

(2) No owner or person in charge of a palanquin shall demand or receive over and above the said fare any sum for back hire for the return of the palanquin from the place at which it was discharged :

Contract for lower fares to be binding
Provided that any contract entered into to accept a fare lower than the fare so fixed shall be binding.

51. (1) It shall not be lawful for any person to act as the bearer of a registered palanquin, unless such person shall have obtained a license from the Registering Officer in the manner hereinbefore prescribed for drivers of hackney-carriages.

(2) All the provisions of this Act in any way relating to the taking out, granting, renewing, producing or using the license, or to the issuing, granting, wearing or using tickets granted to drivers of hackney-carriages,

shall be applicable in like manner to the bearers of palanquins.

(3) For every license to act as a palanquin-bearer granted under this Act there shall be paid a fee of eight annas.

52. (1) The bearers of every palanquin registered under this Act shall (unless they have a reasonable excuse to be allowed by the Magistrate before whom the matter shall be brought in question) carry such palanquin to any place to which they shall be required by the hirer thereof to carry the same, not exceeding five miles from the place where the same shall have been hired.

(2) If such palanquin shall have been hired by time, the bearers thereof may be required to carry it at any rate not exceeding two and-a-half miles within one hour.

(3) Whenever the bearers of such palanquin shall be required to carry it more than two and-a-half miles within one hour they shall be entitled to demand, in addition to the fare regulated by time in the second schedule to this Act, for every mile or any part

thereof exceeding two and-a-half miles the fare regulated by distance as set forth in the said schedule.

(4) All and every of the provisions of this Act as to offences committed by or against the owners and drivers of hackney-carriages and the penalties in respect of the same and recovery thereof, and all the remedies by or against hirers, owners or drivers of hackney-carriages, and all and several of the remedies given to hirers, owners and drivers of hackney carriages, except the provisions contained in section thirty-eight, shall be applicable, so far as the same may reasonably be applied, to the owners and bearers of palanquins.

Provisions regarding owners and drivers of hackney-carriages applicable to owners and bearers of palanquins

CHAPTER VIII

Bye-laws.

53 (1) The Commissioners in meeting may from time to time make bye-laws not inconsistent with the provisions of this Act with regard to—

Commissioners in meeting may make bye laws

- (a) the examination and qualification of drivers, and the conditions under which they may be employed,
- (b) the description of horses, harness, and other things to be used in hackney-carriages, the dimensions, of such carriages, and the condition in which such carriages and the horses, harness and other things used therewith shall be kept;
- (c) the inspection of the premises on which any such carriages, horses, harness and other things are kept;
- (d) the protection of weak, lame and sickly horses;

(e) the publication of a table of distances, and generally for carrying out the purposes of this Act.

(2) The Commissioners in meeting may from time to time repeal, alter or add to any bye-law made under this section.

(3) No bye-law, and no repeal or alteration of, or addition to any bye-law, shall have effect until the same has been confirmed by the Local Government.

(4) Every bye-law, and every repeal or alteration of, or addition to, any bye-law when confirmed, shall be published in the Calcutta Gazette.

Bye laws to be published in Gazette. •
Penalty for infringement of bye-laws.

54. Whoever infringes any bye-law made and confirmed shall be liable to a fine not exceeding twenty rupees.

CHAPTER IX.

Prosecutions.

55. (1) Every prosecution under this Act may be instituted before any Magistrate having jurisdiction who may summon the persons charged to appear at a time and place to be mentioned in the summons; and if such person do not appear the Magistrate may, upon proof of service of the summons if no sufficient cause shall be shown for the non-appearance of the person charged, proceed to hear and determine the case in his absence.

(2) If such person do appear, then the procedure laid down in the Code of Criminal Procedure of 1882, from section two hundred and forty-two to section two hundred and forty-eight, shall be followed.

(3) All fines imposed by a Magistrate under this Act shall be levied under the provisions of sections three hundred eighty-six, three hundred and eighty

seven, three hundred and eighty-eight, and three hundred and eighty-nine of the said Code.

56. (1) No person shall be liable to any fine under this Act
Liability to fine for any offence cognizable by a Magistrate, when incurred. unless the complaint respecting such offence shall have been made within three months next after the commission of such offence.

(2) The omission to register any hackney-carriage or palanquin or to take out a license shall be deemed to be a continuing offence.

57. (1) If through any act, neglect or default on account
Damage to property of Commissioners to be paid for. whereof any person shall have been fined under this Act, any damage to the property of the Commissioners shall have been committed by such person, he shall be liable to make good such damage as well as to pay such fine.

(2) The amount of such damage shall be determined by the
Amount of damage to be determined by Magistrate. Magistrate by whom such person has been fined, and in default of payment of the amount of such damage on demand, the same may be levied in the same manner as a fine.

58. In any case in which a Magistrate is satisfied that a
Compensation for groundless prosecution. complainant had no reasonable ground for institution, it shall be lawful for such Magistrate to direct the complainant to pay to the accused such compensation not exceeding fifty rupees as he thinks fit and the sum so awarded shall be recoverable as if it were a fine.

CHAPTER X.

Miscellaneous.

59. (1) The driver of every hackney-carriage and the
Property left in carriage or palanquin to be deposited in police-station. bearers of every palanquin within the limits of this Act, wherein any property shall be left by any person shall, within twenty-four hours carry such property, if not sooner

claimed by the owner thereof, to the nearest police-station, and shall there deposit it with the Inspector or other officer on duty, and demand a receipt for it duly signed by the officer taking charge of the same.

(2) Any such driver or bearer making default herein shall be liable to a fine not exceeding fifty rupees, and in default of payment of fine to imprisonment for a period not exceeding one month.

Penalty for neglecting to do so

(3) The said officer shall forthwith enter in a book to be kept for that purpose—

Police Officer to enter particulars in book

(a) the description of such property ;

(b) the name and address of the driver or bearer who shall bring such property ,

(c) the day and hour on which it shall be brought ;

(d) the name and address of the owner of the hackney-carriage or palanquin in which the property shall have been left and the registered number of such carriage or palanquin,

and shall give the person a receipt for the same.

and grant receipt

(4) The property so entered shall be returned to the person who shall prove to the satisfaction of the Commissioner of Police that the same belonged to him, such person previously paying all expenses incurred, together with such reasonable sum to the driver or bearers who brought the same as the said Commissioner shall award

Property to be returned to owner

Provided always that if such property shall not be claimed by, and proved to belong to, some one within one year after the same shall have been deposited, the said Commissioner shall cause such property to be sold, or otherwise disposed

When such property may be sold and how proceeds may be applied

of; and the proceeds, after deducting the expenses, together with a reasonable sum to the driver or bearers, shall be applied in the same manner as fees and penalties received under this Act.

60. All fees and fines levied under this Act shall be credited in the first instance to a fund to be called the "Hackney-carriage Fund," which shall be employed in carrying out the purposes of this Act, and in the event of one or more municipalities being included in Calcutta by virtue of a notification published under section four, then such fund shall yearly be divided between the Calcutta Municipality and such other Municipality or Municipalities in such proportion as the Local Government may determine, each Municipality employing the sum so appropriated to it to carrying out the purposes of this Act.

61. (1) Whenever this Act shall be extended to any other town or place under section one, the Local Government may appoint persons, either by name or by official designation, to perform the duties imposed, and exercise the power conferred, by this Act on the Commissioners and the Chairman of the Commissioners.

(2) And in each town or place to which this Act may be extended, for the word "Calcutta" in sections five, forty-five and forty-six shall be read the name of such town or place, and after the word "languages" in sections thirty-two, sub-section (1), forty-five, sub-section (2) and forty-nine shall be read "or such other languages as the Local Government may by notification in the Calcutta Gazette prescribe," and for the words "forty-one of the Calcutta Municipal Consolidation Act, 1888," in section 5, sub-section (3), shall be read the words "forty six of the Bengal Municipal Act, 1884."

FIRST SCHEDULE.

(REFERRED TO IN SECTION 31.)

Rates and Fares to be paid for Hackney-Carriages.

Description of carriage.	FARE BY DISTANCE.		FARE BY TIME				
	For any distance within and not exceeding one mile.	For any distance exceeding one mile.	For any time with in and not exceeding one hour	For every hour or part of an hour beyond one hour	For half a day of five hours.	For a whole day consisting of nine hours.	For every hour or part of an hour at.
First Class	8 annas	At the rate of 6 annas for every mile and for any part of a mile over and above any number of miles completed	One rupee	8 annas		5 rupees	8 ann
Second "	6 "	At the rate of 4 annas for every mile and for any part of a mile over and above any number of miles completed	12 annas	6 " For the second hour and for the third hour or for any part of either. For every hour or part of an hour beyond the third hour	2 rupees	3 rupees and 8 annas.	6 ann
Third "	3 "	At the rate of 2 annas for every mile and for any part of a mile over and above any number of miles completed.	6 "	4 annas 3 annas		6 rupees	3 ann

The above fares to be paid according to time, unless at the commencement of the hiring the hirer expresses his intention of paying according to distance. In the case of a second class carriage the hirer cannot avail himself of the half day, or whole day, rate unless at the time of hiring he engages the carriage for the half day or whole day as the case may be.

(CLXX)

THE BENGAL VACCINATION ACT, 1880.*

BENGAL ACT V OF 1880.

As modified up to the 1st October 1912.

(26th May, 1880)

AN ACT TO MAKE VACCINATION COMPULSORY.

PRELIMINARY

Whereas it is expedient to make vaccination compulsory
in† [the town of Calcutta and the port of
Preamble Calcutta] and in the other towns and selected
local areas in the territories administered by the Lieutenant-

* **LOCAL EXTENT**—This Act extends to the town and port of Calcutta, and any portion of it may be extended, by notification, to any other town or selected area in Bengal—see s 1. For a list of places to which the Act had been extended under section 1 up to the 18th September, 1905 see the Appendix on p. 535 of Vol. IV of the Bengal Code, 1905.

Bengal Act II of 1911, which makes various textual amendments in the Act of 1880, applies to Calcutta as defined in clause (7) of section 3 of the Calcutta Municipal Act, 1899 to the port of Calcutta and to the Cossipore Chitpore Garden Reach, Howrah, Maniktola South Suburban and Tollygunge Municipalities and any portion of it may be extended, by notification to any other town or selected area in Western Bengal—see ss 1 and 2 of the Act. The Act of 1911 has not been declared applicable to Eastern Bengal.

The operation of each Act in any place may be suspended by notification—see s. 1 of the Act of 1880 and section 3 of the Act of 1911.

AMENDMENTS MADE BY THE LOCAL SELF-GOVERNMENT ACT—Sections 92 to 95 of the Bengal Local Self Government Act of 1885 (Ben Act III of 1885) are to be read with, and taken as part of Ben Act V of 1880—see Ben Act III of 1885, s. 96.

Sections 92 to 94 of the Act of 1885 impose duties and confer powers on District Boards with respect to vaccination, and s. 95 empowers Commissioners of Division to make rules for the guidance of District Boards in the discharge of those functions.

It is provided by s. 93 of the Act of 1885 that Inspectors of Vaccination appointed by a district Board shall exercise the powers and perform the duties assigned to the Superintendent of Vaccination under the Bengal Vaccination Act, 1880, and by s. 94, that District Boards shall have the powers of the Magistrate of the district under s. 25 of the Act of 1880.

† The words "the town of Calcutta and the port of Calcutta," in the preamble and in s. 1 were substituted for the words "the town, port and suburbs," by the Bengal Vaccination (Amendment) Act, 1880 (Ben Act II of 1880), ss. 2 and 3, respectively.

[Preliminary.—Sec. 2.]

Governor of Bengal* to which this Act may be hereafter extended ; It is hereby enacted as follows :—

Short title, 1. This Act may be called the Bengal Vaccination Act, 1890 ;

Extent It applies in the first instance only to [the town of Calcutta and the port of Calcutta] as hereinafter defined ;

But the Lieutenant-Governor† may by notification published in the Calcutta Gazette, declare his intention to extend this Act, or any of its provisions, to any town or selected local area in the territories administered by him.

Power to extend Act to towns and local areas.

Any inhabitant of such town or area objecting to such extension may, within six weeks from the said publication, send his objection in writing to the Secretary to the Government of Bengal, and the Lieutenant-Governor‡ shall take such objection into consideration.

