

9. After the expiry of one month from such publication, and after calling for any further information which it may require and considering any objections which may be preferred, the Local Government may either reject the application or sanction it :

Provided that where the Local Authority is any one of the Corporations mentioned or referred to in clause (a) of the proviso to section 8 of the Act, the Local Government, if it approves the application, shall not itself proceed to sanction it unless it is authorised so to do by some special enactment for the time being applicable to the Corporation, but shall refer the application for the orders of the Governor-General in Council.

10. The Local Government shall make such provision as may seem to be necessary for the proper inspection of all works which are being carried out by means of a loan, and for ascertaining and securing that the loan is duly applied to the purposes for which it is raised. Every such work, and the accounts connected therewith, shall be open at all times to the inspection of the Superintending or Executive Engineer in whose division the work is situate, and of any person who may be authorised to inspect the accounts of the Local Authority, and of any other person specially authorised by the Local Government in this behalf.

11. The cost of any enquiry made under Rule 6, of advertisements published under Rule 8, of inspections made under Rule 10, and of any other proceedings by order of the Local Government or the Governor-General in Council under these Rules, shall be determined by the Local Government and shall be paid by the Local Authority.

12. The Local Authority shall give to the Accountant-General and the Local Government any information which they may require regarding the expenditure of the loan and regarding its funds.

13. An attachment of any funds under section six of the Act shall be made by a notice to the Local Authority prohibiting the collection or management of such funds by the Local Authority, and vesting the administration thereof in such officer as the Local Government may appoint. Such notice shall be published in the local official Gazette, and otherwise, as may be directed by the Local Government,

within the local limits of the area subject to the control of the Local Authority. The moneys collected or received under such attachment shall be paid to the lender, and the accounts of moneys so collected, and of the cost of the collection, shall be prepared in such form as the Local Government may from time to time direct. A copy of the accounts shall be delivered to the Local Authority, and published in the local official Gazette.

MUNICIPAL DEPARTMENT.

MUNICIPAL. Cir. No. 49M.

Calcutta, the 23rd December 1892.

FROM

H. J. McINTOSH, Esq.,

Under-Secretary to the Government of Bengal,

TO

THE COMMISSIONER OF.....

SIR,—As applications for loans required by local bodies are not always submitted in proper form, and much time is lost and trouble caused in putting them right, I am directed to forward, for your information and for communication to Municipalities and District Boards in your Division, copies of a specimen form of application, together with an extract, Appendix F of the Civil Account Code, Vol. II., which furnishes a table for calculating repayments with interest thereon; and to request that in future all applications for loans may be submitted in the form now prescribed, the instalments of repayments being calculated according to the table enclosed.

I have, &c.,

H. J. McINTOSH.

Under-Secy. to the Govt. of Bengal.

Application from the.....for a loan of Rs.....

1	The work or works for the construction or repairs of which the loan is required, and an estimate of the cost thereof.	
2	The amount which it is proposed to borrow.	
3	The fund or funds on the security of which it is proposed to borrow.	
4	The law or laws under which the said fund or funds is or are levied, received or held.	
5	The period for which the loan is required.	(a)
6	Rate of interest.	(b)
7	The number of the instalments, if any, in which it is proposed that the loan should be taken.	(c)
8	The amount of each instalment.	(d)
9	The dates proposed for receiving such instalment.	(e)
10	Date of instalments, if any.	(f)
11	Amount of each instalment.	
12	Sources from which the revenue was derived.	Revenue.
13	Amount for 18 .	
14	Amount for 18 .	
15	Amount for 18 .	Expenditure.
16	Objects on which the expenditure was incurred.	
17	Amount for 18 .	
18	Amount for 18 .	
19	Amount for 18 .	
20	All existing prior charges upon the funds of the local authority.	
21	REMARKS.	

RECEIPT OF LOAN.

REPAYMENT OF LOAN.

A DETAILED ACCOUNT OF THE REVENUE AND EXPENDITURE OF THE LOCAL AUTHORITY FOR THE THREE LAST PRECEDING YEARS.

APPENDIX F.
CIVIL ACCOUNT CODE. VOL. II.

Calculations of re-payments of Loans by equal instalments.

THE annexed table shows the instalments by which a loan of one lakh of rupees will be refunded by periodical instalments in a given number of years, interest being calculated at 4, $4\frac{1}{2}$, 5, $5\frac{1}{2}$, 6 and $6\frac{1}{2}$ per cent.

In the left-hand column, under each term, interest is added, and recovery of the instalment due made at the end of each year; in the right-hand column interest and instalment are supposed to be due half-yearly :—

Per cent.	Five years.		Ten years.		Fifteen years.		Twenty years.		Twenty-five years.		Thirty years.	
4	22,463·0	11,132·4	12,329·2	6,115·65	8,994·14	4,464·96	7,358·18	3,655·55	6,401·21	3,182·32	5,783·01	2,876·78
$4\frac{1}{2}$	22,779·3	11,278·9	12,637·9	6,264·19	9,311·41	4,619·94	7,687·64	3,817·69	6,743·92	3,351·84	6,139·15	3,053·53
5	23,037·6	11,425·7	12,950·3	6,414·69	9,634·21	4,777·76	8,024·25	3,983·62	7,095·23	3,520·80	6,505·15	3,235·33
$5\frac{1}{2}$	23,417·6	11,574·5	13,266·7	6,567·2	9,962·6	4,938·6	8,307·9	4,153·2	7,454·9	3,704·2	6,880·5	3,422·0
6	23,740·0	11,723·0	13,586·8	6,721·6	10,296·3	5,101·9	8,718·4	4,326·2	7,822·6	3,886·5	7,264·9	3,613·3
$6\frac{1}{2}$	23,901·3	11,798·1	13,748·2	6,799·5	10,465·0	5,184·7	8,896·2	4,414·0	8,009·5	3,979·3	7,460·3	3,710·6

THE MUNICIPAL TAXATION ACT, 1881.

ACT No. XI OF 1881.

(Received the assent of the Governor-General on the 25th February 1881.)

An Act to give power to prohibit the levy of Municipal taxes in certain cases.

WHEREAS it is expedient to empower the Governor-General in Council to prohibit, in certain cases, the levy of Municipal taxes payable by persons in the military service or by the Secretary of State for India in Council; It is hereby enacted as follows :—

- | | |
|--------------------------------|--|
| Preamble. | 1. This Act may be called "The Municipal Taxation Act, 1881." |
| Short title. | It extends to the whole of British India : |
| Local extent. | and shall come into force at once. |
| Commencement. | 2. In this Act "Municipal Committee" includes a Municipal Corporation or a body of Municipal Commissioners constituted by or under the provisions of any enactment for the time being in force. |
| "Municipal Committee" defined. | 3. Notwithstanding anything contained in any enactment for the time being in force, the Governor-General in Council may, by an order in writing, prohibit the levy by a Municipal Committee of any specified tax— |
| Power to prohibit levy of tax. | (a) payable by any person subject to the Army Discipline and Regulation Act, 1879, or the Indian Articles of War, who is compelled by the exigencies of military duty to reside within the limits of a Municipality ; or |
| | (b) payable by the Secretary of State for India in Council. |

The Governor-General in Council may, by a like order, rescind any such prohibition.

No. 2—54, dated Simla, the 17th June 1885.

From—A. MACKENZIE, Esq., C.S., Secy. to the Govt. of India, Home Dept.,

To—The Secretary to the Government of Bengal, Municipal Dept.

I AM directed to invite attention to paragraph 2 of Home Department Circular Letter No. 5—165-173 of the 18th November 1881 (quoted in the margin), regarding the exemption

The Governor-General in Council does not propose to issue any General Order under clause (b) of section 3 of the Act regarding the exemption of Government property from Municipal taxation; but His Excellency in Council will be prepared to take action under that clause if any case of inordinate assessment of Government property is brought to notice for which redress cannot be obtained under the ordinary Municipal law.

of Government property from Municipal taxation. As it appears possible that the wording of the paragraph in question may convey a misapprehension of the intentions of the Government of India regarding the application of the provisions of clause (b), section 3 of Act XI of 1881, the Governor-General in Council considers it desirable to explain that that clause was framed mainly with a view to enable the Government to deal with cases of assessment of Government property when the property to be assessed is from its nature such as not to admit of the application of ordinary principles in assessing the payment thereon of any particular tax; as, *e.g.*, when the assessment is on the letting value, and the property is of such a nature that it is difficult to conceive its being let and impossible to form any estimate of the rent that would be obtained for it if

the Government offered to let it. It was the intention of the Act of 1881 to enable the Government to deal with such cases, failing an amicable (though possibly arbitrary) settlement with the local authority concerned, by at once issuing an order of prohibition under section 3, clause (b), and appointing an officer under section 5, without entering upon any formal argument or attempting to contest the matter by way of appeal or otherwise. In cases, however, in which there are no such peculiar circumstances attaching to the Government property assessed, as, *e.g.*, where it consists of ordinary dwelling-houses, the assessment should either be accepted, or, if it appears unduly high, proceedings should be taken to obtain redress under the ordinary Municipal law, and recourse should not be had to the special provisions of the Act of 1881.

2. I am to request that, with the permission of His Honor the Lieutenant-Governor, the above principles may be carefully borne in mind if any question should arise in the Lower Provinces as to the application of the Act.

4. So long as any order made under section three, prohibiting the levy of a tax on any person mentioned in clause (a) of that section, remains in force, the Secretary of State for India in Council shall be liable to pay to the Municipal Committee mentioned in the order the amount which otherwise would have been payable to such Committee by such person :

Secretary of State in Council to pay taxes referred to in section 3, clause (a).

Provided that the said Secretary of State in Council shall not be liable to pay any sum in respect of any horse which such person is bound, by the regulations of the service to which he belongs, to keep.

5. So long as any order made under section three prohibiting the levy of any tax payable by the Secretary of State for India in Council, remains in force, the said Secretary of State in Council shall be liable to pay to the Municipal Committee, in lieu of such tax, such sums (if any) as an officer from time to time appointed in this behalf by the Local Government may, having regard to all the circumstances of the case, from time to time determine to be fair and reasonable.

6. If any question arises whether any duty is military duty within the meaning of this Act, the decision of the Governor-General in Council thereon shall be conclusive.

If any question arises whether any person is compelled as aforesaid to reside within the limits of a Municipality, or is bound as aforesaid to keep any horse, the decision thereon of such authority as the Governor-General in Council may, from time to time, appoint in this behalf, shall be conclusive.

THE CALCUTTA HACKNEY-CARRIAGE ACT, 1891.

ACT No. II OF 1891.

PASSED BY THE LIEUTENANT-GOVERNOR OF BENGAL IN COUNCIL.

(Received the assent of the Lieutenant-Governor on the 9th August 1891, and of the Governor-General on the 11th September 1891.)

An Act to consolidate and amend the law relating to Hackney-Carriages and Palanquins in Calcutta.

WHEREAS it is expedient to consolidate and amend the law relating to Hackney-carriages and Palanquins in Calcutta; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Act may be called “The Calcutta Hackney-Carriage Act, 1891.”

Title.

