or kind to be imposed on any class of persons residing or owning property in or resorting to such villages, or partly in one of these ways and partly in the other ;
- (k) the collection with or without the aid of the village-headmen, and by any process avail-

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able for the realization of the land-revenue, of any tax imposed under clause (j) of this section, and the application of, and the mode of accounting for, the same;

(l) the efficient working of the village-watchman system generally.

“ Provided—

1st, that the rules to be made regarding the appointment of village-watchmen shall allow to the headmen of the villages comprised in the beat to which such a watchman is to be appointed, a power of nomination to be exercised in such manner, and subject to such reasonable conditions, as may be prescribed by such rules;

2ndly, that the rules to be made under clause (j) of this section shall include provisions for recording and securing due consideration of the views and opinions of the headmen of such beat on the matters therein referred to.

X “ 39 B. Every person is bound to render to a village-watchman or village-headman discharging the duties of a police-officer under the rules made hereunder, all the assistance which he is bound to render to a police-officer. Obligation to assist watchmen and headmen.

“ Any person who obstructs such watchman or headman in the discharge of such duties may be arrested without warrant by a police-officer or by any village-headman or watchman empowered in this behalf by the Local Government. Person obstructing watchman or headman may be arrested without warrant.

X “ 39 C. Whenever it seems to the Local Government expedient that the duties of watch and ward and other internal police-service of any town or village not comprised within the limits of a municipality or within the limits of a village-watchman's beat as defined under the power conferred by section thirty-nine A, should be performed by police-officers enrolled under Act V of 1861, the Local Government may direct that the said service shall be so performed, and may also, with the previous sanction of the Gov- Power to direct local taxation for payment of police enrolled under Act V of 1861.

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ernor General in Council, direct that the charges for the time being fixed by such Government on account of such service shall be defrayed by taxes to be levied in such town or village.

Issue of notice of taxes proposed to be levied. "39 D. When the Local Government has, under section thirty-nine C, directed that taxes shall be levied in any town or village, the Deputy Commissioner may from time to time issue a public notice in such town or village, explaining the nature of the taxes he proposes to levy.

Objections to taxation. "Any inhabitant of such town or village objecting to the taxation thus proposed may, within fifteen days from the publication of such notice, send his objection in writing to the Deputy Commissioner.

Procedure thereon. "After the expiry of fifteen days from the publication of the notice, the Deputy Commissioner may submit for the information of the Local Government a report of the proposal made by him. Such report shall contain specific mention of the objections (if any) urged to his proposal, and his opinion on such objections.

"No such tax shall be levied until it has, upon such report, been approved by the Local Government.

Power to fix rates of tax. "39 E. When any such tax has been so approved by the Local Government, the Deputy Commissioner may from time to time, subject to such rules consistent with this Act as the Local Government may from time to time prescribe, determine the rates at which it is to be levied.

Power to make rules for collection of taxes. "39 F. The Local Government may from time to time make rules to provide for the collection of such taxes by any process available for the realization of the land-revenue, and to regulate the application and mode of accounting for the same.

Indemnity-clause. "39 G. All taxes and collections which have been hitherto levied for the purposes of village and town-police, or for the maintenance of village-watchmen, shall be deemed to have been levied in accordance with law."

3. Section

3. Section fifty of the said Panjáb Laws Act is repealed, and in lieu thereof there shall be read the following :—

“50. The Local Government may from time to time make rules as to the matters mentioned in sections forty-three to forty-nine inclusive.

Substitution of new section for section 50.

Power to make rules as to matters mentioned in sections 43 to 49.

“All existing rules upon such matters, which might have been made under this section had it been in force, shall be deemed to have been made hereunder.

Existing rules.

“50A. No rules hereafter made by the Local Government under any power conferred by this Act shall be valid unless—

Conditions of validity of rules hereafter made under this Act.

- (a) they are consistent with the laws for the time being in force in the Panjáb;
- (b) they are published in the official Gazette;
- (c) previous to such publication they are sanctioned by the Governor General in Council.

“50 B. The Local Government may, in making any rule under any of the powers conferred by this Act, attach to the breach of it, in addition to any other consequences that would ensue from such breach, a punishment on conviction before a Magistrate not exceeding six months' imprisonment, or three hundred rupees fine, or both.”

Penalties for breach of such rules.