Objection to such extension

When six weeks from the said publication have expired, the Lieutenant-Governor,‡ if no such objections have been sent as aforesaid, or (where such objections have been so sent in) if in his opinion they are insufficient, may by like notification effect the proposed extension.§

Procedure thereon.

The Lieutenant-Governor‡ shall cause the substance of any notification mentioned in this section to be proclaimed and notified within the town or area affected by the same, in the

* This includes the present Presidency of Fort William in Bengal, and other territory.

† The words "the town of Calcutta and the port of Calcutta," in the preamble and in s. 1, were substituted for the words "the town, port and suburbs" by the Bengal Vaccination (Amendment) Act, 1890 (Ben. Act II of 1890), ss. 2 and 3, respectively.

‡ Now the Governor in Council of Fort William in Bengal—see the Bengal, Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912), s. 3, and Sch. D. item 1.

§ For a list of places to which this Act had been extended up to the 18th September, 1905, see the Bengal Code, Ed. 1905, Vol. IV. pp. 535 to 542.

[Preliminary,—Sec. 2].

vernacular of such town or area, by such means, and in such manner, as he may direct.

This Act shall come into force from the day* on which it may be published in the Calcutta Gazette with the assent of the Governor General; but its operation in any place may at any time be suspended by the Lieutenant-Governor† by notification in the said Gazette.

Commencement. 2. In this Act, unless there be something repugnant in the subject or context,—
Interpretation clause. ‡[“town of Calcutta” means Calcutta as defined by the Calcutta Municipal Consolidation Act, 1888§];
“Town of Calcutta.”
Ben. Act II of 1888.

“Port of Calcutta” “Port of Calcutta” means the Port of Calcutta, subject to the jurisdiction of the Commissioners appointed under Bengal; Act V of 1870||, [or any other law for the time being in force]

* * * * *

“parent” includes the father and mother of a legitimate child, and the mother of an illegitimate child;
“Parent.”

*The 26th May, 1880—see Calcutta Gazette, 1880, Pt. III, p. 49.

†Now the Governor in Council of Fort William in Bengal—see the Bengal, Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912). s. 3, and Sch. D. item 1.

‡This definition was substituted for the original definition by the Bengal Vaccination (Amendment) Act, 1890 (Ben. Act II of 1890), s. 4 (1). The original definition ran thus:—

“‘town of Calcutta’ includes all places within the local limits of the ordinary original jurisdiction of the High Court of Judicature at Fort William in Bengal.

§Ben. Act II of 1888 has been repealed and re-enacted by the Calcutta Municipal Act, 1899 (Ben. Act III of 1899), and this reference should now, in accordance with the Bengal General Clauses Act 1899 (Ben. Act I of 1899), s. 10, be construed as a reference to clause (7) of s. 3 of the said Calcutta Municipal Act, 1896.

||These words in square brackets were added by the Bengal Vaccination (Amendment) Act, 1890 (Ben. Act II of 1890), s. 4 (2). Ben. Act V of 1870 has been repealed and re-enacted by the Calcutta Port Act, 1890, (Ben. Act III of 1890.)

¶The definition of “Suburbs of Calcutta” was repealed by the Bengal Vaccination (Amendment) Act, 1890 (Ben. Act II of 1890) s. 4 (3), and is omitted. It ran thus:—

“‘Suburbs of Calcutta’ means the suburbs defined by the notification of the 10th September 1877, and published in the Calcutta Gazette of the 26th September, 1877.”

[Preliminary.—Sec. 2.]

“guardian” means any person to whom the care, nurture or custody of any child falls by law, or by natural right or recognised usage, or who has accepted or assumed the care, nurture or custody of any child has been entrusted by any authority lawfully authorized in that behalf ;

“Public vaccinator” means any vaccinator appointed under this Act, or any person duly authorised to act for such public vaccinator ;

*“Inspector” means a person

“Inspector” authorized by the Superintendent of Vaccination to exercise all or any of the functions of an inspector under this Act.;

“medical practitioner” means ‡“medical practitioner”

“Medical” practitioner.” any person duly qualified by a diploma, degree or license to practise in medicine or surgery, or specially licensed by the Lieutenant-Governor† to practise vaccination and grant certificates under the provisions of this Act ,

Medical practitioner.” means any person duly qualified by a diploma, degree or license to practise in medicine or surgery ;

“unprotected child” means §“unprotected child” means

“Unprotected child.” a child who has not been

“Unprotected child.” a child who has not been

*This definition of “Inspector” was inserted by the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), s. 4, and applies only in areas in Western Bengal in which that Act is in force

†Now the Governor in Council of Fort William in Bengal—see the Bengal, Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912), s. 3, and Sch. D, item 1.

‡The definition of “medical practitioner” is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s. 5 of this Act.

§The definitions of “unprotected child” and “unprotected person” are in this form in areas in Western Bengal in which Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911) is in force—see s. 5 of that Act.

[Preliminary,—S ec. 2].

protected from small-pox by having had that disease *either* naturally or by *inoculation*, or by having been successfully vaccinated, and who has not been certified under the provisions of this Act* to be insusceptible of vaccination ;

<p>“unprotected person” includes “Unprotected a child who person.” has no parent or guardian, and means a person who has not been protected from small-pox by having had that disease <i>either</i> naturally or by <i>inoculation</i>, or by having been successfully vaccinated, and who has not been certified under the provisions of this Act* to be insusceptible of vaccination ;</p>	<p>†“unprotected person” in- “Unprotected cludes a child person”. who has no parent or guardian and means a person who has not been pro- tected from small-pox by having had that disease naturally or by having been successfully vaccinated, and who has not been certified under the provi- sions of this Act* to be insus- ceptible of vaccination.</p>
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“Section”.

“Section” means a section of this Act.†

*See s 6, post.

†The definitions of “unprotected child” and “unprotected person” are in this form in areas in Western Bengal in which Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911) is in force—see s 5 of this Act

‡In reference to the amendments made by the Bengal Vaccination (Amendment) Act, 1887 (Ben. Act II of 1887), it is declared by s 2 of that Act that “unless there be something repugnant in the subject or context, ‘vessel’ includes anything made for the conveyance by water of human beings or of property.”

**Vaccination of Children.*

<p>3. The parent or guardian of every child born in any place to which this</p> <p>Parent or guardian of children born in compulsory limits.</p>	<p>3. †The parent of guardian of every child born in any place to which this</p> <p>Parent or guardian of children born in compulsory limits.</p>
<p>Act applies as above‡ provided, or may here after be extended‡ shall, within <i>one year</i> after the birth of such child, and</p>	<p>Act applies as above‡ provided, or may hereafter be extended‡, shall, within <i>six months</i> after the birth of such child, and</p>
<p>the parent or guardian of every unprotected child under the age of fourteen years brought to reside, whether temporarily or permanently, in such place aforesaid,</p>	<p>†the parent or guardian of every unprotected child under the age of fourteen years brought to reside, whether temporarily or permanently, in such place aforesaid,</p>
<p>shall, within six months after such child's arrival in such place, or, if the child be at the time of its arrival less than one year old, within one year and three months after its birth; and</p>	<p>shall within six months after such child's arrival in such place,</p>
<p>the parent or guardian of every or living in such limits at this Act coming into force,</p>	<p>unprotected child living in such place at</p>

*As to the application of ss 3 to 10 to "unprotected persons", see s. 12 post.

†This clause of section 3 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s. 6 of that Act.

‡See s 1, ante.

(Vaccination of Children Sec. 3.)

date of this Act coming into force therein, and whose age at such date exceeds one year but does not exceed fourteen years, shall, within six months from the said date,

take it, or cause it to be taken, to a public vaccine-station to
 must procure their be vaccinated, or shall, within such period as
 vaccination. aforesaid, cause it to be vaccinated by some
 medical practitioner or public vaccinator

*[and the parent or guardian of every unprotected child may,
 Unprotected child whenever the Superintendent of Vaccination,
 may be required as hereinafter† appointed, shall deem it expe-
 to be vaccinated dient, be served with a notice, in the form
 prescribed in the first Schedule of this Act, requiring the parent
 within fifteen days or guardian, within fifteen days after the service
 of the same, to take such child, or cause such
 child to be taken, to a public vaccine-station to be vaccinated, or
 within such period as aforesaid to cause it to be vaccinated by
 some medical practitioner or public vaccinator,

and every such parent or guardian shall, within the said
 period, comply with the requisition*],

and any public vaccinator to whom such child, or to whom
 any child under the age of fourteen years, is
 brought for vaccination at such vaccine-station,
 Public vaccinator bound to vaccinate all children brought to him. or who is requested to vaccinate such child
 elsewhere than at a public vaccine-station, is
 hereby required, with all reasonable despatch, subject to the con-
 ditions hereinafter mentioned, to vaccinate such child.

*The clauses in square brackets in s. 3 on this page were inserted by the Bengal Vaccination (Amendment) Act, 1887 (Ben Act II of 1887), s. 3

†See ss 10 25, post.

(Vaccination of Children.—Sec. 4.)

4. *At an appointed hour on the same day Inspection, in the following week after the operation shall have been performed, or on an earlier day, if required, the parent or guardian shall cause the child to be inspected by the operator, or by any person deputed for that purpose by the Superintendent of Vaccination, that the result of the operation may be ascertained;

*and it shall be the duty of any public vaccinator who has vaccinated a child elsewhere than at a public vaccine-station to visit the child at the time and for the purpose above mentioned, whether he is requested to do so or not, unless the Superintendent of Vaccination has deputed some other person to act for such public vaccinator in this behalf.

In the event of the vaccination being Repetition of vaccination, unsuccessful, such parent or guardian shall, if the public vaccinator or medi-

†4. *At an appointed hour on a day not less than seven Inspection, or more than ten days after the operation shall have been performed, or on an earlier day, if required, the parent or guardian shall cause the child to be inspected by the operator (if a medical practitioner) or by an inspector, that the result of the operation may be ascertained;

*and, when any public vaccinator has vaccinated a child elsewhere than at a public vaccine-station, an inspector shall visit the child at the time and for the purpose above mentioned, whether he is requested to do so or not

In the event of the vaccination being Repetition of vaccination, unsuccessful, such parent or guardian shall, if the inspector or medical prac-

*These clauses in s. 4 were substituted for the original paragraph by the Bengal Vaccination (Amendment) Act, 1887 (Ben. Act II of 1887), s. 4

†Section 4 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s. 7 of that Act.

(Vaccination of Children—Sec. 5)

cal practitioner so direct, cause the child to be forthwith again vaccinated and subsequently inspected as on the previous occasion.

No fee shall be charged by a public vaccinator for anything done by him under this section.

5. If any public vaccinator

If child be unfit for vaccination, certificate in Form A to be given,

or medical practitioner shall be of opinion that

any child is not in a fit state to be vaccinated, he shall forthwith deliver to the parent or guardian of such child a certificate under his hand according to the form of Schedule A hereto annexed, or to the like effect, that the child is then in a state unfit for vaccination.

The said certificate shall re-

main in force for three months, but shall be renewable

main in force

for three months, only,

but shall be

renewable for successive periods of three months until the public vaccinator or medical practitioner shall deem the child

tioner so direct, cause the child to be forthwith again vaccinated and subsequently inspected as on the previous occasion.

No fee shall be charged by an inspector for anything done by him under this section.

*5. If any inspector or medi-

If child be unfit for vaccination, certificate in Form A to be given,

cal practitioner shall be of opinion that any

child is not in a fit state to be vaccinated, he shall forthwith deliver to the parent or guardian of such child a certificate under his hand according to the form of Schedule A hereto annexed, or to the like effect, that the child is then in a state unfit for vaccination.

The said certificate shall re-

main in force for one month, but shall be renewable

main in force

for one month only, but

shall be re-

newable for successive periods of one month until the inspector or medical practitioner shall deem the child to be in a fit state for

*Section 5 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s. 8 of that Act

(Vaccination of Children—Sec. 6.)

to be in a fit state for vaccination, when the child shall, with all reasonable despatch, be vaccinated, and a certificate of successful vaccination given in the form of Schedule C hereto annexed, according to the provisions of section 7, if warranted by the result.