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

(3) It shall apply to Calcutta as hereinafter defined, and
 Application and may be extended from time to time to any
 extension of Act. other town or place in Bengal by a notification
 published in the *Calcutta Gazette*.

Repeal. 2. (1) Acts V of 1863 and IV of 1878
 are hereby repealed.

(2) This repeal shall not affect the validity of anything
 Savings. done or suffered, or of any right, title, ob-
 ligation or liability which may have ac-
 crued, and all appointments, extensions and registrations
 made, licenses issued, notifications published, penalties in-
 curred, and other things duly done under any such enactments
 shall, so far as they are consistent with this Act, be deemed
 to have been respectively made, issued, published, incurred or
 done hereunder.

(2) All references made to any such enactment shall, as far
 as may be practicable, be deemed to be made to this Act.

(4) All proceedings now pending which may have been
 commenced under any such enactment shall be deemed to be
 commenced under this Act.

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

(1) “Calcutta” (subject to the inclusion or exclusion of
 any local area by the Local Government under section four)
 means Calcutta as defined by the Calcutta Municipal Consoli-
 dation Act, 1888.

(2) “Hackney-carriage” means any wheeled vehicle
 drawn by horses and used for the conveyance of passengers
 which is kept or offered, or plies for hire by the hour or day
 or according to distance; but shall not include any carriage
 used wholly upon any railway or tramway.

(3) “Horse” includes mule and pony.

(4) “Stage-carriage” means any hackney-carriage, the
 passengers in which shall be charged or shall pay separate
 and distinct fares, or shall be charged or pay, at the rate of
 separate and distinct fares, for their respective places or seats
 therein or conveyance thereby.

(5) "The Commissioners" means the Corporation of Calcutta.

4. The Local Government may, by notification published in the *Calcutta Gazette*, exclude from Calcutta any local area or include therein any local area in the vicinity of the same, and define in the notification:

Provided that where the local area to be included is a Military Cantonment or part of a Military Cantonment, a notification shall not be published under this section in respect of it without the previous sanction of the Governor-General in Council.

Proviso.

CHAPTER II.

REGISTRATION OF HACKNEY-CARRIAGES.

5. (1) Every hackney-carriage in Calcutta shall be annually registered by a Registering Officer who shall be appointed for the purpose by the Commissioners, and who shall keep a register in which he shall enter every hackney-carriage under either the first, the second or the third class.

Hackney-carriages to be registered annually.

(2) Every act, matter or thing done by the Registering Officer, under or by virtue of this Act, shall be subject to the control of the Chairman of the Commissioners.

Registering Officer to be under control of Chairman of Commissioners.

(3) The appointment and removal of such Registering Officer shall be subject to the provisions of section forty-one of the *Calcutta Municipal Consolidation Act, 1888*.

Appointment and removal of Registering Officer.

6. The year of registration shall commence on the first day of October of each year and shall terminate on the thirtieth day of September following.

Time and duration of registry.

7. (1) The owner of any carriage, who is desirous of registering it has a hackney-carriage, shall apply to the Registering Officer stating the class in which he desires that the carriage may be registered, and shall submit the carriage for the inspection of the Registering Officer.

Application for registry.

(2) The Registering Officer shall decide whether the carriage is fit to be registered in the class applied for and shall register it in that class or refuse to grant the application.

Application may be granted or refused.

(3) The person in whose name any carriage is registered shall be deemed the owner of such carriage for the purposes of this Act.

"Owner" of carriage.

8. (1) The Registering Officer shall, at the time of registration, deliver a license duly signed by him to the owner of every hackney-carriage.

License to be delivered to owner.

Duration of license.

(2) Such license shall be in force for the year of registration.

Particulars of register and license.

9. The following particulars shall be entered in the register and shall be specified in the license to be given to the owner :—

- (a) the class and the number assigned to the carriage in the register ;
- (b) the name and residence of the owner, the description of the carriage, and the place where such carriage is intended to be kept ;
- (c) the number and description of horses to be employed in drawing such carriage, and the place where such horses are intended to be kept ;
- (d) the number of persons the carriage is licensed to carry.

10. A fee of four rupees shall be paid for each registration of a carriage of the first class, a fee of three rupees for each registration of a carriage of the second class, and a fee of two rupees for each registration of a carriage of the third class.

Fee of registration.

11. The Registering Officer may suspend for such period as he thinks fit or cancel the registration of any carriage and the license granted to the driver under this Act, whenever it shall appear to him that such carriage or any horse or harness used with such carriage is unfit for public use ; due regard being had to the class in which such carriage is registered.

Registration of carriage and driver's license may be suspended or cancelled.

12. (1) Whenever any change shall take place in the ownership of a hackney-carriage, if the person to whom such carriage shall have been transferred shall desire to use it as a hackney-carriage, he shall before so using it give to the Registering Officer notice in writing of such transfer, and shall include in such notice the particulars specified in clauses (b) and (c) of section nine.

(2) If any such person shall, before giving such notice as aforesaid, use such carriage as a hackney-carriage, he shall be liable to a fine not exceeding five rupees for every day during which he shall so use the same.

13. (1) Whenever the owner or driver of a registered hackney-carriage shall change his residence or the place where such carriage and horses are kept, he shall, within one week from the date of such change, give to the Registering Officer a notice in writing which shall include the particulars specified in clauses (b) and (c) of section nine.

(2) Every such owner or driver who shall neglect to give such notice shall be liable for every such offence to a fine not exceeding ten rupees.

14. The Registering Officer, on receiving the notices specified in either of the two last preceding sections, shall make the necessary alteration in the register and in the license; and a fee of eight annas shall be chargeable in respect thereof.

15. (1) Whoever keeps or is the proprietor of any hackney-carriage which has not been duly registered under this Act shall be liable to a fine not exceeding one hundred rupees.

(2) Any Police Officer or any person duly authorised by the Commissioners in that behalf and wearing a distinctive badge to indicate his official capacity may seize and remove to a police-station such carriage, together with the horse drawing the same.

(3) If the hackney-carriage or horse so seized be not claimed, and if any fine imposed be not paid, together with any costs or charges incurred, within ten days of such seizure or imposition of such fine respectively, such carriage and the horse seized

therewith may be sold by auction, and the proceeds applied to the payment of the fine and all costs and charges incurred on account of the detention and sale.

- (4) The surplus, if any, if not claimed by the owner within a further period of twenty days, shall be credited to the Hackney-carriage Fund.
- When surplus to be credited to Hackney-carriage Fund.

CHAPTER III.

PLATE ON HACKNEY-CARRIAGE.

16. Upon the registration of any hackney-carriage, the Registering Officer shall provide a plate bearing the class and the number of such carriage in the register and the number of persons it is licensed to carry, and shall cause such plate to be affixed on some conspicuous part of the outside of the carriage.

Plate to be affixed outside carriage.

17. If any hackney-carriage shall be let, used, or ply for hire without having a proper plate duly affixed as required by the last preceding section, the owner thereof shall be liable to a fine not exceeding fifty rupees.

Penalty for using carriage without plate.

18. Whenever the words or figures on any plate shall, during the term of the license, become indistinct or obliterated, and also whenever any plate shall have been lost or stolen, the owner of the hackney-carriage on which such plate was affixed shall deliver such plate (if he shall have the same in his possession) to the Registering Officer, and shall be entitled to have a new plate affixed upon payment of one rupee :

New plate may be had on loss or obliteration of former one.

Provided that if any plate which shall have been proved to have been lost or stolen shall afterwards be recovered, the same shall forthwith be delivered to the Registering Officer ; and every person in or into whose possession any such plate as last aforesaid shall be or come and who shall refuse or neglect for three days to deliver the same to the said Registering Officer, and also every registered owner who shall use or permit to be used any plate after the writing thereon shall have become indistinct or obliterated shall, for every such offence, be liable to a fine not exceeding ten rupees.

Penalty for using obliterated plate or for failing to deliver lost plate when recovered.

19. (1) On the expiration or other determination of the registration, the owner of every hackney-carriage shall cause the plate of such hackney-carriage to be delivered to the Registering Officer.

(2) Any person who, after the expiration of the period aforesaid, shall wilfully neglect for three days to deliver the plate to the said Officer, and every person who shall retain any plate affixed in respect of a registration which is no longer in force shall, for every such offence, be liable to a fine not exceeding fifty rupees.

20. (1) Every person who shall, for the purpose of deception, use or have any plate resembling or intended to resemble any plate affixed under this Act shall, for every such offence, be liable to a fine not exceeding two hundred rupees.

(2) It shall be lawful for any Police Officer or any person employed for the purposes of this Act by the Registering Officer, to seize and take away any plate used or had as aforesaid wheresoever the same may be found, and to deliver the same to the Registering Officer.

CHAPTER IV.

DRIVER'S LICENSE.

21. (1) It shall be lawful for the Registering Officer to grant a license to act as driver of any hackney-carriage to any person who shall apply for the same, and to whom it may seem proper to the said Officer to grant it:

Provided that no person shall be so licensed who is under sixteen years of age.

Particulars of license.

(2) Every such license shall contain—

- (a) the number of the license ;
 - (b) the name, father's name, place of abode, and age of the person to whom such license is granted ;
 - (c) the description of carriage and horses such person is licensed to drive ;
 - (d) the date on which the license was granted ;
- and shall bear the signature of the Registering Officer.

(3) The license shall continue in force for one year from the date thereof unless the same shall be sooner revoked or suspended.

Duration of license.

(4) For every such license there shall be paid a fee of two rupees.

Fee for license.

22. If any person shall act as the driver of a hackney-carriage without having a license in force for the time being, or having a license shall transfer or lend the same or allow the same to be used by any other person, he shall be liable to a fine not exceeding twenty rupees, and in default of payment of fine to imprisonment for a period not exceeding fourteen days.

Penalty for not having license or lending it out.

23. Any owner of a hackney-carriage who shall suffer any person not duly licensed under this Act to act as driver of any hackney-carriage of which he shall be the owner, shall be liable for every such offence to a fine not exceeding fifty rupees :

Penalty for suffering unlicensed person to act as driver.

Provided that

such owner and such unlicensed driver shall be subject to all the provisions of this Act, for any act done or omitted to be done by such driver during such employment in like manner as if such driver had been duly licensed.

Proviso.

24. The particulars of every license which shall be granted under the provisions of this Act shall be entered in books to be kept for that purpose at the office of the Registering Officer; and every person applying shall, at all reasonable times, be furnished with a certified copy of such particulars on payment of a fee of eight annas.

Particulars of license to be registered and copy given on payment of fee.

CHAPTER V.

DRIVER'S TICKET.

25. (1) The Registering Officer shall, at the time of granting a license to any driver of a hackney-carriage, deliver a metal ticket marked or engraved with a number corresponding with the number of his license.

Driver to wear metal ticket.

(2) Every driver to whom such ticket is delivered shall at all times while acting as driver or while attending before any Magistrate, carry such ticket exposed to view.

Driver to wear ticket exposed to view.

(3) In case any such driver shall omit to wear such ticket exposed to view while acting as driver or attending before a Magistrate, he shall be liable to a fine not exceeding ten rupees, and in default of payment of fine to imprisonment for a period not exceeding one month.