6. If any public vaccinator or medical practitioner shall find

Provision for quinquennial inspection of insusceptibility of successful vaccination.

that a child whom he has three times unsuccessfully vaccinated is insusceptible of successful vaccination, or

that the child brought to him for vaccination has already been successfully inoculated or had the smallpox,

he shall deliver to the parent or guardian of such child a certificate under his hand, according to the form of Schedule B hereto annexed, or to the like effect;

and, if the Superintendent of Vaccination be satisfied that such child is insusceptible of successful vaccination, he shall endorse

vaccination, when the child shall, with all reasonable despatch, be vaccinated, and a certificate of successful vaccination given in the form of Schedule C hereto annexed, according to the provisions of section 7, if warranted by the result.

Procedure where child is found to have had small-pox or to be insusceptible of successful vaccination
finds

*6. (1) If any inspector or medical practitioner

(a) that a child brought for vaccination has already had small-pox or

(b) that a child who has been three times unsuccessfully vaccinated is insusceptible of successful vaccination,

he shall deliver to the parent or guardian of such child a certificate under his hand, according to the form in Schedule B hereto annexed, or to the like effect.

(2) If the Superintendent is satisfied that such child has already had small-pox, or is insusceptible of successful vacci-

*Section 6 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s. 9 of that Act.

(Vaccination of Children—Sec. 6.)

such certificate, and the parent or guardian shall thenceforth not be required to cause the child to be vaccinated.

(3) Such endorsement shall operate as an exemption from liability to vaccination,—

(i) in case (a) in sub-section (1)—absolutely, and

(ii) in case (b) in that sub-section—for a period of twelve months.

(4) Upon the expiration of the said period, the parent or guardian of such child shall forthwith cause the child to be vaccinated again ;

and, if an inspector or a medical practitioner finds after two further unsuccessful vaccinations that the child is insusceptible of successful vaccination, he shall deliver to the parent or guardian a further certificate under his hand, according to the form of Schedule B hereto annexed, or to the like effect ;

and, if the Superintendent of Vaccination be again satisfied that the child is insusceptible of successful vaccination, he shall endorse such certificate, and such endorsement shall operate as an absolute exemption from liability to further vaccination.

(Vaccination of Children.—Sec. 8)

<p>7. Every public vaccinator</p> <p>Provision for giving certificates of successful vaccination,</p> <p>or medical practitioner who shall have performed the operation of vaccination upon any child,</p> <p>and shall have ascertained that the same has been successful,</p> <p>shall deliver to the parent or guardian of such child a certificate according to the form of Schedule C hereto annexed or to the like effect, certifying that the said child has been successfully vaccinated.</p>	<p>*7. When a public vaccinator or medical practitioner has performed the operation of vaccination upon any child,</p> <p>and an inspector or such practitioner has ascertained that the same has been successful,</p> <p>such inspector or practitioner, as the case may be, shall deliver to the parent or guardian of such child a certificate according to the form of Schedule C hereto annexed or to the like effect, certifying that the said child has been successfully vaccinated.</p>
<p>8. No fee or remuneration shall be charged by any public vaccinator to the parent or guardian of any child for any such certificate as aforesaid, nor for any vaccination done by him in pursuance of this Act at a public vaccine-station.</p> <p>No fee to be charged for vaccination at a public vaccine-station, or for certificates.</p>	<p>8. †No fee or remuneration shall be charged by any inspector or to the parent or guardian of any child for any such certificate as aforesaid, nor by any public vaccinator for any vaccination done by him in pursuance of this Act at a public vaccine-station.</p> <p>No fee to be charged for vaccination at a public vaccine-station or for certificates.</p>

*Section 7 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s. 10 of that Act.

†The first clause of section 8 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s. 11 of that Act.

*(Vaccination of Children—Vaccination of Unprotected Persons —
Secs 9–10.)*

But, when a public vaccinator attends at the request of
the parent or guardian elsewhere than at a public
vaccine-station for the purpose of vaccinating
a child, he shall be paid a fee not exceeding eight annas, such
fee to be devoted to the purposes in the next succeeding section
mentioned.

9. All such fees shall, in Calcutta, be paid in by the public
vaccinator to the credit of the Corporation of
the Town of Calcutta,* and be by them
appropriated for the purposes of this Act.

In places outside Calcutta such fees shall be appropriated
as the Lieutenant-Governor† may from time to time direct

10. The Superintendent of Vaccination, as herein after § appointed, or any of his assistants, may, from time to time, inspect the vaccination of any child, whether performed by a public vaccinator or medical practitioner, and may, if he think fit, direct that such child be forthwith again vaccinated	₹10	The Superintendent of Vaccination, as herein after § appointed, or any of his assistants, may, from time to time, inspect the vaccination of any child, whether performed by a public vaccinator or medical practitioner, and may, if he think fit, direct that such child be forthwith again vaccinated.
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* The name of this body is now 'the Corporation of Calcutta'—see the Calcutta Municipal Act, 1899 (Ben Act III of 1899), s 6

† Now the Governor in Council of Fort William in Bengal—see the Bengal Bojar and Orissa and Assam Laws Act, 1912 (VII of 1912, s 3 and Sch D) item 1,

‡ Section 10 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s. 12 of that Act,

§ See ss. 16, 25 post.

*(Vaccination of Unprotected Persons.—Miscellaneous —
Secs 11-13.)*

Vaccination of Unprotected Persons.

11. Every unprotected person may, whenever the said Superintendent of Vaccination shall deem it advisable, be served with a notice in the form in Schedule D hereto annexed, requiring him, within fifteen days after the service of the same, to submit himself to a public vaccinator or medical practitioner to be vaccinated; and every such person shall within the said period submit himself to a public vaccinator or medical practitioner for vaccination.

12 The provisions of sections 3 to 10 (both inclusive) shall apply, with the necessary alterations, to the case of unprotected persons.

Former sections applicable.

13. The powers conferred by sections 11 and 30 upon the said Superintendent of Vaccination may, in the case of unprotected persons arriving in the port of Calcutta, be exercised by the Health Officer of the said port immediately upon their arrival.

Health Officer of Port may cause vaccination of unprotected persons on their arrival.

* If a vessel arrives in the said port of Calcutta having on board any person suffering from the disease of small-pox, the said Health Officer may, if he deem it expedient in order to prevent the risk of the contagion of small-pox being conveyed into the town or suburbs of Calcutta, require any unprotected person on board such vessel to submit himself forthwith to be vaccinated; and every such person shall, before leaving the vessel, submit himself to the said Health Officer, or any person duly authorized to act in this behalf, for vaccination:

Health Officer may, in certain cases, require immediate vaccination of unprotected person on board.

* Provided that nothing herein contained shall apply to any vessel belonging to, or in the service of, Her Majesty or the Government of India, or to any vessel belonging to any foreign Prince or State.

Proviso.

*This paragraph and proviso in s 13 were added by the Bengal Vaccination (Amendment) Act 1887 (Ien. Act II of 1887), s 5.

(Vaccination of Unprotected Persons.—Miscellaneous.—

Sec. 13A.)

*Miscellaneous.

*13A. Every person occupy-

Occupier of house, ing any
etc., to allow access, house, en-

closure, vessel or other place within the limits of the town or port of Calcutta, or the suburbs of Calcutta, or the town of Howrah, shall allow the Superintendent of Vaccination, or a medical practitioner, or public vaccinator duly authorized by

him in this behalf, such access thereto as he may require for the purpose of ascertaining whether the inmates are protected or not, and as having regard to the customs of the country, may be reasonable.

*13A. †Every person occu-

Occupier of house, pying any
etc., to allow access. house, en-

closure, vessel or other place within the limits of the town or port of Calcutta or the suburbs of Calcutta, or the town of Howrah, shall allow the Superintendent of Vaccination, or a medical practitioner, or public vaccinator or inspector duly authorized by him in this behalf, such access thereto as he may require for the purpose of ascertaining whether the inmates are protected or not, and as, having regard to the customs of the country, may be reasonable.

Whenever it is necessary to ascertain whether a woman is protected or not, the investigation shall be conducted by a female with strict regard to the habits and customs of the country.

*This heading and s 13A were inserted by the Bengal Vaccination (Amendment) Act, 1887 (Ben. Act II of 1887), s. 6

†The first paragraph of section 13A is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s 13 of that Act

(Procedure applicable to the Town of Calcutta only,—

Secs. 14, 15)

PROCEDURE APPLICABLE TO THE TOWN OF CALCUTTA ONLY.

14. For the purposes of this Act, the Corporation of the Town of Calcutta (hereinafter called the Corporation) * shall, subject to the approval of the Lieutenant-Governor,† appoint such stations for the performance of vaccination as they shall, from time to time, deem fit.

Such stations shall be called “public vaccine-stations.”

The Corporation * shall appoint such public vaccinators and vaccination-establishments for carrying out the purposes of this Act as they shall, from time to time, deem fit.

The positions of the public vaccine-stations fixed under the provisions of this section, and the days and hours of the public vaccinators' attendance at each station, shall be published, from time to time, in such manner as the Corporation* may direct.

15. The Corporation* may	§15. The Corporation *
Power of Corporation to make rules.	Power of Corporation to make rules.
from time to time, make such rules, consistent with this Act, as they may deem fit, for regulating the expenses of such vaccination-establishments aforesaid, the payment of public vaccinators, and the realization and scale of fees under this Act.	may, from time to time, make such rules, consistent with this Act, as they may deem fit, for regulating the expenses of such vaccination-establishments aforesaid, the payment of public vaccinators and inspectors, and the realization and scale of fees under this Act.

* As to the exercise, in areas outside Calcutta, of the powers conferred by this Act on the Corporation, see s. 25 and foot-note thereto, post

† Now the Governor in Council of Fort William in Bengal—see the Bengal Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912), s. 3 and Schedule D, item 1

‡ Section 15 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben Act, II of 1911) is in force—see s. 11 of that Act.

16. The Health officer for the town of Calcutta shall be Superintendent of *ex-officio* Superintendent of vaccination *for the said town.

Such officer, subject to the orders of the Lieutenant-Governor,† shall have a general control over all the proceedings of public vaccinators and shall perform such duties in connection with public vaccination, in addition to those prescribed by this Act, as shall be required by the Lieutenant-Governor.†

†Such officer, subject to the order of the Lieutenant-Governor,† shall have a general control over all the proceedings of public vaccinators and inspectors and shall perform such duties in connection with public vaccination, in addition to those prescribed by this Act, as shall be required by the Lieutenant-Governor.†

The Lieutenant-Governor† may appoint, if necessary, one or more Assistants to the Superintendent, and, from time to time, remove any such assistant.

17. The expenses of all vaccination-establishments under this Act, and of the supply of lymph, in Calcutta, shall, unless the Lieutenant-Governor† otherwise direct, be defrayed by the Corporation.

Expenses of establishments to be a charge on the Corporation.

Registration.

18. On the registration of the birth of any child under the provisions of Chapter X of the Calcutta Municipal Consolidation Act, 1876, or of any other law§ for the time being in force, the Registrar of Births to give notice of requirement of vaccination.

* As to who is to exercise and perform, in areas outside Calcutta, the powers and duties assigned to the Superintendent of Vaccination. *see s 25, post.*

†† This clause of section 16 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Bengal Act II of 1911), is in force—*see s. 14 of that Act.*

† Now the Governor in Council of Fort William in Bengal—*see the Bengal, Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912), s. 3, and Schedule D, item 1.*

§Bengal Act IV of 1876 was repealed and re-enacted by Bengal Act II of 1888 which again has been repealed and re-enacted by the Calcutta Municipal Act 1899 (Bengal Act 3 of 1899), and this reference should now be construed as a reference to Ch. XXXVIII of the latter Act—*see the Bengal General Clauses Act 1899 (Beng. Act I of 1899) s. 10.*

shall deliver to the person giving information of such birth a printed notice in the form of Schedule E here-
 Bengal Act IV of 1876. to annexed, or to the like effect; and such notice shall have attached thereto the several forms of certificates prescribed by this Act.

<p>19. Every public vaccinator</p> <p>Duplicates of all certificates to be transmitted to the Registrar.</p>	<p>or medical practitioner, who gives to</p>	<p>19. *Every Inspector or medical practitioner, who gives to any</p> <p>Duplicates of all certificates to be transmitted to the Registrar.</p>	<p>dical practitioner, who gives to any</p>
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any parent or guardian a certificate in any of the forms of the said *Schedules A, B and C, shall, within twenty-one days after giving the same, transmit a duplicate thereof to the Registrar of Births † of the district where the birth of the child on whose account such certificate was given has been registered ;

parent or guardian a certificate in any of the forms of the said Schedules A, B and C, shall, within twenty-one days after giving the same, transmit a duplicate thereof to the Registrar of Births † of the district where the birth of the child on whose account such certificate was given has been registered ;

or, if that be not known to him, or if the child was born out of the town of Calcutta, or his birth has not been registered in the said town, to the Registrar of the district within which the child was vaccinated or presented for vaccination.

20. The Registrar of Births † shall keep a book, in such Registrar to keep forms as may, from time to time be prescribed a vaccination notice and certificate book. by the rules made under section 33, in which he shall enter minutes of the notices of vaccination given by him as herein required, and shall also register the duplicates of certificates transmitted to him as herein provided.

*The first clause of section 19 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s 15 of that Act.

†For power to appoint other persons to perform the duties imposed on Registrars of Births under ss. 19 to 23, see s. 24, post.

21. He * shall also prepare and keep a duplicate of the register of births required to be kept by him under the provisions of the Calcutta Municipal Consolidation Act, 1876, or of any other law† for the time being in force, with such additional columns as shall, from time to time, be prescribed by the rules made under section 33, in which he shall record the date of every duplicate certificate in the form of the said Schedule B or Schedule C received by him concerning any child whose birth he has registered and make an entry to the effect that the child has been vaccinated or is insusceptible of vaccination, as the case may be.

Ben. Act IV of 1876.
and also a duplicate register of births with entries concerning vaccination,

22. He* shall also keep a register of postponed vaccinations in the form of Schedule F hereto annexed, in which he shall record the name of every child concerning whom he receives a duplicate certificate in the form of the said Schedule A, together with the date of such duplicate certificate, and of each such successive duplicate if he receives more than one; and shall show the number and year of the entry, if any, in the register of births in which child's birth has been registered.

and also a register of postponed vaccinations.

23. Every Registrar* shall transmit, on or before the fifteenth of every month, to the Superintendent of Vaccination, a return, in such form as may, from time to time, be prescribed by the rules made under section 33, of all cases in which duplicate certificates have not been duly received by him, in pursuance of the provisions of this Act, during the last preceding month.

Transmission of returns to Superintendent.

* For powers to appoint other persons to perform the duties imposed on Registrars of Births under ss. 19 to 23, see s. 24, *post*.

† Ben. Act IV of 1876 was repealed and re-enacted by Ben. Act II of 1888, which again has been repealed and re-enacted by the Bengal Municipal Act, 1899 (Ben. Act III of 1899), and this reference should now be construed as a reference to Ch. XXXVIII of the latter Act—see the Bengal General Clauses Act, 1899, s. 10.

24. The Lieutenant-Governor* may direct that the duties imposed on the Registrar of Births under sections 19, 20, 21, 22 and 23 shall be performed by any other person appointed by the Lieutenant-Governor.*
- Lieutenant-Governor may direct any person to perform duties of Registrar.

PROCEDURE APPLICABLE OUTSIDE THE TOWN OF CALCUTTA.

25. In any municipality other than the town of Calcutta, and in any local area to which this Act may hereafter be extended, † the Magistrate of the district‡ may exercise all or any of the powers by this Act conferred upon the Corporation ; and the Civil Surgeon of the district, or such other officer as the Lieutenant-Governor* may, from time to time, appoint in that behalf, shall exercise the powers and perform the duties by this Act assigned to the Superintendent of Vaccination,
- Power of Corporation may be exercised in mufassal by Magistrate of the district,
- and of Superintendent of vaccination by Civil Surgeon

PROSECUTIONS AND OFFENCES.

26. If the Superintendent of Vaccination shall notify in writing to a Magistrate that he has reason to believe, from the statement of an informant or otherwise, that any child under the age of fourteen years is an unprotected child, and that he has given notice to the parent or guardian of such child to procure its being vaccinated, and that the said notice has been disregarded, such Magistrate may summon such parent or guardian to appear with the child before him ; and if the Magistrate shall find, after such inquiry as he shall deem necessary, that the child is an unprotected child, he may whether the child has been
- Magistrate may make an order for the vaccination of any unprotected child under fourteen years.

* Now the Governor in Council of Fort William in Bengal—see the Bengal, Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912), s. 3, and Sch. D, item 1.

† See s. 1, ante.

‡ As to the exercise by District Boards of powers of appointment, etc., of public vaccinators and of Inspectors of Vaccination (to exercise the functions of the Superintendent of Vaccination), and powers of the District Magistrate see the Bengal Local Self-Government Act of 1885 (Ben. Act III of 1885), ss. 92 to 94.

produced or not, make an order directing such child to be vaccinated within a certain time.

If the child is at any time produced before him, the Magistrate may, unless the child is certified under section 5 to be in a state unfit for vaccination, order it to be vaccinated forthwith in his presence, and in that case may punish such parent or guardian, for any recusancy under this clause, with fine which shall not exceed five rupees.

If, at the expiration of the time appointed by the Magistrate the child shall not have been vaccinated, or shall not be shown to be then unfit to be vaccinated, or to be insusceptible of vaccination, the person upon whom such order shall have been made shall, unless he can show some reasonable ground for his omission to carry the order into effect, be punished with fine which may extend to fifty rupees :

Provided that, if the Magistrate shall be of opinion that the person is improperly brought before him, and shall refuse to make an order for the vaccination of the child, he may direct the said Superintendent to disclose the name of his informant, if any, and may order such informant to pay to such person such sum of money as the Magistrate shall consider a fair compensation for expenses and loss of time in attending before him

Provided also that nothing in this section shall be held to compel the production before a Magistrate of the female child above the age eight years.

27. If any parent or guardian intentionally omits to produce a child whom he has been summoned to produce under the last preceding section, he shall be liable to fine which may extend to one hundred rupees and to a further fine of twenty-five rupees for every day during which the offence continues :

Provided that the aggregate amount of fine for such offence shall not exceed one thousand rupees.

28. Whoever, in contravention of this Act—

- | | |
|---|--|
| <p>(a) neglects without reason-
 Penalty for neglect to be vaccinated.
 able excuse to submit himself, within fifteen days after the service on him
 • of the notice prescribed by section 11, to a public vaccinator or medical practitioner to be vaccinated, or after vaccination to be inspected,
 • or</p> | <p>* (a) neglects without reason-
 Penalty for neglect to be vaccinated.
 able excuse to submit himself, within fifteen days after the service on him
 of the notice prescribed by section 11, to a public vaccinator or medical practitioner to be vaccinated, or to the operator (if a medical practitioner) or an inspector after vaccination to be inspected, or</p> |
|---|--|
- (b) neglects without reasonable excuse to take or cause a
 Penalty for neglect to take child to be vaccinated etc. child to be taken to be vaccinated, or after vaccination to be inspected, or
- (c) neglects to fill up and sign and give to any person or to the parent or guardian of any child any certificate which such person, parent or guardian is entitled to receive from him, or to transmit a duplicate of the same to the Registrar of Births, † or
- ‡ (d) refuses without reasonable excuse to submit himself to be vaccinated when required so to do by the Health Officer exercising the powers conferred upon him by section 13,

shall be punished for each such offence with fine which may extend to fifty rupees.

* Clause (a) of section 28 is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s. 16 of that Act.

† This word "or," in s. 28 (c), was added by the Bengal Vaccination (Amendment) Act, 1887 (Ben. Act II of 1887) s. 7.

‡ This clause (d) was added by the Bengal Vaccination (Amendment) Act, 1887 (Ben. Act II of 1887), s. 7.

No prosecution under this section shall be instituted after the expiry of twelve months from the date on which the offence has been committed.

29. Whoever wilfully signs or makes, or procures the signing or making of, a false certificate or duplicate under this Act, shall be punished with imprisonment of either description, within the meaning of the Indian Penal Code,* for a term which may extend to six months, or with fine which may extend to one hundred rupees, or with both.

<p>Penalty for making or signing false certificate.</p> <p>Act XLV of 1860.</p>	<p>§ 29A. Whoever voluntarily obstructs any public vaccinator in the discharge of the duties assigned to him as such shall be punished for each such offence with fine which may extend to fifty rupees.</p>	<p>§ 29A. Whoever voluntarily obstructs any public vaccinator or Inspector in the discharge of the duties assigned to him as such shall be punished for each such offence with fine which may extend to fifty rupees.</p>
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<p>§ 29B. Any public vaccinator who vexatiously and unnecessarily enters any house, enclosure, vessel or other place, on pretence of ascertaining whether the inmates, or any of them, are protected or not, shall for every such offence, be punished with fine which may extend to fifty rupees.</p>	<p>§ 29B. Any public vaccinator or Inspector who vexatiously and unnecessarily enters any house, enclosure, vessel or other place, on pretence of ascertaining whether the inmates, or any of them, are protected or not, shall for every such offence, be punished with fine which may extend to fifty rupees.</p>
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*See Act XLV of 1860, s. 53, in General Acts, 1834-67, Ed. 1909, p. 258.

§ Sections 29A and 29B were inserted by the Bengal Vaccination (Amendment) Act, 1887 (Ben. Act II of 1887), s. 8.

(§ Section 29A and 29B are in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben. Act II of 1911), is in force—see s. 13 of that Act.

30. All offences under this Act shall be cognizable by a Magistrate, subject to the provisions of any law* for the time being in force for the trial of offences; but no complaint of any such offences shall be entertained unless the prosecution be instituted by order of, or under authority from, the Lieutenant-Governor† or the Superintendent of Vaccination.

31. In any prosecution for neglect to procure the vaccination of a child it shall not be necessary in Prosecution for neglect. support thereof to prove that the defendant had received notice from the Registrar or any other officer of the requirements of the law in this respect;

but, if the defendant produce any such certificate as hereinbefore described, or the duplicate of the register of births or the register of postponed vaccinations kept by the Registrar as hereinbefore provided, in which such certificate shall be duly entered, the same shall be a sufficient defence for him, except in regard to the certificate according to the form of the said Schedule A, when the time specified therein for the postponement of the vaccination shall have expired before the time when the information shall have been laid.

MISCELLANEOUS.

32. It shall be the duty of the Superintendent of Vaccination to show in an annual return the number of children successfully vaccinated, the number whose vaccination has been postponed, and the number certified to be insusceptible of successful vaccination during the year; and generally to fill up any forms that may be prescribed, from time to time, by the Lieutenant-Governor‡ or the Corporation.

*See now the Code of Criminal Procedure, 1898 (Act V of 1898), in *General Acts*, 1898—1903, Ed. 1909.

†Now the Governor in Council of Fort William in Bengal—see the Bengal Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912), s. 3, and Sch. D, item 1.

33. The Lieutenant-Governor* may, from time to time, make rules or issue orders,† consistent with this Act,—
 Lieutenant-Governor* to make rules.

(a) determining the qualifications to be required of public vaccinators; ‡(a) determining the qualifications to be required of public vaccinators and Inspectors;

(b) regulating the scale of fees to be paid outside the town of Calcutta;

(c) regulating the gratuitous vaccination of such females as are by the custom of the country unable to attend at the public vaccine-stations and are too poor to pay fees;

(d) providing for the supply of lymph;

(e) regulating the books and forms to be kept by the public vaccinators or by Registrars, and also such forms as shall be required for the signature of medical practitioners under the provisions of this Act; and generally

‡(e) regulating the books and forms to be kept by the public vaccinators and Inspectors or by Registrars, and also such forms as shall be required for the signature of medical practitioners under the provisions of this Act; and generally

*Now the Governor in Council of Fort William in Bengal—see the Bengal, Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912), s. 3, and Sch. D, item 1.

†As to the local extent of rules and orders issued under section 33 for Calcutta, and as to the power of the Local Government to modify or cancel such rules and orders, see the Bengal Vaccination (Amendment) Act, 1890 (Ben. Act II of 1890), s. 5.

As to the power of the Commissioner to make rules for the guidance of District Boards in matters relating to vaccination, see the Bengal Local Self-Government Act of 1885 (Ben. Act III of 1885), s. 95.

‡Clauses (a) and (e) are in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Beng Act II of 1911), is in force—see s. 14 of that Act.

(~~cancel~~)

(f) for the guidance of public vaccinators and others in all matters connected with the working of this Act.

(f) for the guidance of public vaccinators and Inspectors and others in all matters connected with the working of this Act.

All such rules or orders shall be published in the Calcutta Gazette.

†THE FIRST SCHEDULE.

(See section 3.)

To

(Here insert the name of the parent or guardian.)