26. Whenever the number on any ticket shall, during the term of the license, become indistinct or obliterated, and also whenever any ticket shall have been lost or stolen, the person to whom the license relating to any such ticket shall have been granted shall deliver such ticket (if he shall have the same in his possession), and shall produce such license to the Registering Officer, and such person shall then be entitled to have a new ticket delivered to him upon payment of eight annas :

Provided that if any ticket which shall have been proved to have been lost or stolen shall afterwards be recovered, the same shall forthwith be delivered to the Registering Officer ; and every person in or into whose possession any such ticket as last aforesaid shall be or come who shall refuse or neglect for three days to deliver the same to the said Registering Officer, and also every person licensed under the authority of this Act who shall use or wear the ticket granted to him after the writing thereon shall have become indistinct or obliterated shall, for every such offence, be liable to a fine not exceeding ten rupees, and in default of payment of fine to imprisonment for a period not exceeding seven days.

* 27. (1) Upon the expiration or other determination of any license granted to a driver under this Act, such driver shall deliver such license and the ticket relating thereto to the Registering Officer.

(2) Every driver who shall neglect for three days to deliver such expired license and ticket to the said officer, and also every person who shall use, wear or detain any such expired license or ticket or other than such as shall have been delivered to him under the provisions of this Act, and every person to whom any ticket shall have been delivered

as aforesaid who shall lend such ticket to any other person, and every person who shall wear or use the ticket of any other person shall, for every such offence, be liable to a fine not exceeding twenty rupees, and in default of payment of fine to imprisonment for a period not exceeding one month.

28. (1) Every person who shall for the purpose of deception, use or wear any ticket resembling or intended to resemble any ticket granted under the authority of this Act, shall, for every such offence, be liable to a fine not exceeding one hundred rupees, and in default of payment of fine to imprisonment for a period not exceeding one month.

(2) It shall be lawful for any Police-officer or any person employed for the purposes of this Act by the Registering Officer to seize and take away any such expired or counterfeit ticket wheresoever the same may be found, and to deliver the same to the Registering Officer.

29. (1) Whenever any driver shall be summoned to appear before any Magistrate to answer any charge preferred against him under this Act, he shall carry with him his license and produce the same if required so to do; and any driver who shall on such requisition fail to produce such license shall, for every such offence, be liable to a fine not exceeding five rupees, and in default of payment of fine to imprisonment for a period not exceeding seven days.

(2) It shall be lawful for any Magistrate, on conviction of any driver of any offence under this Act, to endorse on such license the nature of the offence, the date of the conviction and the amount of the penalty inflicted.

30. (1) It shall be lawful for any Magistrate before whom any driver shall be convicted of any offence, whether under this Act or under any other Act, to revoke the license of such driver or to suspend the same for such time as the Magistrate shall think proper, and for that purpose to require the driver or any other person in whose possession such license and the ticket thereto belonging shall then be, to deliver up the same.

(2) Every driver or other person who being so required shall refuse or neglect to deliver up such license and such ticket, shall be liable for every such offence to a fine not exceeding twenty rupees, and in default of payment of fine to imprisonment for a period not exceeding fourteen days.

Penalty for refusal or neglect to deliver up license.

(3) The Magistrate shall forward every license and every ticket so delivered up to him to the Registering Officer, together with a memorandum of his sentence in the case.

Magistrate to send surrendered license to Registering Officer.

(4) The Registering Officer shall enter the fact of such sentence in the register referred to in section nine, and shall either suspend or cancel such license according to the sentence of the Magistrate; and if it has been suspended, the Registering Officer shall, on application at the end of the time of suspension, re-deliver such license or ticket to the person to whom it was granted.

Cancellation or redelivery.

CHAPTER VI.

FARES, HIRING AND PLYING FOR HIRE.

31. (1) The owner or driver of every hackney-carriage shall be entitled to demand and take for the hire of such carriage the fares specified in the first schedule to this Act :

Fares to be paid for hackney-carriages.

Provided that when the owner or driver of any hackney-carriage, to be paid a fare calculated according to the distance, shall be required by the hirer thereof to stop such carriage for any time or times amounting altogether to not less than fifteen minutes, it shall be lawful for the owner or driver to demand and receive from the hirer so requiring him to stop a further sum of one-fourth of the rate for the first hour, for every fifteen minutes that he shall have been so stopped.

Proviso.

(2) No owner or driver shall demand or receive over and above the said fare any sum for back fare for the return of the carriage from the place at which it was discharged :

Back fare not to be demanded.

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

Contract for lower fares to be binding.

32. (1) The owner of every registered hackney-carriage shall put up, and at all times keep distinctly printed, painted or marked in the English, Urdu and Bengalee languages, in such manner and in such position as shall be directed by the Registering Officer, on the inside of such carriage, the amount of fare according to distance and time which may legally be demanded and taken from the hirer of such carriage as a hackney-carriage.

Owner to keep list of fares inside carriage.
(2) Every such owner who shall fail to comply with the provision of this section shall, for each offence, be liable on conviction to a fine not exceeding ten rupees.

33. (1) The driver of every registered hackney-carriage shall (unless he has a reasonable excuse to be allowed by the Magistrate before whom the matter shall be brought in question) drive such carriage to any place to which he shall be required by the hirer thereof to drive the same, not exceeding six miles from the place where the same shall have been hired.

Distance driver bound to drive.
(2) When any such carriage shall have been hired by time, the driver thereof shall drive the same at a rate not less than four miles within one hour; and if the driver of such carriage shall be required to drive more than four miles within one hour, then in every such case the driver thereof shall be entitled to demand, in addition to the fare regulated by time in the first schedule to this Act for every mile or any part thereof exceeding four miles, the fare regulated by distance as set forth in that schedule.

Speed when hired by time.
(3) Any such driver failing without reasonable excuse to comply with the provisions of this section, shall be liable to a penalty not exceeding ten rupees, and in default of payment of fine to imprisonment for a period not exceeding seven days.

34. The driver of every registered hackney-carriage shall carry in or upon such carriage a quantity of luggage not exceeding two maunds, together with one additional maund for every person below four carried in the carriage without any additional charge.

Quantity of luggage to be carried free of charge.

35. Any owner, person in charge of any registered hackney-carriage or driver who shall without sufficient reason refuse to let such carriage for hire, shall be liable for every such offence to a fine not exceeding fifty rupees, and to pay such further sum by way of compensation to the party complaining as to the Magistrate who shall hear the case may seem just; and such further sum shall, in default of immediate payment, be levied in the mode provided for the levying of fines under this Act.

Penalty for refusing to let a carriage for hire.

36. Every driver of a hackney-carriage who shall—

- (a) be drunk during his employment;
- (b) make use of insulting or abusive language, or gesture;
- (c) stand (elsewhere than at some stand or other place appointed for the purpose) or loiter for the purpose of being hired in or upon any public street, road or place;
- (d) suffer his carriage to stand for hire across any street or alongside of any other carriage;
- (e) refuse to give way (when he reasonably and conveniently may do so) to any other carriage;
- (f) wilfully obstruct or hinder the driver of any other carriage in taking up or setting down any person into or from such other carriage;
- (g) wrongfully prevent or endeavour to prevent the driver of any other carriage from being hired;
- (h) demand or take more than the proper fare to which he is legally entitled;
- (i) refuse to admit and carry in his carriage the number of persons painted or marked on the registered plate affixed to such carriage or specified in the register;
- (j) carry more than such number of passengers;
- (k) refuse to carry by his carriage a reasonable quantity of luggage;
- (l) before he has been discharged by the hirer (being hired by time) desert from the hiring;
- (m) ply for hire with any carriage or horse which shall be at the time unfit for public use,

shall be liable to a fine not exceeding ten rupees, and in default of payment of fine to imprisonment for a period not exceeding seven days.

37. Any driver employed as such by the owner of any registered hackney-carriage who shall, without sufficient excuse, refuse or neglect to attend at the premises of such owner for the purposes of driving any such carriage, whereby such owner is prevented from letting out the same, shall, on complaint by such owner, be liable for each offence to a fine not exceeding ten rupees (which or any part of which may, by order of the Magistrate, be paid to the owner as compensation), and in default of payment of fine to imprisonment for a period not exceeding seven days.

38. (1) When a complaint is made before a Magistrate against the driver of a registered hackney-carriage for any offence committed by him against the provisions of this Act, such Magistrate may forthwith summon the owner of the carriage personally to appear and to produce the driver of such carriage to answer the complaint.

(2) If such owner, being duly summoned, shall, without a reasonable excuse, neglect or refuse personally to appear or to produce the driver according to such summons, he shall be liable to a fine not exceeding fifty rupees, and so from time to time as often as he shall be so summoned, until such driver shall be produced by him :

Provided that if such owner shall, without a reasonable excuse, neglect or refuse to appear and produce such driver on the second or any subsequent summons requiring him so to do, it shall be lawful for the Magistrate to proceed to hear and determine the complaint in the absence of the owner and driver, or either of them.

39. (1) If any person, who shall have hired a registered hackney-carriage, shall refuse to pay to the owner or driver thereof on demand the fare payable under this Act, it shall be lawful for the Magistrate to order payment of such fare and also of such compensation for loss of time as shall seem reasonable, and in default of payment such fare and compensation may be recovered in the same way as a fine.

(2) If any person who shall have used any such carriage shall attempt to evade payment of the fare or any portion of the same which he may be deemed liable to pay, he shall be liable to a fine not exceeding fifty rupees, or to imprisonment for a period not exceeding one month, in addition to the payment of such fare and compensation as hereinbefore mentioned.

Penalty for fraudulent evasion.

40. (1) Any person who shall maliciously or knowingly tear, destroy, deface, obliterate or remove any carriage-plate, table of fares or driver's ticket which shall have been granted under the provisions of this Act, shall be liable for every such offence to a fine not exceeding twenty rupees, and in default of payment of fine to imprisonment for a period not exceeding fourteen days.

Penalty for destroying carriage-plate, &c.

(2) Any portion of the fine may be awarded to the person to whom such carriage-plate, table of fares or driver's ticket shall belong.

Award of fine to owner of carriage-plate, &c.

41. Any person using a registered hackney-carriage who shall wilfully injure the same shall be liable to a fine not exceeding twenty rupees, and in default of payment of fine to imprisonment for a period not exceeding fourteen days; and shall also pay to the owner of the carriage such compensation for the injury as the Magistrate may direct.

Penalty for wilful injury to carriage.

42. In case of any dispute between the hirer and driver of any registered hackney-carriage, the hirer may, if any Magistrate be then sitting, require the driver to drive to the Court of such Magistrate, or, if no Magistrate be then sitting, to the Registering Officer; and if any driver shall refuse to obey such requisition, it shall be lawful for the hirer to give such driver into the custody of the nearest Police Officer; such Police Officer shall thereupon take the driver and the hirer together with the carriage and horse to such Court or Registering Officer, and the then sitting Magistrate or Registering Officer shall in either of the cases aforesaid hear and determine the dispute in a summary way.

Disputes how to be settled.