TAKE notice that you are hereby required, under the provisions of the Bengal Vaccination Act, 1880, to take, or cause (here insert the name of the child), the child of (here insert the name of the father), to be taken to a public vaccine-station for vaccination, or to cause it to be vaccinated by some medical practitioner or public vaccinator within fifteen days from the service of this notice, and that in default of so doing you will be liable to a fine of fifty rupees.

The public vaccine-station nearest your house is at ;
the days and hours for vaccination at that station
are as follows:—

(Here insert the days and hours when the public vaccinator is in attendance)

On the said (here insert the name of the child) being brought before a vaccinator at the said station within the said hours

*Clause (f) is in force in this form in areas in Western Bengal in which the Bengal Vaccination, (Amendment) Act, 1911 (Ben Act II of 1911), is in force—see s. 14 of that Act.

†This Schedule was annexed to this Act by the Bengal Vaccination (Amendment) Act, 1887 (Ben. Act II of 1887), s. 2, as amended by the Amending Act, 1897 (V of 1897).

(Schedule A.)

on any of the said days, or at any other public vaccine-station in the town on the days, and within the hours prescribed for public vaccination at such station, the said (*here insert the name of the child*) will be vaccinated free of charge.

If you wish the said (*here insert the name of the child*) to be vaccinated at your own house, the public vaccinator will attend there upon payment of a fee of

Dated the of 18 .

Superintendent of Vaccination,

or Civil Surgeon (as the case may be)

SCHEDULE A

(See section 5.)

I, the undersigned, hereby certify that, in my opinion , the child of , resident at , is not now in a fit and proper state to be vaccinated, and I do hereby recommend that the vaccination be postponed for the period of *three months* from this date.

Dated the day of 19 .

(Signature of Medical Practitioner or **Public Vaccinator**.)

*SCHEDULE A.

(See section 5.)

I the undersigned, hereby certify that, in my opinion , the child of , resident at , is not now in a fit and proper state to be vaccinated, and I do hereby recommend that the vaccination be postponed for the period of *one month* from this date.

Dated the day of 19

(Signature of Medical Practitioner or **Inspector**.)

* Schedule A is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Bou Act II of 1911), is in force—see s. 17 of that Act

(Schedules B and C)

SCHEDULE B.

(See section 6.)

I, the undersigned, hereby certify that I have three times unsuccessfully vaccinated the child of , residing at (or that the child has already had small-pox, as the case may be),

and I am of opinion that the said child is insusceptible of successful vaccination.

Dated this day of 19

(Signature of Medical Practitioner or **Public Vaccinator.**)

(Endorsement by Superintendent of Vaccination.)

*SCHEDULE B.

(See section 6.)

I, the undersigned, hereby certify that the child of , residing at (or, as the case may be) that I have (or a public vaccinator has) three times or twice, as the case may be) unsuccessfully vaccinated , the child of residing at

and I am of opinion that the said child is insusceptible of successful vaccination.

Dated this day of 19

(Signature of Medical Practitioner or **Inspector.**)

(Endorsement by Superintendent of Vaccination.)

SCHEDULE C.

((See section 7.)

I, the undersigned, hereby certify that , the child

+ SCHEDULE C.

(See section 7.)

I, the undersigned, hereby certify that , the child

* Schedule B is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Bon. Act II of 1911), is in force—see s. 18 of that Act.

† Schedule C is in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Bon. Act II of 1911), is in force—see s. 19 of that Act.

(Schedule D)

Dated this day 18 Dated this day 18
(Signature of Medical Prac- (Signature of Medical Prac-
titioner or Public titioner or Inspector.)
Vaccinator.)

(See section 11.)

The public vaccine-station nearest your house is at

(Here insert the days and hours when the public vaccinator is in attendance.)

If you wish to be vaccinated at your own house, the public vaccinator will attend there upon payment of a fee of

*Superintendent of Vaccination,
or Civil Surgeon (as the case may be).*

SCHEDULE E.

(See section 18.)

To

(Here insert the name of the parent, guardian, or other person who gives information of the child's birth.)

TAKE notice that the child of ~~(here enter the mother's name),~~ *TAKE notice that the child of ~~(here enter the mother's name),~~
whose birth has this day been registered, must be vaccinated under the provisions of the Bengal Vaccination Act, 1880, within one year from the date of birth, under penalty. whose birth has this day been registered, must be vaccinated under the provisions of the Bengal Vaccination Act, 1880, within six months from the date of its birth under penalty.

The public vaccine-station nearest to the house in which the child was born is at No. The days and hours for vaccination at that station are as follows :—

(Here insert the days and the hours when the public vaccinator is in attendance.)

On your taking or causing the child to be taken to the public vaccinator at the said station within the said hours on any of the said days, or at any other public vaccine-station in the city on the days and within the hours prescribed for public vaccination at such station, it will be vaccinated free of charge.

If you wish to have the child vaccinated at your own house, the public vaccinator will attend there upon payment of a fee of

You should be careful to *You should be careful to have one of the annexed forms have one of the annexed forms

*These clauses of Schedule E are in force in this form in areas in Western Bengal in which the Bengal Vaccination (Amendment) Act, 1911 (Ben Act II of 1911), is in force—see s 20 of that Act.

(cxclx)

(Schedule F.)

of certificate filled in by the of certificate filled in by an
Public Vaccinator, or, if you Inspector, or, if you employ a
employ a private medical prac- private medical practitioner to
titioner to vaccinate the child, vaccinate the child, by such
by such medical practitioner, medical practitioner, and to
and to keep the same in your keep the same in your posses-
sion. Any such certificate sion. Any such certificate will
will be granted to you by a be granted to you by an Inspect-
Public Vaccinator free of charge. or free of charge

Dated the of 18

Registrar of Births

SCHEDULE F.

(See section 22)

Register of Postponed Vaccinations for the district of

Consecu- tive number	Name of child	BIRTH		Date of certificate of postponement	Signature of Regis- trar.
		Year.	Number of entry in register		
				1878	
1	Ram Chunder Dass	1878	12	May 10	H O

(cc)

IX.

THE PURI LODGING-HOUSE ACT.

BENGAL ACT IV OF 1871.

As modified up to the 1st June, 1908.

WHEREAS it is expedient to make provision for the licensing
and regulation of pilgrims' lodging-houses at
Puri, and on the main lines of road leading to
Puri, and for the better sanitation of Puri * * * * .
It is enacted as follows:—

1. The words and expressions following shall, in this Act,
have and bear the meanings and construction
hereby assigned to them, unless there be some-
thing in the subject or context repugnant to such meaning or
construction; that is to say:—

the word "lodger" shall mean a pilgrim liable to pay hire for
accommodation in any house; and shall include
"Lodger," a person who pays or delivers to his Panda, or
to any other person on behalf of his Panda, money in a lump sum,
or property, or both, in consideration for the provision of accom-
modation and bodily comforts by such Panda or other person in
any place other than the place of residence of such Panda;

the word "owner" shall mean the person
entitled to the immediate possession of any
house;

the expression "lodging-house" shall mean a house licensed
under this Act for the reception of lod-
"Lodging house." gers;

the expression "keeper of a lodging-house" shall mean
"Keeper of a lodging-house" a the person to whom a licence for the reception
of lodgers in any house under this Act shall
be granted;

the expression "the Magistrate" shall mean the Magistrate of the district of Puri, or of any other district or part of a district to which this Act may be extended, or other officer in charge of the office of such Magistrate, or specially invested with power under this Act;

the expression "the Health Officer" shall mean the person whom the Lieutenant-Governor of Bengal shall appoint under this Act;

2. The Lieutenant Governor of Bengal is hereby empowered to appoint a Health Officer to control and direct the sanitation and conservancy of the town of Puri, and of the main lines of road leading thereto.

3. * * * it shall be lawful for the Magistrate, upon the application of the owner of any house in the town of Puri, to grant to such applicant a license for the reception of lodgers in his said house, if the Magistrate be satisfied that such house is fit to be used as a lodging-house

4. The application for such license as in the preceding section is mentioned shall be in writing, and shall be in such form as the Lieutenant-Governor may, by notification, prescribe in this behalf, and shall be subscribed and verified by the applicant at the foot or end thereof in the manner provided by law for the verification of plaints.

The license for the reception of lodgers to be granted by the Magistrate under this Act shall be in such form as the Lieutenant-Governor may, by notification, prescribe in this behalf.

5. The Health Officer shall, when required by the Magistrate or the owner of any house, certify to the Magistrate the sanitary state and condition of such house, and the nature and extent

of the accommodation which such house is capable of affording to lodgers.

6. No license for the reception of lodgers shall be granted under this Act by the Magistrate, unless the Health Officer shall certify in writing under his hand to the Magistrate that in his judgment the house, for the licensing of which for reception of lodgers application shall have been made as aforesaid, is sufficiently ventilated, and has, within a reasonable distance from such house, a sufficient supply of water fit for human consumption, and also sufficient privy accommodation, and is otherwise fit for the reception of lodgers.

The said Health Officer shall also certify to the Magistrate the largest number of lodgers which such house can, having regard to the number of persons permanently residing therein, accommodate with safety to the health of such lodgers; and no license under this Act shall be granted by the Magistrate for the reception in any house of any number of lodgers in excess of the number of lodgers which the Health Officer shall have so certified as aforesaid to be the largest number which such house could accommodate with safety to the health of such lodgers.

7. * * * every owner of any house in the town of Puri, not licensed as a lodging-house under this Act, who shall suffer or permit any lodger to be an inmate of such house, shall be punished by a fine not exceeding five rupees for every lodger for each day or night during any part of which such lodger shall be an inmate of such house.

8. There shall be charged upon every certificate of the Health Officer, issued upon an application therefor by the owner of any house, a fee of one rupee; and upon every license a fee shall be payable, calculated upon the entire number of lodgers which is mentioned in the certificate, at such rate, not exceeding one rupee for each lodger, as the Lieutenant-Governor may, by notification, direct.

9. Every license under this Act shall, unless revoked or suspended, continue and be in force till the thirty-first day of December of the year in which it is granted.

10. It shall be lawful for the Magistrate or the Health Officer, or for any other person whom the Magistrate shall by any writing thereunto authorize, at any time to enter into any lodging-house, and to inspect and examine the same and every part thereof, not being in the exclusive use and occupation of women who, according to the custom and manners of country, ought not to be compelled to appear in public,

Provided always that if, in the judgment of the Magistrate, such reason shall exist as to necessitate an entry into and inspection and examination of such apartments so exclusively used and occupied by such women as aforesaid it shall be lawful for the Magistrate, upon reasonable notice of such his intention being affixed to the house in which such women are residing, to enter into and inspect and examine, or to authorise under his hand any other person to enter into and inspect and examine, such apartments of such women as aforesaid ;

Provided, further, that no entry, inspection or examination shall be made between the hours of 9 P.M. and 6 A.M. except by—

- (a) the Magistrate himself, or
- (b) the Health Officer, if he is also the Civil Medical Officer of the district, or
- (c) an officer, not below the rank of Sub-Deputy Magistrate or Sub-Deputy Collector, who is authorised in writing in this behalf by the Magistrate.

11. It shall be lawful for the Magistrate to exempt from inspection the house or portion of a house occupied by any lodger, so long as they shall be occupied by such lodger, or until further order by the Magistrate.

11A. Every person who is authorised in writing under
Persons authorized to inspect deemed public servants,
Act XLV of 1860 section 10 to enter into, inspect and examine any lodging-house shall be deemed to be a public servant within the meaning of Indian Penal Code.

12 Every keeper of a lodging-house shall produce to the
Keeper of lodging house to produce license Magistrate, or any officer by the Magistrate authorized to demand the same, the license of such house, whenever he shall be thereunto required by the Magistrate or such officer.

12A Every keeper of a lodging-house shall maintain a
Keeper of lodging-house to record name of person left in charge. register, and shall record therein the name of the person whom he leaves actually in charge of the lodging house during each period when such keeper is absent therefrom

13. Every keeper of a lodging house shall make a report
keeper of lodging-house to report accidents, deaths and sickness and names of persons in lodging-house to the person in charge of the nearest police-station of each birth, death, or grave accident, or serious sickness which may occur in the lodging house of which he is keeper, forthwith after such birth, death or accident or sickness shall have occurred ;

and shall also, every day, during such period of the year as the Magistrate shall from time to time appoint, before noon, make a report in writing to the person in charge of such station, stating the number of persons who shall have been lodgers of such lodging-house during the preceding night, and distinguishing in such list males from females and adults from children.

14 (1) Every keeper of a lodging-house shall expose and
Keeper of lodging-house to expose notice keep exposed, on a conspicuous portion of the front of such house, a notice showing the number of the license and the number of lodgers which he is licensed to accommodate.

(2) Such notice shall be plainly and legibly inscribed in the Bengali, Hindi and Uriya characters.

15. Upon the inspection and examination of any lodging-house, the Magistrate or Health Officer, or other person authorized as aforesaid to make such inspection and examination, shall record in a register book to be kept for that purpose a succinct report of the result of such inspection and examination.

16. Every person who shall make any application, statement or report in pursuance of the provisions of this Act shall be deemed to have been bound by express provision of law to state the truth therein.

17. (1) Every keeper of a lodging-house in which there shall be, at any time, a number of lodgers in excess of the aggregate number of lodgers resident in such house at the date of the application for the license thereof * * * or a number of lodgers in excess of the number of lodgers mentioned in such license, or

who shall suffer or permit any person, other than a member of his family or a servant in his actual employ, to be a lodger in his house after the revocation or during the suspension of his license,

shall be liable to be punished by a fine not exceeding five rupees for each lodger so found.

(2) Every keeper of a lodging-house who refuses or neglects, without reasonable cause within one hour after demand, to produce to the Magistrate or other officer as aforesaid the license for his said lodging-house when he shall be thereunto required, or

who fails without reasonable cause, to maintain the register prescribed by section 12A, or to make any entry therein which is prescribed by that section, or

who shall omit, without like reasonable cause, to make such report as by section 13 of this Act he is required to make, or to expose or keep exposed the number of his license, and the number of lodgers he is licensed to accommodate, as hereinbefore is required,

shall be liable to be punished by a fine not exceeding fifty rupees for every such offence.

18. Whenever the keeper of any lodging-house shall not be actually in charge thereof, then the person who shall be actually in charge thereof shall, as well as the keeper thereof, be liable to the penalties hereby provided for any infraction of the provisions of this Act.

19. All offences against this Act shall be heard and determined according to the provisions of Chapter XXV of the Code of Criminal Procedure.

20. It shall be lawful for the Magistrate to revoke or suspend any license granted under this Act to the keeper of any lodging-house who, after the grant of such license, shall have been convicted of any offence against the provisions of this Act, or whose house shall have been certified by the Health Officer to have become unfit or unsafe for occupation as a lodging house.

21. It shall be lawful for the Magistrate, when it shall be proved to him that any licensed lodging-house is unfit for the accommodation of the number of lodgers mentioned in the license, to reduce the number of lodgers mentioned in the license thereof to such number as may be able to obtain suitable accommodation in such house, and to enter in the license of such house such diminished number.

21A Where, in cases of urgency, the Magistrate is satisfied that sufficient accommodation cannot be provided in the licensed lodging-houses for all the pilgrims visiting the towns, he may grant temporary licenses on such terms as he may think fit, and may charge for any such license such fee as he thinks fit, not exceeding the fee payable for a license under section 5

22. All fines and fees under this Act shall be expended in the sanitary improvement of all or any of the towns or places in which this Act may be in force, or in the sanitary improvement of pil-

grim halting places or roads leading to such towns or places in such manner as the Lieutenant-Governor of Bengal may from time to time direct.

23. All applications to the Magistrate or Health Officer under this Act shall be made in writing.

24. Whoever

deposits, or permits his servants to deposit, any dust, dirt, dung, ashes or refuse, or filth of any kind, or any animal matter, or any broken glass or earthenware or other rubbish, in any public highway, except in such convenient spots, and in such manner, and at such hours as shall be fixed by the Magistrate with the assent of the Health Officer, or

throws or puts, or permits his servants to throw or put, any such substance into and public sewer or drain, or into any drain communicating therewith,

shall be liable to a fine not exceeding ten rupees.

25. Whoever

causes or allows the water of any sink or sewer, or any other offensive liquid matter belonging to him or being on his land, to run, drain or be thrown or put upon any public highway or

Permitting offensive matter to run into drains or upon highways.

causes or allows any offensive matter from any sewer or privy to run, drain or be thrown into a surface-drain in any such highway,

shall be liable to a fine not exceeding ten rupees.

26. The Magistrate may give notice to the owner or to the occupier of any land to cut and trim any hedges or trees which overhang any public highway so as to obstruct the passage, or to interfere with the free circulation of air.

Notice to cut trees.

27. Whoever, being the occupier of a house in or near any public highway,

Penalty on occupier of house not removing filth.

keeps or allows to be kept for more than twenty-four hours, otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil or filth, or noxious or offensive matter, in or upon such house, or in any out-house, yard or ground attached to and occupied with such house, or suffers such receptacle to be in a filthy or noxious state, or neglect to employ proper means to cleanse the same,

shall be liable to a fine not exceeding fifty rupees.

Keeping cattle near highways.

Whoever, being the owner or keeper of any cattle, sheep or pigs,

suffers the stall, pen or place in which they are kept, in or near any public highway, to be in a filthy or noxious state, or

neglects to employ proper means to remove the filth therefrom,

shall be liable to a fine not exceeding twenty rupees, and to a fine not exceeding three rupees for every day after conviction for such offence during which the offence is continued

29. The Magistrate may license such necessities for public

Power to license public necessities.

accommodation as he from time to time may think proper; and whoever shall keep any public necessary, without such license, or, having a license for a public necessary, shall suffer the same to be in a filthy or noxious state, or shall neglect to employ proper means for cleansing the same, shall be liable to a fine not exceeding fifty rupees, and such license may be withdrawn.

30. Whoever, being the owner or occupier of any private

Clearing drains and cesspools.

drain, privy or cesspool, shall neglect or refuse, after warning from the Health Officer, to keep the same in a proper state, shall be liable to a fine not exceeding fifty rupees.

31. It shall be lawful for the Magistrate, with the assent of the Health Officer, to appropriate to the domestic use of the inhabitants of Puri, or of any other town to which this Act may be extended, any tank not being a private tank ;

Power to set apart tanks for domestic use.

and whoever shall bathe in any tank so appropriated to the domestic use of the inhabitants of the place, or

shall wash or cause to be washed therein any animal, or any wool, cloth or wearing-apparel, or any utensils for cooking or other purposes, or leather, or the skin of any animal, or any foul or offensive thing, or

shall put or cause to enter therein any animal, or any gravel, stone, dirt or rubbish, or any dirt, filth or other animal, or any noxious thing, or

shall cause or suffer to run, drain or be brought thereunto the water of any sink, sewer, drain or any other unwholesome or offensive liquid, or

shall do anything whatsoever whereby the water in any such tank shall be in any degree fouled or corrupted,

shall be liable to a fine not exceeding fifty rupees.

32. Whenever any lands or premises, being private property or within any private enclosure, appear to the Health Officer to be, by reason of thick or noxious vegetation or want of drainage, in a state injurious to health or offensive to the neighbourhood, it shall be lawful for the Magistrate, to require, by notice in writing the owner or occupier of the premises to clear and remove such vegetation, or drain such premises.

Notice to drain and clear vegetation.

33. The Magistrate may from time to time, as he may see fit, drain off into any sewers, and cleanse and fill up or otherwise abate, any stagnant pool, ditch, tank, pond or other receptacle of water which shall appear to the Health Officer to be useless or unnecessary, or likely to prove

Power to drain tanks, etc.

injurious to the health of the inhabitants, whether the same be or be not within any private enclosure or be or be not the private property of any person.

34. In case any person to whom any notice, warning or order under the provisions of section 26, 30 or 34 shall be given shall, without sufficient reason, for eight clear days after service upon him of such notice or order, neglect or refuse to comply therewith, or shall not proceed with due diligence in the completion of the works thereby required,

it shall be lawful for the Magistrate to cause to be performed the works in or by such notice required to be performed, and for that purpose to enter into or upon, and to cause workmen and servants to enter into and upon, lands belonging to, or in the occupation of, such person and to do all things needful or useful to the performance of such works;

and the Magistrate shall make an order under his hand, certifying the expense incurred in or about the performance of such works, and ordering the payment of such amount by the owner or by the occupier of the lands on which such works may have been performed;

and such amount may be recovered from the person named therein as if it had been a fine for an offence against any of the provisions of this Act.

35. Every notice, warning, order or summons, under any of the preceding sections of this Act, may be served personally upon the person to whom the same is addressed, or may be served by leaving the same at his usual or last-known place of abode with some adult male member or servant of his family, or if it cannot be so served, may be served by being put up in some conspicuous part of such place of abode.

If such notice, warning, order or summons relates to any house, building or land, and the place of abode of the person whom it is intended to affect by such notice, warning, order or summons

is unknown, or is not within the town in which such house, building or land is situate, the same shall be deemed to be duly served if put up in some conspicuous part of the house, building or land to which the same relates.

36. No action shall be brought against the Magistrate, nor against the Health-Officer, nor against any Indemnity clause. of his or their officers, nor against any person acting under his or their direction, for anything done or professing or purporting to be done under this Act,

until the expiration of two months next after notice in writing shall have been delivered or left at the office of the Magistrate or at the place of abode of such person, explicitly stating the cause of action and the name and place of abode of the intended plaintiff ;

and, unless such notice be proved, the Court shall find for the defendant ;

and every such action shall be commenced within three months next after the accrual of the cause of action, and not afterwards ;

and, if any person to whom any such notice of action is given shall, before action brought, tender sufficient amends to the plaintiff, such plaintiff shall not recover.

37. It shall be lawful for the Magistrate, with the assent Power to make of the Health Officer and the Civil Surgeon of bye-laws. the district if he be not the Health Officer, to make bye-laws, and to repeal, alter and amend the same, subject to the confirmation hereinafter mentioned,

for the management of all matters connected with the conservancy of the town of Puri, or of any other town to which this Act may be extended, and

for regulating the encampments, lodging, and halting-places of pilgrims on their journey to or from Puri or such other town as aforesaid, and

for preventing the spread of epidemics among such pilgrims while at Puri or such other town as aforesaid, or on the journey thereto or therefrom, and

to affix fines as penalties for the infringement of such by-laws

Provided that no bye-law shall be repugnant to any law in force, and that no fine for any one infringement of a bye law shall exceed twenty rupees, and that in case of a continuing infringement no fine shall exceed five rupees for every day after notice from the Magistrate of such infringement.

38 No bye-law or alteration of a bye-law shall have effect until the same shall have been approved and confirmed by the Lieutenant Governor of Bengal, and shall have been published for such length of time and in such manner as the Lieutenant-Governor of Bengal shall order

40 This Act may be called the Puri Lodging-house Act, 1871.

X

THE DISORDERLY HOUSES ACT

BENGAL ACT No III of 1906 *

WHEREAS it is expedient to make provision for the continuance of brothels and disorderly houses in certain localities in Bengal it is hereby enacted as follows —

1. (1) This Act may be called the Bengal Disorderly Houses Act, 1906

Ben. Act III of 1884 (2) It applies to all municipalities constituted under the Bengal Municipal Act, 1884, and

(3) The Lieutenant Governor may by notification in the Calcutta Gazette extend it to any specified local area not being a municipality

* This Act is repealed by Bengal Act III of 1907 in Municipalities constituted under the Bengal Municipal Act, 1884 (Ben. Act III of 1884), in which the Calcutta Suburban Police Act, 1866 (Ben. Act II of 1866) is in force.

Power to direct discontinuance of use of house as a brothel or by disorderly persons.

2. (1) When any Magistrate of the first class receives information—

- (a) that any house in the vicinity of any educational institution, or of any boarding-house, hostel or mess used or occupied by students, is used as a brothel or for the purpose of habitual prostitution, or is used by disorderly persons of any description, or
- (b) that any house is used as aforesaid to the annoyance of respectable inhabitants of the vicinity, or
- (c) that any house in the immediate neighbourhood of a cantonment is used as a brothel or for the purpose of habitual prostitution,

he may summon the owner, tenant, manager or occupier of the house to appear before him either in person or by agent, and, if satisfied that the house is used as described in clause (a), clause (b), or clause (c), as the case may be, may, by written order, direct such owner, tenant, manager or occupier, within a period to be stated in such order, not less than five days from the date thereof, to discontinue such use.