43. In the case of disputes as to the fare to be calculated according to the distance, any table or book signed by the Registering Officer shall, on proof of such signature, be taken to be conclusive evidence of the distances therein stated.

Table of distances signed by Registering Officer conclusive.

Hackney-carriage may ply for hire as stage-carriage.

44. (1) It shall be lawful for any registered hackney-carriage to ply for hire as a stage-carriage.

Fares for stage-carriages how to be determined.

(2) The owner or driver of a carriage so plying for hire or hired as a stage-carriage, shall not be subject to the provisions of section thirty-one of this Act, but shall be entitled to demand and take for the hire of such carriage such fares as shall be agreed upon between him and the several hirers respectively.

Hackney-carriages plying as stage-carriages subject to provisions of Act.

(3) All the other provisions of this Act shall be applicable to the case of a hackney-carriage plying as a stage-carriage, so far as the same shall be applicable in each particular instance.

45. (1) The Registering Officer shall from time to time appoint one or more stands in Calcutta for hackney-carriages registered under this Act, and may also assign for the use of such carriages, as public stands, any coach-houses, stables or sheds, or other suitable places.

Stands to be appointed.

(2) Every public stand so appointed or assigned shall have a board affixed in a conspicuous place in front thereof, containing a notice in the English, Urdu and Bengalee languages that the stand is a public stand under this Act.

Stands to have boards affixed in front of them.

CHAPTER VII.

PALANQUINS.

46. (1) Every palanquin plying for hire in Calcutta shall be annually registered by the Officer appointed for registering hackney-carriages at the time and in the manner hereinbefore provided with respect to the registration of hackney-carriages.

Palanquins to be registered annually.

Fee for registration. (2) Upon each registration a fee of eight annas shall be paid :

Provided that the Registering Officer may refuse to register any palanquin or may cancel the registration thereof whenever it may appear to him to be unserviceable or unfit for public use.

Refusal to register palanquins.

Particulars of register. 47. (1) The following particulars shall be entered in the register, namely—

- (a) the number of the palanquin ;
- (b) the name and residence of the owner.

(2) Every change of ownership or residence shall be notified to the Registering Officer, subject to the same provisions and penalties in default as are provided in the case of the owners of hackney-carriages.

Change of ownership or residence to be notified.

48. (1) The owner of every registered palanquin shall cause the registered number thereof to be painted in the English and Bengalee figures on a conspicuous part thereof.

Registered number to be painted on palanquin.

(2) The owner of any palanquin plying for hire without being registered or having the number affixed thereto as aforesaid, shall be liable to a fine not exceeding ten rupees.

Penalty for neglecting to register palanquin.

(3) The person in whose name a palanquin is for the time being registered shall be deemed the owner thereof for the purposes of this Act.

"Owner" of palanquin.

49. The owner of every palanquin shall put up and at all times keep distinctly printed, painted or marked in the English, Urdu and Bengalee languages, in such manner and in such position as shall be directed by the Registering Officer, on the inside of such palanquin the amount of fare according to distance and time which may be legally demanded and taken from the hirer of such palanquin.

Owner to keep list of fares inside palanquin.

50. (1) The owner or person in charge of every palanquin shall be entitled to demand and take for the hire of such palanquin the fares specified in the second schedule to this Act :

Fares to be paid for palanquins.

Provided that when the owner or person in charge of any palanquin to be paid a fare calculated according to the distance shall be required by the hirer thereof to stop such palanquin for fifteen minutes, or for any longer time, it shall be lawful for the owner or person in charge to demand and receive from the hirer, so requiring him to stop, a further sum of one-fourth of the rate for the first hour, for every fifteen minutes that he shall have been so stopped.

(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 :

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 provision of this Act in any way relating to the taking out, granting, renewing, producing or using the licenses, 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 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.

Speed when hired
by time.

(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.

Fare by distance
may be demanded in
addition to fare by
time.

(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 regard-
ing owners and drivers
of hackney-carriages
applicable to owners
and bearers of palan-
quins.

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.

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

Bye-laws when to take effect. (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.

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

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.
 Prosecutions to be instituted before Magistrate.

(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.
 Procedure in case of prosecutions.

(3) All fines imposed by a Magistrate under this Act shall be levied under the provisions of sections three hundred and eighty-six, three hundred and eighty-seven, three hundred and eighty-eight and three hundred and eighty-nine of the said Code.
 Fines how to be levied.

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

Liability to fine when incurred.

(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 whereof any persons 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.

Damage to property of Commissioners to be paid for.

(2) The amount of such damage shall be determined by the 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.

Amount of damage to be determined by Magistrate.

58. In any case in which a Magistrate is satisfied that a complainant had no reasonable ground for instituting a prosecution, 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.

Compensation for groundless prosecution.

CHAPTER X.

MISCELLANEOUS.

59. (1) The driver of every hackney-carriage and the 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.

Property left in carriage or palanquin to be deposited in police-station.

(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.

Police-officer to enter particulars in book

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

- (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 Commissioners shall cause such property to be sold, or otherwise disposed 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.

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

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

Fees and fines how to be dealt with.

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 powers 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."

Appointment of officers when Act extended beyond Calcutta.

Modifications in Act when extended beyond Calcutta.

(FIRST SCHEDULE, *see* next page.)

SECOND SCHEDULE.

(*Referred to in section 50.*)

RATES AND FARES TO BE PAID FOR PALANQUINS.

FARE BY DISTANCE.		FARE BY TIME.			
For any distance within and not exceeding one mile.	For any distance exceeding one mile.	For any time within 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 of nine hours.
3 annas ..	At the rate of 3 annas for every mile and for any part of a mile over and above any number of miles completed.	6 annas	3 annas	1 rupee	1 rupee and 8 annas.

The above fares to be paid according to distance or time, at the option of the hirer to be expressed at the commencement of the hiring; if not otherwise expressed, the fare to be paid according to time.

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 within 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 after the ninth hour.
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 annas
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 " ..	2 rupees	3 rupees and 8 annas.	6 annas.
				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.			
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 ans. 3 ans.	..	2 rupees	3 annas.

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.

ACT No. XX OF 1887.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor-General on the 21st
October 1887.)

An Act for the Protection of Wild Birds and Game.

WHEREAS municipal authorities in different parts of British India have from time to time made rules for the protection of birds and other game ;

And whereas it is expedient that Local Governments and cantonment-authorities as well as municipal authorities should be empowered to make such rules ;

It is hereby enacted as follows :—

Title, extent, and
commencement.

1. (1) This Act may be called “The
Wild Birds Protection Act, 1887.”

(2) It extends to the whole of British India ; and

2. In this Act—

Definitions,

(3) It shall come into force at once.

(1) “municipal authority” means the corporation, commissioner, committee, board, council or person having authority over a municipality under any enactment for the time being in force :

(2) “cantonment-authority” means a cantonment-committee or, in the case of a cantonment for which such a committee has not been constituted, the commanding officer of the cantonment : and

(3) “wild bird” includes a peacock and every bird of game.

3. (1) The Local Government with respect to any municipality or cantonment within the territories under its administration, or the municipal authority or cantonment-authority of any municipality or cantonment, may from time to time make rules—

Power to make rules.

(a) defining the expression “wild bird” for the purposes of this Act in its application to the municipality or cantonment ;

- (b) defining for those purposes the breeding season of any kind of wild bird ; and
- (c) prohibiting, subject to such exceptions and conditions as may be prescribed by the rules, the possession or sale during its breeding season within the municipality or cantonment of any kind of wild bird recently killed or taken, or the importation into the municipality or cantonment of the plumage of any kind of wild bird during such season.

(2) The authority making a rule under clause (c) of sub-section (1) may direct that a breach of it shall be punishable with fine which may extend, in the case of a first offence, to five rupees for every wild bird in respect of which or of the plumage whereof the breach of the rule has been committed, and, in the case of a subsequent offence, to ten rupees in respect of every such bird or plumage.

(3) A Court convicting any person of a breach of any such rule may order the confiscation of any wild bird or plumage in respect of which the breach was committed.

(4) The power to make rules under this section is subject to the condition of the rules being made after previous publication and, in the case of rules made by a municipal authority or cantonment-authority, to the further condition of the rules being confirmed by the Local Government before they are published in the official Gazette under clause (5) of section 6 of the General Clauses Act, 1887.

4. The Local Government, of its own motion or on the application of any municipal authority or cantonment-authority, may, by notification in the official Gazette, declare the provisions of the last foregoing section with respect to wild birds to apply to any animals of game other than birds, and thereupon those provisions shall apply to such animals and their furs in like manner as they apply to wild birds and their plumage.

Power to apply Act to any animals of game.

ACT No. IV OF 1871.

PASSED BY THE LIEUTENANT-GOVERNOR OF BENGAL IN COUNCIL.

(Received the assent of His Honor on the 20th March 1871 and of the Governor-General on the 28th idem.)

An Act for the better sanitation of Pooree and other towns in Orissa and regulation of Lodging-houses therein.

WHEREAS it is expedient to make provision for the licensing and regulation of pilgrims' lodging-houses at Pooree, and on the main lines of road leading to Pooree, and for the better sanitation of Pooree and other towns in Orissa; 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 something in the subject or context repugnant to such meaning or construction; that is to say :—

Interpretation.
“Lodger.” The word “Lodger” shall mean an inmate liable to pay hire for accommodation in any house.

“Owner.” 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 lodgers.
“Lodging-house.”

The expression “Keeper of a Lodging-house” shall mean the person to whom a license for the reception of lodgers in any house under this Act shall be granted.
“Keeper of a Lodging-house.”

The expression “The Magistrate” shall mean the Magistrate of the district of Pooree, or of any other district or part of a district to which this Act may be extended, or other officer in charge of the
“The Magistrate.”

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 Pooree, and of the main lines of road leading thereto.

3. From and after the passing of this Act, it shall be lawful for the Magistrate, upon the application of the owner of any house in the town of Pooree, 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 the form set forth in Schedule (A) of this Act 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 the form set forth in Schedule (B) of this Act.

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 the reception of lodgers application shall have been made as afore-said, 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. After the passing of this Act, every owner of any house in the town of Pooree 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 two rupees for every lodger for each night during any part of which such lodger shall be an inmate of such house.

A fine to be imposed on any lodging-house keeper not taking out a license.

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, calculated at the rate of eight annas for each person, upon the entire number of lodgers mentioned in such license shall be payable.

Fee payable on issue of certificate of Health Officer, and on grant of license.

9. Every license under this Act shall, unless revoked or suspended, continue and be in force for twelve calendar months from the day of its date.

License to continue for a year.

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 reasonable 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 the country, ought not to be compelled to appear in public ; provided always that if, in the judgment

Power to inspect lodging-houses.

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 authorize under his hand any other person to enter into and inspect and examine, such apartments of such women as aforesaid.

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.

Power to exempt lodging-house from inspection.

12. Every keeper of a lodging-house shall produce to the 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.

Keeper of lodging-house to produce his license.

13. Every keeper of a lodging-house shall make a report, 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 periods 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 inmates of such lodging-house during the preceding night, and distinguishing in such list males from females and adults from children.