Provided that action under this sub-section shall be taken only—

- (i) with the sanction or by the order of the District Magistrate; or
- (ii) on the report of the Commissioners of the municipality concerned, or
- (iii) on the complaint of three or more persons resident in the immediate vicinity of the house to which the complaint refers.

(2) If any person against whom an order has been passed by a Magistrate under sub-section (1) fails to comply with such order within the period stated therein, the Magistrate may impose on him a fine which may extend to twenty-five rupees for every day after the expiration of that period during which the house is so used,

Provided that no fine shall be imposed on an owner if he is able to prove to the satisfaction of the Magistrate that he has taken such action as is within his power to comply with the order.

XI

THE LICENSED WAREHOUSE AND FIRE- BRIGADE ACT.

BENGAL ACT No. 1 of 1893.

As amended up to March 1894.

Whereas it is expedient to make provisions for the licensing of Warehouses and the maintenance of a Fire-Brigade ; It is hereby enacted as follows :—

Preamble.

CHAPTER I.

Preliminary.

Title, application and commencement. 1. (1) This Act may be called the Licensed Warehouse and Fire-Brigade Act, 1893.

(2) It applies to Calcutta, as defined by the Calcutta Municipal Consolidation Act, 1888, and to such portions of the Suburbs thereof as are for the time being subject to the operation of Bengal Act II of 1866, also to the municipality of Howrah and to any other municipality in the neighbourhood of Calcutta or Howrah, to which its provisions may be extended by an order of the Local Government to be published in the Calcutta Gazette.

(3) It shall come into force from the date on which it may be published in the Calcutta Gazette, with the assent of the Governor-General.

Repeal. 2. (1) Act IV of 1883 is hereby repealed :

(2) But all rules, orders, declarations, financial arrangements and appointments made under the said Act and which are now in force shall be deemed to have been made under this Act, so far as they are not inconsistent with the provisions thereof

Definitions. 3. In this Act, unless there is something repugnant in the subject or context,—

(1) “*basti land*” means land which the owner lets out for the building of huts, in such manner that the tenant of the land is the owner of the hut; and “*hut*” includes any structure erected on such land, whether roofed with tiles or otherwise, and whether constructed with bricks, earth or other materials

(2) “*cotton*” means loose raw cotton

(3) “*jute*” means raw jute, either loose or in drums, and loose jute-cuttings and rejections,

(4) “*Magistrate*” means and includes a Presidency Magistrate and a Magistrate of the first class

(5) “*person*” includes an undivided Hindu family, a firm or company or association of individuals whether incorporated or not;

(6) “*The Commissioner of Police*” means the officer vested with the administration of police in the town of Calcutta under the Calcutta Police Act, 1866, and any Act amending the same

(7) “*The Commissioners*” mean in respect of Calcutta the Corporation of Calcutta; and in respect of Howrah and the other municipalities to which this Act applies or may hereafter be extended, the Municipal Commissioners of each of the municipalities concerned,

(8) “*Warehouse*” means any building or place used for the storing, or pressing, or keeping of jute, cotton, resin, varnish, pitch, tar, hay, straw, rags, tallow, wood or other inflammable substance or thing for the time being subject to the operation of this Act.

CHAPTER II.

Licensed Warehouses.

4. From and after the commencement of this Act, no building or place shall be used as a warehouse, unless the owner or occupier thereof shall have previously obtained a license from the Commissioners for such use under this Act.

5. The owner or occupier of any building or place, for which there was in existence on the thirty-first day of March, 1893, or on the date of the commencement of this Act a license granted under the Jute Ware-house and Fire-brigade Act of 1872 or 1879, or the Licensed Ware-house and Fire-brigade Act of 1883, shall, upon application in writing to the Chairman of the Commissioners, be entitled to obtain a license from the Commissioners, thereof as a warehouse under this Act, subject to the payment to the Commissioners of such annual fee as is hereinafter provided.

6. Any person proposing to use any building or place as a warehouse within the area to which this Act applies or may hereafter be extended, and who, at the commencement of this Act, does not hold such license under any of the said aforementioned previous Acts, shall, with his application for a license therefor, send to the Chairman of the Commissioners a plan in duplicate of such building or place prepared on a scale of 8 feet to the inch, and showing —

- (a) the boundaries of such building or place ;
- (b) the position of the engines and furnances used or proposed to be used in the warehouse ;
- (c) the space, if any, which has been reserved for the loading and unloading of carts thereat :

and thereupon it shall be within the discretion of the Chairman of the Commissioners to grant a license from the

Commissioners therefor as a warehouse under this Act, subject to the payment to the Commissioners of such annual fee as is hereinafter provided, or to refuse a license for the same: "

Provided that when a license is refused, the reason for such refusal shall be recorded in writing.

7. Every application for a license under the last preceding section shall be disposed of within thirty days from the date of its being received by the Chairman of the Commissioners, and if not disposed of within that period, the applicant shall not be liable to any penalties under this Act for the use, after the expiration of the said period of thirty days, of the building or place as a warehouse in respect of which such application shall have been made so long as such application is not finally refused by an order in writing under the hand of the Chairman of the Commissioners setting forth the grounds for such refusal.

8. Licenses under section six of this Act may be granted either permanently or for such term of years as the Chairman of the Commissioners shall think fit, and shall be subject to the following conditions, namely:—

(1) that the warehouse shall at all times be open to the inspection of an officer appointed by the Commissioner of Police. Such officer shall be a member of the Fire brigade, but shall not be a member of any Police Force:

(2) that the annual fee imposed in respect thereof be paid in advance

9. (1) With the consent of the Chairman of the Commissioners, any special committee of the Commissioners, not less than three or more than five in number whom the Commissioners in meeting shall in that behalf appoint, may exercise all or any of the powers and discretion under this Act vested in the Chairman of the Commissioners.

Period for disposal
of application for
license.

Term and conditions
of license

Special Committee
may exercise powers
of Chairman.

(2) The proceedings of such Committee shall not be submitted to the Commissioners in meeting or be subject to revision by them.

10. The annual fee payable in respect of any license shall
 Annual fee of not exceed ten per centum per annum on the
 license annual value of the warehouse as it is assessed to the payment of the municipal taxes, less ten per centum on the outlay incurred in respect of the means and appliances, therein or appertaining thereto, for preventing or extinguishing fire :

Provided that the annual fee payable by any owner or occupier in respect of license shall not exceed seven hundred and fifty rupees, and that estimated total annual amount to be derived from such fees shall not exceed fifty rupees per centum of the amount required to meet the cost of the fire brigade, as shown in the budget mentioned in section twenty-six of this Act.

Provided also that the owner or occupier of adjacent warehouses and the godowns, yards or compounds auxiliary to such warehouse shall not be bound to take out more than one license in respect of such warehouses, godowns, yards and compounds

"10A. Anything in this Act notwithstanding, a fee in respect
 Fee payable from of a license shall be payable on the fifteenth
 28th June, 1893 to day of March, 1894, in respect of every such
 31st March, 1894 building or place as is described in section five, by the owner or occupier thereof, for the period commencing on the twenty-eighth day of June, 1883, (the date on which this Act came into force) and ending on the thirty-first day of March, 1894, calculated on the basis of the annual fee which was payable in respect of warehouses under the provisions of section five of Bengal Act IV of 1883."

11. Whenever and so often as a change in the occupation
 Change in occupation of any warehouse occurs, the person entering
 of warehouse to be notified. into occupation of the same shall, within two
 weeks of his so entering into occupation, give notice in writing to

the Chairman of the Commissioners of such change of occupation, and shall thereupon pay to the Commissioners a fee of five rupees ; and his name shall accordingly be substituted in the license in respect of such warehouse for the name of the last occupier.

12. (1) Whenever the Chairman of the Commissioners receives credible information that any of the conditions, to which the license of any warehouse shall be subject, has been broken by the holder thereof, he may apply in writing, setting forth the substance of such information, to a Magistrate for the issue of a summons upon the holder of the license to show cause why such license should not be cancelled or suspended, and may also apply to such Magistrate to suspend in the meantime such license pending the hearing of the case.

(2) The Magistrate shall not make an order suspending such license unless he is satisfied that it is necessary to prevent or obviate immediate danger or injury of a serious kind.

(3) The summons issued under this section shall be served upon the said holder of the license named therein in the manner provided in the Code of Criminal Procedure, 1882, for the service of summons.

13. The Magistrate, before whom the case instituted under the last preceding section is brought on for disposal, may, if after taking evidence he be satisfied that there exist reasonable and proper grounds for cancelling or suspending the license, cancel such license, or may order the same for such time as he may think fit, to be suspended, and may impose such condition as to the reversal of such order of cancellation or suspension as may be consistent with the provisions of this Act for the grant of a license for a warehouse.

CHAPTER III.

Penalties.

14. Any person who, without taking out a license, use any building or place as a warehouse shall be liable, on conviction before a Magistrate, to a penalty not exceeding fifty rupees for each day during which he may so use or continue to use such warehouse.

15. Any person who uses any warehouse in respect of which a license has been refused, or after the license in respect thereof shall have been cancelled, or during the time for which such license shall have been suspended, shall be liable, on conviction before a Magistrate, to a penalty not exceeding two hundred rupees, and to a further penalty not exceeding fifty rupees for every day during which any such warehouse may be so used as aforesaid.

16. Any holder of a license who breaks any of the conditions under which a license is held in respect of any warehouse shall be liable, on conviction before a Magistrate, to a penalty not exceeding fifty rupees for any one such offence.

17. If, and so often as there be a change in the occupation of any warehouse, the persons entering into occupation fail to give the notice and to pay the fee required by section eleven of this Act, such person shall be liable, on conviction before a Magistrate, to a penalty not exceeding ten rupees for each day during which he may so use or continue to use such warehouse.

18. Any person who gives false information to the Chairman of the Commissioners with the object of inducing him to take action under section twelve of this Act shall, on conviction before a Magistrate, be liable to a penalty not exceeding fifty rupees.

19. Any owner or occupier of a warehouse who shall prepare or dry, or cause to be prepared or dried, any inflammable substance or thing, for the time being subject to the operation of this Act, on the top or roof of any building constituting or forming part of such warehouse shall be liable, on conviction before a Magistrate, to a penalty not exceeding fifty rupees for any one such offence.

20. Any person who shall use as a residence any portion of a warehouse used for the pressing or screwing of jute or cotton if jute or cotton be then stored therein, shall be liable, on conviction before a Magistrate, to a penalty not exceeding ten rupees for each day during which he may reside therein.

21. Any person who shall bring into a warehouse, used for the pressing or screwing of jute or cotton, if jute or cotton be then stored therein, or use therein, any matches or any artificial light unless duly and thoroughly protected shall be liable, on conviction before a Magistrate, to a penalty not exceeding ten rupees for any one such offence.

22. Any person who shall smoke within a warehouse used for the pressing or screwing of jute or cotton, if jute or cotton be then stored therein, shall be liable, on conviction before a Magistrate, to a penalty not exceeding ten rupees for any one such offence.

CHAPTER IV.

Funds.

23. The Commissioners shall pay to the Commissioner of Police half-yearly, in the months of May and November, such sums as are required to meet the cost of the fire-brigade as appear in the budget of the

Commissioner of Police, and in such proportion, respectively, as the Local Government shall, from time to time, prescribe.

24. The Commissioners shall rateably impose the annual fees payable for license under section ten of this Act upon all warehouses, and shall appropriate towards the cost of the fire-brigade the amount derived from such annual fees, and all penalties and fines imposed and all rates levied under this Act.

25. (1) The Commissioners may, for the purpose of further providing the cost of the fire-brigade, levy the following rates.—

Cost of fire-brigade how to be met.
Rates may also be levied to provide for cost of fire-brigade.

- (a) a rate not exceeding two and-a-half per centum on the annual value, as it is assessed to the payment of municipal taxes, on any building or place used for the storage of any other inflammable substance or thing not specifically mentioned in clause (8) of section three of this Act, which the Local Government may, by a notification to be published in Calcutta Gazette, declare to be liable for the payment of such rate;

Provided that the rate payable by any owner or occupier in respect of any building or place under this clause shall not exceed one hundred rupees;

- (b) a rate not exceeding one-half per centum on the annual value, as it is assessed to the payment of municipal taxes, on all basti lands with the huts, if any, upon them;
- (c) a general rate not exceeding one-eighth per centum on the annual value of all houses and land assessed under the provisions of the Bengal Municipal Act, 1884, and the Calcutta Municipal Consolidation Act, 1888.