Keeper of lodging-houses to report accidents, deaths, and sickness, and the names of persons in their lodging-houses.

14. Every keeper of a lodging-house shall exhibit, and keep exhibited on a conspicuous portion of the front of such house, the number of the license of such house, and the number of lodgers which such person is licensed to accommodate, plainly and legibly set forth in Bengalee and Ooriah characters.

Lodging-house keepers to exhibit number of house.

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.

A short report to be kept of the inspection and examination of any lodging-house.

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.

Statements under this Act to be true.

17. Every keeper of a lodging-house in which there shall be, at any time, a number of inmates in excess of the aggregate number of inmates resident in such house at the date of the application for the license thereof and of the number of lodgers mentioned in such license, 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 an inmate of his house after the revocation or during the suspension of his license, or who shall refuse or neglect 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 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.

Penalties.

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.

Persons in charge of lodging-houses to be responsible.

19. All offences against this Act shall be heard and determined according to the provisions of Chapter 15 of the Code of Criminal Procedure.

Offences to be determined according to 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.

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

As amended by section 2 of Act II of 1879 (B. C.).

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 any 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 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.

27. Whoever being the occupier of a house in or near any public highway 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 any 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 neglects to employ proper means to cleanse the same, shall be liable to a fine not exceeding fifty rupees.

28. 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 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 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 tanks for domestic use, to the domestic use of the inhabitants of Pooree, or of any other towns to which this Act may be extended, any tank not being a private tank; 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 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.

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 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 sections 26, 30, or 32 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, *Service of notices.* 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 on 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, *Indemnity clause.* nor against the Health Officer, nor against any 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 one month 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 of the Health Officer, and the Civil Surgeon of 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 Pooree, 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 Pooree or such other town as aforesaid, and for preventing the spread of epidemics amongst such pilgrims while at Pooree or such other towns as aforesaid, or on the journey thereto or therefrom, and to affix fines as penalties for the infringement of such bye-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.

39. It shall be lawful for the Lieutenant-Governor of Bengal, from time to time by order published in the *Calcutta Gazette*, to extend the provisions of this Act or any part of it to Bhoobanessur and to Jajipore, or to any of the towns or villages in Orissa used as pilgrim stages or to any villages in Orissa on the line of road habitually traversed by pilgrims, and this Act shall commence and take effect in Pooree upon the 1st day of June 1871, and in any other place to which it may be extended for such time as shall be in that behalf appointed in the order extending the same, or in any other order in like manner published.

40. This Act may be called "The Pooree Lodging-house Act, 1871."

Short title.

Power to make bye-laws.

Bye-laws to be confirmed by Lieutenant-Governor.

Provision for extending this Act to Bhoobanessur or Jajipore.

SCHEDULE A.

APPLICATION FOR LICENSE.

I,, the owner of house No., in the town of, hereby request that a license may be granted to me, under the provisions of Act No. IV of 1871 of the Council of the Lieutenant-Governor of Bengal for making laws and regulations, for the reception of lodgers in my said house.

1	2	3	4	5	6	7
Name of the street in which the house is situated, or other sufficient description of its locality.	Name of owner applying for license.	Whether sole owner of house or not.	Whether applicant has been previously convicted of any offences against the provisions of this Act or not.	Number of lodgers applicant desires to obtain license for accommodating in his said house.	Number, description, and size of apartments in which applicant desires to accommodate lodgers.	Number of inmates now residing in applicant's said house.

I,, above-named, do declare that what is stated on the above application for a license is true to the best of my information and belief.

(Signature) _____

SCHEDULE B.

LICENSE.

A.B., the owner of house No., in the town of Pooree, is hereby licensed to receive lodgers in his said house in apartments thereof, subject to the provisions of Act No. IV of 1871 of the Council of the Lieutenant-Governor of Bengal for making laws and regulations.

The registered number of this license, upon which a fee of Rs. has been paid, is No.

(Signature) _____

Magistrate of District.

ACT No. II OF 1879.

PASSED BY THE LIEUTENANT-GOVERNOR OF
BENGAL IN COUNCIL.

(Received the assent of the Lieutenant-Governor on the 26th
February 1879, and of the Governor-General
on the 22nd March 1879.)

*An Act to amend and extend the Pooree Lodging-house
Act, 1871.*

WHEREAS it is expedient to amend Bengal Act No. IV of
1871, and to give power to the Lieutenant-
Governor of Bengal to extend the pro-
visions of the said Act to places other than those specified
in section 39 of the said Act : It is enacted as follows :—

1. This Act shall come into force from the date on which it
may be published in the *Calcutta Gazette*
with the assent of the Governor-General.
2. Amends section 22 of B. C. Act IV of 1871.
3. The Lieutenant-Governor of Bengal may, from time
to time, by notification in the *Calcutta
Gazette*, extend Bengal Act No. IV of
1871, as amended by this Act, or any part
of it, to any town or place to or through which people go on
pilgrimage and to the lines of road leading thereto ; and
the provisions of the said Act, or of any part of it, as the
case may be, shall, from the date of such notification, apply
accordingly with the following modifications :—

“In section 7 after the word ‘each’ the words ‘day or’
shall be inserted.”

In lieu of the word “Pooree” in sections 2, 3, 7, and
Schedule B, shall be substituted the name of the place or
places mentioned in the notification.

In lieu of the words "the rate of eight annas" in section 8 shall be substituted the words "a rate not exceeding one rupee."

In lieu of the last five words in section 14 shall be substituted the words "in the character of the vernacular of the district."

As amended by Act I of 1884 (B. C.).



INDEX.

—:0:—

ABSENCE—

of Chairman, s. 40 *note*, p. 38.

ACCOUNTS—

to be audited by such person as Local Government may direct, s. 82 p. 66.

to be open to inspection of rate-payers, s. 71, p. 62.

quarterly and yearly statements of, to be prepared, *ib.*

rules regarding, prescribed by Local Government, pp. 253—362.

ACT—

date of coming into force of, s. 1, p. 1.

ACTION—See "SUIT."

ACTS REPEALED—

schedule VI, p. 220.

ADMINISTRATION REPORT—

to be submitted annually, s. 81, p. 65.

what to contain, pp. 249—53.

ALLOWANCES—

of Chairman and Vice-Chairman, s. 28, p. 24.

of subordinates on leave, s. 46, p. 44.

ANIMALS—

rewards for destruction of noxious, s. 214, p. 138.

Model Bye-Law under s. 350 relating to the slaughtering of, p. 365.

Model Bye-Law under s. 350 with regard to the removal of, p. 367.

Model Bye-Law under s. 350 prohibiting the picketing of, on any public ground not set apart for the purpose, p. 369.

ANNUAL VALUE—

meaning of, s. 101 and *note*, p. 84.

ANNUITY FUND—See "PROVIDENT FUND."

APPEALS AGAINST ASSESSMENTS—

may be preferred, s. 113, p. 93.

by whom to be heard, s. 114, p. 94.

decision of, to be final, *ib.*

time for admission of, s. 115, *ib.*

APPOINTMENT—

of officers, s. 46, p. 43.

sanction of Local Government when required for, s. 61, p. 52.

of members of Ward Committee, ss. 50—55, pp. 46-7.

of Commissioners, s. 14, p. 13.

of Chairman, s. 23, p. 20.

ARABLE LANDS—

no longer exempted from tax on persons, s. 87 and *note*, p. 76.

not exempted from rate on holdings, s. 98 and *note*, p. 81.

ASSESSMENT—

lists how to be published, s. 112, p. 93.

to be questioned only under Act, s. 116, p. 94.

appeals against—See "APPEALS."

ASSESSMENT—contd.

- of tax on persons—*See* "TAX ON PERSONS."
- of rate on holdings—*See* "RATE ON HOLDINGS."
- of water-rate—*See* "WATER-RATE."
- of lighting-rate—*See* "LIGHTING-RATE."
- of latrine-fees—*See* "LATRINES."

ASSESSOR—

- Commissioners may appoint, s. 46, p. 43.
- Local Government may appoint, when, s. 111A, p. 92.

AUDIT—

- Commissioners to contribute to cost of, s. 68, p. 56.

BAMBOOS OR TIMBER—

- Model Bye-Laws under s. 350 prohibiting the carrying of, on cart or on back of animals so that any portion shall touch the ground, pp. 363 and 365.

BANK—

- used as a Government Treasury, Municipal Fund may be kept in, s. 83, p. 66.

BATHING—

- places for, may be set apart by the Commissioners, s. 199, p. 128.
- Model Bye-Law under s. 350 prohibiting adult male, in places reserved for women, p. 366.

BILLS—

- for taxes when to be presented, s. 120, p. 97.
- after service of, distress may issue, s. 121, *ib.*
- how to be served, s. 356, p. 205.

BIRTHS—

- Commissioners to provide for registration of, s. 346, p. 194.

BLOCKS OF HUTS—

- sanitary measures in regard to, ss. 245—248, pp. 152 154.

BODY CORPORATE—

- Commissioners to constitute, s. 29 and *note*, p. 25.

BRIDGES—

- public, vested in Commissioners, s. 30, p. 27.
- private, Commissioners may take over, s. 31, p. 28.
- Fund may be applied to construction and repair of, s. 69, p. 58.
- Model Bye-Laws as to, pp. 364-365.
- tolls on—*See* "TOLLS ON BRIDGES."

BUDGET—

- estimates to be prepared two months before close of year, s. 72, p. 62.
- to be published, s. 73, p. 63.
- to be transmitted to Magistrate of District, s. 74, *ib.*
- powers of Magistrate with regard to, s. 75, *ib.*
- powers of Commissioner of Division with regard to, s. 76, *ib.*
- how and when estimates of, may be revised, s. 77, p. 64.
- transfer from one head to another of, s. 80, p. 65.

BUILDINGS—

- limitation of valuation of holdings when actual cost of erection of can be ascertained, s. 101, p. 84.
- notices of intention to construct—*See* "HOUSE."

BUILDING REGULATIONS—ss. 236—244, pp. 147—152.**BURIAL AND BURNING GROUNDS—**

- existing, to be registered, s. 254, p. 158.
- not to be formed or re-opened without the consent of the Commissioners, s. 255, *ib.*

BURIAL AND BURNING GROUNDS—*contd.*

Commissioners may order to be closed, s. 256, p. 159.

Commissioners may provide, s. 259, p. 160.

penalty for using unregistered, s. 274, p. 168.

BURIAL AND BURNING OF PAUPERS—

Commissioners may provide for, s. 260, p. 161.

BUSINESS—

rules for conduct of, at meetings, Commissioners may frame, s. 351A, p. 200.

BUSTEES—

improvement of, ss. 245—248, pp. 152—154.

BYE-LAWS—

prescribed under former Act to remain in force, s. 2, p. 3.

how to be made, s. 350, p. 197.

confirmation of, s. 351, p. 200.

how to be published, s. 354, p. 202.

prosecutions for offences against, how to be instituted, s. 353, p. 201.

finer under, how to be levied, s. 355, p. 202.

CAMEL—

Model Bye-Law under s. 350 relating to carrying of light, p. 363.