(2) Any building or place in respect of which a license has been granted under this Act as a warehouse, which

has been assessed under clause (a), and any basti land assessed under clause (b), shall be exempt from further assessment under clause (c).

26. (1) The Commissioner of Police shall prepare annually in or before the month of February a budget or estimate of the receipts and expenditure of the fire-brigade for the year commencing on the 1st of April next ensuing, and shall distinguish in the receipts of such budget the proportionate sums to be contributed by the several municipalities to which this Act extends or shall hereafter be extended; and shall also show any balance of receipts remaining unexpended, after providing for any legitimate charge against the funds of the fire-brigade, and in like manner, if there be a deficit, shall show such deficit at the close of the previous year, and such credit or debit balances shall be taken into account by the Local Government in fixing the sum to be annually contributed by the municipalities concerned under this Act.

(2) Such budget shall be laid before the Commissioners at a meeting, and shall be forwarded by them to the Local Government with such remarks as they shall think fit to record; and it shall be within the discretion of the Local Government to pass, modify or reject the estimates of all or any sums entered in such budget.

27. Any sum standing at the credit of the Jute Warehouse Fund of the municipalities abovenamed, or at the credit of any fund appropriated to the maintenance of the fire-brigade under the provisions of Act IV of 1883 at the time when this Act comes into force, shall be appropriated as an asset of the Fire-brigade Fund under this Act.

28. The provisions of the Bengal Municipal Act, 1884, and the Calcutta Municipal Consolidation Act, 1888, relating to the recovery of rates levied under those Acts, respectively, shall, so far as they are consistent

with this Act, apply to the recovery of rates levied under section twenty-five of this Act :

Provided that the rates levied under this Act in Calcutta shall be included with the four rates mentioned in section one hundred and one of the Calcutta Municipal Consolidation Act, 1888, as one consolidated rate.

29. The Local Government may fix the proportionate liability for the cost of the fire-brigade to be borne by the Commissioners of the municipalities to which this Act applies or may hereafter be extended, and may from time to time alter the proportions in which the Commissioners of any or all the municipalities, for the time being subject to the operation of this Act, are liable for the payment of the said sum.

Local Government to fix proportionate liability for cost of fire-brigade to be borne by Commissioners

liability for the cost of the fire-brigade to be borne by the Commissioners of the municipalities to which this Act applies or may hereafter be extended, and may from

time to time alter the proportions in which the Commissioners of any or all the municipalities, for the time being subject to the operation of this Act, are liable for the payment of the said sum.

CHAPTER V

Fire-brigade.

30. The Commissioner of Police shall maintain an efficient fire-brigade for the municipalities or such portions thereof that are for the time being subject to the operation of this Act.

Commissioner of Police to maintain fire brigade for municipalities

Power of Local Government to make orders with respect to fire-brigade.

think it—

for appointing or removing any member or officer of the force ;

for furnishing the fire-brigade with such fire-engines, fire-escapes, horses, accoutrements, equipments, tools and implements as it may think proper ,

for building or providing stations or hiring places for the keeping of the force, engines, horses and appurtenances ,

for giving gratuities to persons who have given notice of fires and to those who have rendered effective service to the brigade, on the occasion of fires ;

for the training, discipline, good conduct, salaries and pensions of the members of the force ;

for the speedy attendance of such members with engines and all necessary implements on the occasion of any alarm of fire ;

for sending the force, engines and appurtenances beyond the limits of the area to which this Act extends, in order to extinguish fire in the neighbourhood of the said limits ;

for imposing and summarily realizing a fine not exceeding one week's wages from any member of the brigade who may infringe these orders, and,

generally, for the maintenance of the fire-brigade in a due state of efficiency.

(2) Such orders shall be published in the Calcutta Gazette and shall take effect from the date of such publication.

32 (1) On the occasion of a fire, the Commissioner of Police, &c., may exercise certain powers on occasion of a fire

Commissioner or Deputy Commissioner of Police, or the Chief or other officer in charge of the fire-brigade on the spot, may—

(a) remove, or may order any member of the brigade to remove, any persons who by their presence interfere with the due operations of the brigade,

(b) by himself or by his men break into or through, or pull down, any premises for the purpose of putting an end to the fire, doing as little damage as possible,

(c) cause the mains and pipes of any district to be shut off, so as to give greater pressure of water in the place where the fire has occurred ;

(d) call on the officer in charge of the Port Commissioners' fire engine to render such assistance as may be possible, in the case of any fire occurring near river bank, and,

(e) generally take such measures as may appear necessary for the preservation of life and property.

(2) The Commissioner or Deputy Commissioner of Police, or the Chief Officer on the spot in charge of the brigade, may verbally nominate and depute one or more officers of the brigade to act at a distance; and such officer or officers shall have for the time being the like powers as the Chief Officer himself possesses under this section.

33. Police-officers of all grades shall be authorized to aid the fire-brigade in the execution of its duties. Police-officers to aid fire-brigade in execution of its duties. They may close any street in or near which a fire is burning, and they may, of their own motion or on the request of the Chief or other Officer of the fire-brigade, remove any persons who interfere by their presence with the operations of the fire-brigade.

34. No officer of the police or of the fire-brigade shall be held liable to damages on account of any act done by him in the bona fide belief that such act was required in the proper execution of his duties. Non-liability of police-officer, &c., to damages.

35. (1) In the case of any fire occurring within the area to which this Act applies, the Chief Officer of the fire-brigade shall ascertain the facts as to the origin and cause of such fire, and shall make a report thereon to Magistrate having jurisdiction in the place in which such fire shall have occurred; and the said Magistrate, in any case where he may see fit, shall summon witnesses and take evidence in order to the further ascertainment of such facts. Chief Officer of brigade to enquire into origin of fire and to make report to Magistrate.

(2) Copies of all reports and of all evidence recorded under this section shall be furnished on application to any Fire Assurance Company or other person interested, on payment of the fees payable for the copies of judicial proceedings.

CHAPTER VI.

Fireworks, &c.

36. (1) Whoever within the area to which this Act applies or to which it may hereafter be extended, shall let off rockets, &c. and selling fireworks without license. a license from the Commissioner of Police, and whoever shall sell fireworks without a license from the Commissioner of Police, for which a yearly fee not exceeding ten rupees shall be payable, shall be liable, on conviction before a Magistrate, to a penalty not exceeding fifty rupees for every such offence.

(2) All such fees received by the Commissioner of Police shall be applied by him towards the maintenance of the fire brigade.

Power of Commissioner of Police to withdraw or suspend license.

37. The Commissioner of Police may, at his discretion, withdraw or suspend any license granted by him under the last preceding section :

Provided that a license to sell fireworks shall not be withdrawn or suspended except after thirty days' notice.

38. The powers conferred on the Commissioner of Police in respect to Calcutta and the Suburbs by the two last preceding sections, shall be exercised in the municipality of Howrah by the Magistrate of the district, or the officer in charge of the current duties of the Magistrate's office

39. In the event of any rockets being let off or fire-balloons sent up, within the precincts of any private premises or compound without the express permission in writing of the Commissioner of Police or the Magistrate or officer as aforesaid, as the case may be, the owner or occupier, or person under whose immediate control the said premises or compound

Magistrate of Howrah to exercise certain powers of Police

Penalty on householder for allowing rockets, &c., to be let off within premises without express permission.

is, shall be liable to a fine not exceeding fifty rupees, unless he can prove that the offence was committed without his knowledge.

CHAPTER VII.

Miscellaneous

40. The Local Government may, on the recommendation of the Commissioners in meeting, declare that any building or place used for the storing, or pressing, or keeping of any inflammable substance or thing other than those specified in clause (8) of section three of this Act shall be a warehouse within the meaning of, and be subject to the operation of, this Act.

See notes at the end of this Act.

41. (1) The Commissioners of the several municipalities to which this Act extends shall submit a report to the Local Government once a year, at such time as the Local Government shall direct, giving a statement of account of receipts and disbursements, and showing how the provisions of this Act have been carried out, and specifying the warehouses in respect of which licenses have been granted.

(2) The Commissioner of Police shall make a similar report showing the constitution, assets and the working of the fire-brigade during the year, the receipts and expenditure in respect thereof and the proceedings taken by him under sections thirty-six and thirty-seven of this Act.

(3) Such reports shall be forthwith published in the Calcutta Gazette.

42. Any person committing any offence in respect of which a penalty is provided by section thirty-six of this Act may, if his name and address be unknown, be arrested by any officer of police and forthwith conveyed before a

Police officer may arrest offenders under section 36 and convey them before Magistrate.

Magistrate having jurisdiction in the place in which such offence has been committed or shall be taken to the nearest police-station within the said jurisdiction, in order that such person may be detained until he can be brought before a Magistrate, or until he shall enter into a recognizance with or without sureties for his appearance before a Magistrate.

43. Whenever such person shall be taken to a police-station, the officer in charge of such station shall, as soon as possible, but in every case within twenty-four hours, cause him to be conveyed before a Magistrate having jurisdiction in the matter.

44. Every license granted under Chapter II of this Act shall, as far as possible, be in the form of the Schedule to this Act annexed.

45. (1) Nothing in this Act shall be deemed to apply to buildings or places wherein small quantities of jute, cotton, resin, varnish, pitch, tar, hay, straw, rags, tallow, wood or other inflammable substance or thing for the time being subject to the operation of this Act are deposited.

(2) The Local Government may from time to time declare by notification in the Calcutta Gazette, what quantities of jute, cotton, resin, varnish, pitch, tar, hay, straw, rags, tallow, wood or other inflammable substance or thing as aforesaid, shall be deemed to be small quantities within the meaning of this section.

Small quantities.—See notes at the end of this Act.

46. Sections three hundred and forty-seven of the Calcutta Municipal Consolidation Act, 1888, and two hundred and sixty-one of the Bengal Municipal Act, 1884, are hereby repealed, in so far as they entitle the Commissioners to levy fees in respect of premises licensed as depots for hay, straw, wood, rags, jute or

other dangerously inflammable material which are licensed and used as ware-houses under this Act.

46A. Anything in the last preceding section notwithstanding, the Commissioners are hereby
 Operation of section 46 suspended. authorised to levy fees under sections three hundred and forty-seven of the Calcutta Municipal Consolidation Act, 1888, and two hundred sixty-one of the Bengal Municipal Act, 1884, as the case may be, up to the thirty-first day of March, 1894, and it is hereby declared that the repeal of the said sections, in so far as the power is withdrawn from the Commissioners of levying fees in respect of premises licensed as depots for hay, straw, wood, rags, jute or other dangerously inflammable material which are licensed and used as warehouses under this Act, shall not take effect until the first day of April 1894.

The section is new and has been added by section 5 of Beng. Act I of 1894.

SCHEDULE.

(Referred to in section 44.)

License under Bengal Act	of 18
No.	of 18

The Corporation of Calcutta (or the Municipal Commissioners, as the case may be) hereby grant unto
 this license under Bengal Act of , to store (or press and keep) jute (or cotton, resin or other inflammable substance or thing, as the case may be) in building or place, No. or Nos. Calcutta (or No. or Nos. Howrah, as the case may be), subject to the conditions noted on the back, and they hereby acknowledge to have received the sum of Rs. , being the license fee due by the said from to 189 in respect

(CCXXXI)

of the aforesaid premises, at the rate of Rs. per annum.

Name of owner

Name of occupier

Secretary to the Corporation

(or to the Municipal Commissioners).

The day of

(on the back of the license.)

CONDITIONS.

(1) The warehouse or warehouses in respect of which this license is granted shall at all times be open to the inspection of an officer appointed by the Commissioner of Police as provided by section eight of the Licensed Warehouse and Fire-brigade Act, 1893.

(2) The annual fee imposed in respect to this license shall be in advance.

Change.

The words "on the back of the license" and "in advance" were substituted for the words "on the back of schedule" and "(here state annual or other date for payment of license fee)" respectively by section 6 of Beng. Act I of 1894.

Notes.

Buildings and places in *Howrah*, used for storing or keeping rattan canes (raw unmanufactured article) or empty barrels, declared warehouse, and subject to the operation of this Act.—*Notification No. 195M.—The 20th January 1913, Cal. Gaz., 22nd January, 1913.* Buildings and places in *Howrah* used for storing