Model Bye-Law under s. 350 relating to the taking of, along any road, p. 364.

CANALS ACT—

Commissioners may be appointed to collect tolls under, s. 171, p. 117.

Local Government may withdraw order to collect tolls under, s. 172, p. 117.

CANTONMENT—

Act not to take effect in, without consent of Governor-General in Council, s. 5, p. 5.

CARRIAGE—

definition of, s. 6, cl. (1), p. 5.

tax on, and on horses, etc., how to be levied, s. 131, p. 102.

tax on, proportionate to period of possession, s. 134, p. 103.

person in charge of, liable to tax, s. 136, p. 104.

penalty for keeping, without license, s. 137, *ib.*

Commissioners may compound with stable-keepers for tax on, s. 138, *ib.*

persons licensed to keep, list of, to be prepared, s. 139, *ib.*

power to inspect stables with reference to tax on, s. 140, p. 105.

refund of tax on, in certain cases, s. 141, *ib.*

Model Bye-Law under s. 350 relating to carrying of lights, p. 363.

Model Bye-Law under s. 350 prohibiting driver to drive or have more than one, in his charge, p. 364.

Model Bye-Law under s. 350 prohibiting owner of, to employ driver under 14 years of age, p. 364.

Model Bye-Law under s. 350 prohibiting the taking or driving of, over a road temporarily closed, p. 364.

Model Bye-Law under s. 350 relating to the driving of, when passing or overtaking another vehicle, p. 364.

CART—

definition of, s. 6, cl. (2), p. 5.

Commissioners may order registration of, s. 142, p. 106.

fee for registration of, s. 143, p. 107.

proportionate fee to be charged for possession of, s. 144, *ib.*

transfer of ownership of, to be registered, s. 145, *ib.*

penalty for keeping, without registration, s. 146, *ib.*

unregistered, may be seized and sold, s. 147, p. 108.

Model Bye-Law under s. 350 relating to carrying of lights, p. 363.

Model Bye-Law under s. 350 relating to bamboos, p. 363.

CART—contd.

Model Bye-Law under s. 350 prohibiting driver to drive or have more than one, in his charge, p. 364.

Model Bye-Law under s. 350 prohibiting the taking or driving of, over a road temporarily closed, p. 364.

Model Bye-Law under s. 350 relating to carrying of bricks, etc., p. 364.

Model Bye-Law under s. 350 relating to the driving of, when passing or overtaking another vehicle, p. 364.

Model Bye-Law under s. 350 prohibiting the collection of, on any public ground not set apart for the purpose, p. 369.

CASTING VOTE—

President to have a, s. 41, p. 40.

CATTLE—

definition of the term under Model Bye-Law, p. 363.

Model Bye-Law under s. 350 prohibiting the leading or driving of, upon footpath or causeway, p. 364.

Model Bye-Law under s. 350 prohibiting diseased, being let loose with in municipal limits, p. 368.

CATTLE TRESPASS ACT, 1871—p. 432.**CESSPOOL—**

subject to inspection and control of Commissioners, s. 190, p. 124.

when Commissioners may inspect, s. 191, *ib.*

use of disinfectants or deodorants in, s. 192, *ib.*

private, penalty for keeping filthy, s. 217, cl. (3), p. 139.

owner or occupier of, may be required to repair or make efficient, s. 224, p. 142.

when Commissioners may require alterations in, s. 229, p. 144.

not to be constructed within fifty feet of tank or water-course, s. 230, *ib.*
excavation of, without special permission may be prohibited, s. 232, p. 145.

CHAIRMAN—

to be appointed by the Local Government in the Municipalities mentioned in schedule II, s. 23, p. 20.

in other cases to be elected, s. 23, *ib.*

Commissioners may request Local Government to appoint, s. 23, *ib.*

Local Government may remove, if appointed, s. 23, *ib.*

when appointed, to enjoy rights and privileges of a Commissioner, s. 24, p. 21.

to hold office for three years, s. 24, *ib.*

elected, removeable by resolution of Commissioners, s. 24, *ib.*

may receive allowances, s. 28, p. 24.

powers of, s. 44, p. 42.

may delegate duties to Vice-Chairman, s. 42, *ib.*

to preside at meetings, s. 40, p. 38.

duties and powers of, s. 40 *note*, p. 39.

CHANNELS—

public, vested in Commissioners, s. 30, p. 27.

private, Commissioners may take over, s. 31, p. 28.

Fund may be applied to construction and improvement of, s. 69, p. 58.

to be under direction and control of Commissioners, s. 198, p. 128.

CHAUKIDARS—

prohibited from purchasing distrained property, s. 125, p. 100.

CHAUKIDARI CHAKRAN LANDS—

proceeds of assessment of, to be paid into Municipal Fund, s. 364, p. 211.

CLOTHES—

Model Bye-Law under s. 350 in regard to, found on bodies of persons who have died of infectious diseases, p. 369.

COMMISSIONER OF THE DIVISION—

- what powers of Local Government may be delegated to, s. 29A, p. 26.
- sanction of, necessary for appointments of Rs. 100 per mensem and upwards, s. 61, p. 52.
- may suspend action of Municipal Commissioners in certain cases, s. 63, p. 53.
- powers of, with regard to Budget Estimates, ss. 76, 77, pp. 63, 64.
- may sanction budget transfers, s. 80, p. 64.
- may extend powers of Chairman and Vice-Chairman in respect of orders for payment of money, s. 84, p. 67.
- power to sanction rates of tolls of Municipal Ferries, s. 151, p. 110.
- power to sanction rates of tolls on bridges and roads, s. 160, p. 113.
- power to sanction scale of fees for licenses for offensive and dangerous trades, s. 261, p. 162.

COMMISSIONERS—

- to be substituted for late Commissioners, s. 2, p. 3.
- definition of, s. 6, cl. (18), p. 8.
- appointed or elected under old Act, deemed to be appointed under this Act, s. 7, p. 8.
- number of, s. 13, p. 12.
- appointment and election of, s. 14, p. 13.
- qualification of, s. 15, p. 15.
- resignation of, s. 27A, p. 24.
- removal of, ss. 19, 20, p. 18.
- when to vacate office, s. 21, p. 19.
- when re-eligible, s. 22 and *note, ib.*
- constitute a body corporate, s. 29, p. 25.
- public roads, etc., vested in, s. 30, p. 27.
- power to enter into and perform contracts, s. 37, p. 30.
- power to purchase, lease, and sell lands, s. 34, p. 29.
- to meet ordinarily once a month, s. 38, p. 36.
- may delegate powers to Ward Committee, s. 53, p. 47.
- liability of, s. 56 and *note, ib.*
- interested in contracts to forfeit appointments, and liable to fine, s. 57, p. 49.
- disqualified to vote on certain personal questions, s. 58, p. 50.
- powers of Local Government in case of default of, s. 64, p. 54.
- supersession of, s. 65, *ib.*
- may carry out work in default of owners, s. 180, p. 120.
- Model Bye-Law under s. 350 with regard to compliance with requisitions issued by the, under s. 192 of the Act, p. 367.

COMMON SEAL—

- of Commissioners, s. 29 and *note, ib.*, p. 25.

COMPENSATION—

- directed to be paid by Act, how to be determined, s. 185, p. 122.
- for land taken up under Land Acquisition Act, s. 35, p. 29.
- power to make, from Municipal Fund, s. 362, p. 207.
- suits for, for anything done under the Act, s. 363, p. 208.

CONSOLIDATED RATE—

- on house and land, s. 104, p. 89.

CONTRACT—

- mode of executing, s. 37, p. 30.
- Commissioners not personally liable for, s. 56, p. 48.
- disqualification of Commissioners having interest in, s. 57, p. 49.

CONTRIBUTION—

- to other Municipalities, s. 70, p. 61.

CONTROL—ss. 59—66A, pp. 51—56.

CORPORATION—See “**BODY CORPORATE.**”

CORPSE—

not to be buried or burned in unregistered ground without special permission, s. 257, p. 160.

Commissioners may cause, to be buried or burned, s. 258, p. 160.

Model Bye-Law under s. 350 with regard to the burial of, p. 367.

Model Bye-Law under s. 350 with regard to the burning of, p. 368.

Model Bye-Law under s. 350 relating to the carrying of, through any road, p. 368.

Model Bye-Law under s. 350 with regard to the disposal of, p. 368.

COST OF WORK—See “**EXPENSES.**”

CREATION OF MUNICIPALITIES—

how carried out, s. 8, p. 9.

conditions necessary for, s. 10, p. 12.

DAMAGES—

and compensation in cases of dispute to be determined by a Civil Court, s. 185, p. 122.

suits for, s. 363 and *note*, p. 208.

DANGEROUS AND OFFENSIVE TRADES—

to be licensed, s. 261, p. 161.

when to be discontinued, s. 262, p. 163.

DEATHS, REGISTRATION OF—

Commissioners when to provide for, s. 346, p. 194.

Sub-Registrars to be appointed for, s. 347, p. 195.

information required for, under Act IV of 1873, to be given to Sub-Registrars, s. 348, *ib.*

in hospitals, information of, to be given by officer in charge, s. 349, *ib.*

DEFINITION—

of terms used in Act, s. 6, p. 5.

DISBURSEMENT—

of expenditure sanctioned in estimates, how to be made, s. 78, p. 64.

DISINFECTANTS OR DEODORANTS—

Commissioners may direct use of, s. 192, p. 124.

DISPENSARY—

existing, may be vested in Commissioners, s. 32, p. 28.

transfer of, to be conditional in certain cases, s. 33, p. 29.

Fund may be devoted to establishment and maintenance of, s. 69, p. 58.

rules for management of, pp. 375—90.

DISTRAINED PROPERTY—

how to be sold, s. 124, p. 99.

not to be purchased by officers, s. 125, p. 100.

DISTRESS—

of property how to be made, s. 122, p. 98.

form of warrants of, *ib.*

beyond limits how to be made, s. 127, p. 100.

not unlawful for want of form, s. 128, p. 101.

DISTRICT MAGISTRATE—See “**MAGISTRATE OF THE DISTRICT.**”

DOGS—

stray, when to be destroyed, s. 213, p. 137.

DOOR—

when may be broken open by officer charged with warrant of distress, s. 123, p. 99.

DRAINAGE—

projects for system of, ss. 37B—37M, pp. 32—36.
of private land, Commissioners may order improvement of, s. 195, p. 126.

DRAINS—

subject to inspection and control of Commissioners, s. 190, p. 124.
when, may be inspected, s. 191, *ib.*
use of disinfectants and deodorants in, s. 192, *ib.*
public, under direction and control of Commissioners, s. 197, p. 127.
power to remove intentional obstructions from, s. 202, p. 131.
power to remove accidental obstructions from, s. 207, p. 134.
private, penalty for keeping filthy, s. 217, cl. (3), p. 139.
penalty for encroachment on or obstructing, s. 217, cl. (5), *ib.*
Commissioners may require owner or occupier to repair, s. 224, p. 142.
unauthorized, leading to public sewers may be demolished, s. 226, p. 143.
Commissioners may alter, if made contrary to their orders, s. 229, p. 144.
(house) not to be constructed within fifty feet of a tank or water-course, s. 230, *ib.*
penalty for altering, s. 272, cl. (1), p. 167.
penalty for constructing, contrary to the directions of the Commissioners, s. 272, cl. (2), *ib.*

DRINKING TROUGH—

Model Bye-Law under s. 350 prohibiting the using of public, except for watering cattle, p. 366.

DRUGS—

shops for the sale of European, to be registered, s. 252, p. 156.
dispensers of, to be certified, *ib.*, p. 157.
inspection of, s. 253, *ib.*
destruction of, *ib.*
penalty for default to register place of sale, s. 275, p. 168.
for dispensing, without certificate, s. 276, *ib.*

ELECTION—

of Commissioners, Local Government to lay down rules for, s. 15, p. 15.
rules prescribed, pp. 232—40.
first, of Commissioners, time of, s. 16, p. 17.
in case of failure of, Commissioners to be appointed by Government, s. 16, *ib.*
of Chairman, s. 23, p. 20.
of Vice-Chairman, s. 25, p. 22.
of members of Ward Committee, s. 50, p. 46.
Commissioners may lay down rules for, s. 51, *ib.*
of Chairman and Vice-Chairman of Ward Committee, s. 52, p. 47.

ELEPHANT—

Model Bye-Law under s. 350 relating to carrying of light, p. 363.
Model Bye-Law under s. 350 relating to the taking of, along any road, p. 364.
Model Bye-Law under s. 350 relating to, going over any bridge on any road, *ib.*

ENCROACHMENT—

recent, removal of, ss. 202—204, pp. 131—133.
ancient, removal of, s. 233, p. 145.

ESTABLISHMENT—

contribution by Commissioners to cost of, in Office of Account or Treasury, s. 68, p. 57.
for removal of sewage, etc., to be provided by Commissioners, s. 186, p. 122.
for cleansing of private privies and cesspools, s. 320, p. 185.

ESTIMATES—

and plans, when, may be required by Local Government, s. 79, p. 65.

ESTIMATES OF ANNUAL EXPENDITURE—*See* "BUDGET."

EXCAVATIONS—

- power to prohibit, s. 232, p. 145.
- penalty for making, without permission, s. 270, cl. (4), p. 166.
- Commissioners may require, to be fenced, s. 209, p. 135.
- permission to make, on roads, s. 234, p. 146.

EXEMPTION—

- of certain holdings from tax on persons, s. 87, pp. 74-75.
- power of Commissioners as to, in regard to tax on persons, s. 91, p. 79.
- of certain holdings from rate on value of holdings, s. 98, p. 81.
- power of Commissioners as to, in regard to rate on holdings, s. 106, p. 90.

EX-OFFICIO COMMISSIONERS—

- may be appointed, s. 17, p. 17.

EXPENSES—

- of work done may be recovered, s. 180, p. 120.
- Commissioners may apportion, among owners, s. 181, *ib.*
- Commissioners may apportion, among owners and occupiers, s. 182, p. 121.
- occupier when may recover, from owner, s. 183, *ib.*
- liability to pay, may be contested in Civil Court, s. 184, *ib.*
- how to be recovered, s. 360, p. 206.

EXTENSION OF ACT—

- how to be carried out, s. 8, p. 9.

FEES—

- for the registration of carts, s. 143, p. 107.
- for the removal of rubbish, s. 189, p. 123.
- for permission to deposit moveable property on, to excavate, or close, a road, s. 234, p. 146.
- not to be charged for the registration of burial or burning grounds, s. 254, p. 158.
- Commissioners may charge, for use of municipal burial or burning grounds, s. 259, p. 160.
- may be charged for licenses for certain trades, s. 261, p. 161.
- for licenses to keep horses, ponies, or cattle, s. 263, p. 164.
- for the use of public stables, s. 264, *ib.*
- for licenses to keep pigs, sheep, and goats, s. 265, *ib.*
- for the cleansing of private privies and cesspools, s. 321, p. 185.
- for the right to expose goods for sale in a municipal market, s. 335, p. 190.
- for licenses for markets, s. 339, p. 192.
- how may be recovered, s. 360, p. 206.
- penalty for taking unauthorized, s. 366, p. 212.
- payment of certain, to be reckoned as voting qualification, s. 15, p. 16.
- semble*, that new, cannot be levied under bye-laws, s. 350 *note*, p. 197.

FERRIES—

- existing public, may be made over to the Commissioners, s. 148, p. 109.
- other may be declared to be municipal, s. 149, p. 110.
- duties of Commissioners with regard to, s. 150, *ib.*
- rates of tolls to be published, s. 151, *ib.*
- when persons not liable to toll for, s. 152, p. 111.
- cancellation of lease of, s. 153, *ib.*
- toll to be prepaid, s. 154, *ib.*
- keeping of unauthorized, s. 155, p. 112.
- penalty for ditto, s. 156, *ib.*
- Commissioners may grant lease of, s. 164, p. 111.
- table of tolls for, to be hung up, s. 165, *ib.*
- composition in respect of toll for, s. 167, *ib.*

FERRIES—*contd.*

- exemptions from tolls on, s. 168, p. 115.
- Police-officers to assist in collection of tolls of, s. 169, p. 116.
- penalty for taking unauthorized tolls for, s. 170, *ib.*

FILTHY PREMISES—

- penalty for keeping, s. 217, cl. (1), p. 138.

FINES—

- under Act, how to be imposed and levied, s. 355, p. 202.
- under bye-laws, s. 355 *note*, p. 203.

FIREARMS, ETC.—

- Model Bye-Law under s. 350 relating to the letting off of, on road, p. 365.

FIRE BRIGADE—

- Commissioners may maintain, s. 69, p. 58.
- provisions relating to Part XIA, p. 196.

FOOD, UNWHOLESOME—*See* "UNWHOLESOME FOOD."**FOOT-PATH OR CAUSEWAY—**

- Model Bye-Law under s. 350 prohibiting wilful riding or driving upon, set apart for use of foot passengers, p. 364.

FORMS—

- for use, Government may prescribe, s. 82, p. 66.
- how to be served, s. 356, p. 205.

FUND—

- Municipal, constitution of, s. 67, p. 56.
- application of, ss. 68, 69, pp. 57, 58.
- custody of, s. 83, p. 66.

GARDENS—

- Fund may be applied to construction and improvement of, s. 69, p. 58.

GAS, LIGHTING WITH—*See* "LIGHTING."**GASPIPE OR GASWORK—**

- situation of, to be altered at expense of Commissioners, s. 317, p. 183.
- Commissioners may carry out alterations with regard to, s. 318, p. 184.

GHATS—

- existing, may be vested in Commissioners, s. 32, p. 28.

GOATS—

- over 20 heads, license for keeping, required, s. 265, p. 164.

GRATUITIES—

- Commissioners may frame rules for granting, to subordinates on retirement, s. 47, p. 44.

GRAVE—

- Model Bye-Law under s. 350 relating to the building of, in a burial-ground, pp. 367, 368.
- Model Bye-Law under s. 350 with regard to the opening of, p. 368.

HACKNEY CARRIAGE—

- definition of, B. C. Act II of 1891, s. 5, cl. (2), p. 458.
- to be annually registered in one of three classes, s. 5, p. 459.
- penalty for letting, without proper plate, s. 17, p. 462.
- fares for hiring, s. 31, p. 468.
- penalty for not carrying table of fares, s. 32, *ib.*
- rate of speed of, s. 33, *ib.*
- penalty for refusing to let for hire, s. 35, p. 469.
- table of fares for, p. 480.

HACKNEY CARRIAGE ACT—

- B. C. Act II of 1891, p. 457.

HARBOUR—

Commissioners may contribute to improvement of, s. 70, p. 62.

HEDGES—

power to trim, s. 208, p. 135.

HOLDINGS—

definition of, s. 6, cl. (3), p. 5.

Commissioners to determine valuation of, s. 96, p. 81.

exempted from rate, s. 98, *ib.*

annual value of, how to be ascertained, s. 101, p. 84.

remission on account of, when vacant, s. 110, p. 91.

notice of re-occupation to be given, s. 111, p. 92.

exempted from tax on persons, s. 87, p. 75.

power to sell unclaimed, for money due, s. 361, p. 207.

HORSES—

Model Bye-Law under s. 350 prohibiting the breaking of, on any road not set apart for such purpose, p. 365.

HORSES, TAX ON—*See* "CARRIAGES."**HOSPITAL—**

existing, may be vested in Commissioners, s. 32, p. 28.

Commissioners may contribute to maintenance of, s. 69, p. 58

rules relating to management of, pp. 375—90.

HOURS—

for payment of taxes to be fixed, s. 117, p. 96.

for removal of offensive matter, s. 187, p. 122.

for placing rubbish on public road, s. 189, p. 123.

for cleansing of private privies and cesspools, s. 330, p. 188.

for the inspection of fittings in connection with water-supply, s. 292, p. 175.

for continuance of pressure of water, s. 289, p. 174.

HOUSE—

definition of, s. 6, cl. (4), p. 6.

projecting beyond line of road may be set back, s. 206, p. 134.

in a ruinous or dangerous state, how to be dealt with, s. 210, p. 136.

when Commissioners may take possession of, s. 211, *ib.*

sale of materials of, pulled down, s. 212, p. 137.

notice of intention to build or rebuild, to be given to Commissioners, s. 237, p. 148.

Commissioners may refuse sanction to building of, *ib.*

when Commissioners may order, to be altered or demolished, s. 238, p. 148.

Commissioners may make rules as to mode of construction of, s. 241, p. 149.

when occupation of, may be prohibited, s. 242, p. 150.

HUTS—

included in the term "house," s. 6, cl. (4), p. 6.

definition of, *note* to s. 245, p. 153.

Commissioners may direct that roofs, etc., shall not be made of inflammable materials, s. 236, p. 147.

erection of new, to be under control of Commissioners, s. 243, p. 151.

built without notice may be removed, s. 244, p. 152.

power to improve blocks of, s. 245, *ib.*

sale of materials of, s. 248, p. 154.

erecting without notice, penalty for, s. 267, p. 165.

HYDRANT—

Model Bye-Law under s. 350 prohibiting the tampering with, p. 366.

IMMOVEABLE PROPERTY—

definition of, s. 6, cl. (5), p. 6.

INCORPORATION OF COMMISSIONERS—s. 29, p. 25.**INDIAN VOLUNTEERS' ACT, 1869—**

animals exempted under, to be exempted from municipal taxation, s. 131, p. 102.

INFLAMMABLE MATERIALS—

Commissioners may order that roofs and walls of huts shall not be made of, s. 236, p. 147.

INTEREST—

on loans contracted, s. 68, p. 56.

IRRECOVERABLE TAXES—

may be struck off, s. 130, p. 101.

JETTIES—

included in "other works of public utility," *note* to s. 69, p. 59.

JOINT UNDIVIDED FAMILY—

member of, to be qualified to vote, s. 15, p. 15.

meaning of term, s. 15 *note*, p. 16.

JUNGLE—

Commissioners may require owners of land to clean, s. 195, p. 126.

LAND—

definition of, s. 6, cl. (5), p. 6.

power to purchase, take on lease, sell, let, or exchange, s. 34, p. 29.

acquisition of—*See* "LAND ACQUISITION ACT."

arable—*See* "ARABLE LAND."

when Commissioners may require owner to drain, s. 227, p. 143.

mode of service on owner or occupier of, s. 357, p. 205.

LAND ACQUISITION ACT—

land to be taken up under, for municipal purposes, s. 35, p. 29.

cost of land acquired under, to be paid by Commissioners, s. 36, p. 30.

LATRINES—

may be provided by Commissioners, s. 193, p. 126.

may be licensed by Commissioners, s. 194, *ib.*

not to be constructed within fifty feet of a tank, s. 230, p. 144.

Commissioners may require additional, to be constructed, s. 332, p. 189.

LICENSE—

to be granted on payment of tax on carriages, horses, etc., s. 135, p. 104.

for sale of European drugs, s. 252, p. 156.

for certain offensive and dangerous trades, s. 261, p. 162.

for keeping horses, ponies, or cattle, s. 263, p. 164.

for keeping pigs, sheep, and goats, s. 265, *ib.*

Commissioners may require nightmen to take out, s. 331, p. 188.

for markets, for certain kinds of provisions, s. 337, p. 191.

holder of, to produce when required, s. 359, p. 206.

LIGHTING OF ROADS—

Fund may be applied to, s. 69, p. 58.

LIGHTING WITH GAS—

Commissioners may submit plan for, to Local Government, s. 308, p. 179.

LIGHTING RATE—

Commissioners may impose, s. 309, p. 180.

payable by occupiers, quarterly, in advance, s. 310, p. 181.

valuation, collection, and assessment of, s. 311, *ib.*

power to assess owners for, in certain cases, s. 312, p. 182.

owner to recover from occupier, s. 313, *ib.*

owner may recover as rent, s. 314, *ib.*

occupier liable to, for time of occupation only, s. 315, p. 183.

LIST—

of assessment for tax on person, what to contain, s. 87, p. 75.
 of assessment for rate on holdings, what to contain, s. 103, p. 88.
 assessment, how to be published, s. 112, p. 93.

LIVERY-STABLEKEEPERS—

Commissioners may compound with, for carriage and horse tax, s. 138, p. 104.

LOAN—See “LOCAL AUTHORITIES LOAN ACT.”

repayment of interest on, s. 68, p. 56.
 municipal, how effected, *note*, p. 57.

LOCAL AUTHORITIES LOAN ACT—

Act XI of 1879, p. 442.
 local authorities prohibited from borrowing except under provisions of, s. 8, p. 444.
 rules for raising loans in open market, pp. 449–54.
 rules for grant of loans by Government, pp. 445–49.

LOCAL GOVERNMENT—

shall not extend Act to any cantonment without consent of Governor-General, s. 5, p. 5.
 may extend Act to any town or village, s. 8, p. 9.
 may subdivide or vary limits of any Municipality, s. 9, p. 10.
 to what towns and villages Act may be extended by, s. 10, p. 12.
 to decide number of Commissioners, s. 13, *ib.*
 shall appoint one-third of Commissioners, s. 14, p. 13.
 shall lay down rules for elections, s. 15, p. 15.
 shall fix date for first election, s. 16, p. 17.
 shall appoint whole number of Commissioners in certain Municipalities, s. 17, *ib.*
 when may remove any Commissioner, s. 19, p. 18.
 sanction of, when necessary for election or re-election of Commissioners, s. 22, p. 19.
 shall appoint Chairman of every Municipality mentioned in schedule II, s. 23, p. 20.
 may remove a Chairman appointed by it, *ib.*
 may remove any Municipality from said schedule, *ib.*
 may exclude any road, bridge, or drain from operation of Act, s. 30, p. 27.
 may order hospitals, dispensaries, schools, etc., to be vested in Commissioners, s. 32, p. 28.
 may cause land to be acquired for municipal purposes, s. 35, p. 39.
 powers of, with respect to projects for drainage and water-supply, ss. 37B–37K, pp. 32–35.
 may determine proportion of pay to be paid by Commissioners for services of Government official, s. 48, p. 45.
 approval of, necessary for certain resolutions, s. 59, p. 51.
 approval of, necessary with regard to certain appointments, s. 61, p. 52.
 powers of, in case of default by Commissioners, s. 64, p. 54.
 powers of, to supersede Commissioners, s. 65, *ib.*
 powers of, after supersession, s. 66, *ib.*
 may determine contribution towards cost of audit, s. 68, p. 56.
 may lay down rules and restrictions with regard to application of Municipal Fund, s. 69, p. 57.
 may sanction contribution to other Municipalities, s. 70, p. 61.
 may lay down rules, limiting or regulating the expenditure of money, s. 78, p. 64.
 power of, with regard to works costing over Rs. 5,000, s. 79, p. 65.
 annual report of proceedings to be submitted to, s. 81, *ib.*
 accounts to be kept as directed by, s. 82, p. 66.
 powers of, with reference to custody of Municipal Fund, s. 83, *ib.*
 sanction of, necessary for imposition of taxes, ss. 85, 86, pp. 68–75.
 may appoint an Assessor of Municipal Taxes, s. 111A, p. 92.

LOCAL GOVERNMENT—contd.

- may make over existing public ferries to Commissioners, s. 148, p. 109.
- may permit other ferries to be declared municipal, s. 149, p. 110.
- may make over existing toll-bar to Commissioners, s. 157, p. 112.
- may sanction establishment of toll-bar, s. 158, p. 113.
- may appoint Commissioners to collect canal tolls, s. 171, p. 117.
- may revoke such order, s. 172, *ib.*
- Part V to be in force in every Municipality unless otherwise directed by, s. 173, *ib.*
- may order provisions of Part V not to be in force in any Municipality, and may cancel such order, s. 174, p. 118.
- provisions of Parts VI, VII, VIII, IX and X must be expressly extended by, s. 220, p. 140.
- may cancel or modify such order, s. 223, p. 142.
- may issue rules for the certification of dispensers, s. 252, p. 156.
- sanction of, for re-opening of burial and burning grounds, s. 255, p. 158.
- sanction of, necessary for provision of municipal burning and burial grounds, s. 259, p. 160.
- plan for lighting to be submitted to, and sanctioned, s. 308, p. 179.
- rules to define duties of nightmen, subject to approval of, s. 331, p. 188.
- powers of, with regard to registration of births and deaths, ss. 346—349, pp. 194—96.
- bye-laws to be confirmed by, s. 351, p. 200.
- rules of business, etc., to be confirmed by, s. 351A, *ib.*

MAGISTRATE—

- definition of, *note* to, s. 355, p. 204.
- may grant a warrant to search for unwholesome food or drink, s. 250, p. 155.
- may order destruction of unwholesome food or drink, s. 251C, p. 156.
- may order destruction of adulterated drugs, s. 253, p. 157.
- may order forfeiture of license to sell drugs, s. 276, p. 168.
- may suspend licenses when, s. 278, p. 169.
- may impose fines under this Act, s. 355, p. 202.

MAGISTRATE, THE—

- definition of, s. 6, cl. (8), p. 6.
- may order sale of defaulter's property, s. 127, p. 100.
- may order removal of obstructions or encroachments from roads, when, ss. 202, 203, pp. 131, 132.
- may order removal of projections from houses, when, s. 204, p. 132.
- protected under Act XVIII of 1850, when, s. 205, p. 133.
- may order removal of certain projections and obstructions, when, s. 233, p. 145.
- may award compensation for ferries, s. 149, p. 110.
- may order market to be closed, s. 345, p. 193.

MAGISTRATE OF THE DISTRICT—

- definition of, s. 6, cl. (7), p. 6.
- copy of proceedings of meetings to be forwarded to, s. 60, p. 51.
- powers of inspection of, s. 62, p. 52.
- power to suspend action under Act, s. 63, p. 53.
- in case of default by Commissioners, Local Government may appoint, to perform any duty, s. 64, p. 54.
- budget-estimates to be transmitted to, s. 74, p. 63.
- power of, with regard to budget-estimates, s. 75, *ib.*
- sanction of, for ferries within two miles of municipal ferries when necessary, s. 155, p. 112.
- what powers of, in regard to municipal pounds to be exercised by Commissioners, p. 433.

MAGISTRATE OF DIVISION OF DISTRICT—

- included in "The Magistrate," s. 6, cl. (8), p. 6.
- powers of inspection of, s. 62, p. 52.

MARKETS—

- existing, may be vested in the Commissioners, s. 32, p. 28.
- transfer of, to be conditional in certain cases, s. 33, p. 29.
- to be properly drained, s. 249, p. 154.
- municipal, power to construct, s. 335, p. 190.
- municipal, definition of, s. 336, *ib.*
- for perishable provisions, Commissioners may prohibit use of, without license, s. 337, p. 191.
- Commissioners may grant licenses for, s. 338, *ib.*
- licenses for, duration and terms of, s. 339, p. 192.
- certificate of Chairman necessary for, s. 340, *ib.*
- licenses for, to be registered, s. 341, p. 193.
- transfer of, to be registered, s. 342, *ib.*
- unregistered, to be deemed unlicensed, s. 343, *ib.*
- unlicensed, penalty for using, s. 344, *ib.*
- when Commissioners may close, s. 345, *ib.*

MEETINGS—

- to be held ordinarily at least once a month, s. 38, p. 36.
- who to preside at, s. 40, p. 38.
- quorum* for, number of Commissioners necessary to constitute, s. 42, p. 40.
- questions ordinarily to be decided by majority present at, s. 41, *ib.*
- special, when may be called, s. 39, p. 37.
- distinction between special and ordinary, *note* to s. 39, p. 38.
- minutes of proceedings of, how to be recorded, s. 43, p. 41.
- proceedings of, how proved, *note* to s. 43, *ib.*

MEETINGS—

- to give one month's notice, s. 188, p. 123.
- liable to punishment for default to give notice, *ib.*

MINUTES OF PROCEEDINGS—See "MEETINGS."**MONEYS—**

- due under this Act, how to be recovered, s. 360, p. 206.

MOVEABLE PROPERTY—

- definition of, s. 6, cl. (6), p. 6.
- huts are not, *note* to s. 122, p. 98.

MUNICIPAL FUND—See "FUND."**MUNICIPALITY—**

- definition of, s. 6, cl. (9), p. 6.
- creation of, s. 8, p. 9.
- power to vary limits of, subdivide, and withdraw from operation of Act, s. 9, p. 10.
- conditions necessary for creation of, s. 10, p. 12.
- mentioned in schedule I of this Act, to be excluded from elective system, s. 17, p. 17.
- mentioned in schedule II to have a Chairman appointed by Government, s. 23, p. 20.

NAMES OF ROADS—

- may be given by Commissioners, s. 215, p. 138.
- penalty for defacing, s. 216, cl. (2), *ib.*

NECESSARIES—

- public, Commissioners may license, s. 194, p. 126.

NIGHTSOIL—

- included in the term "sewage," s. 6, cl. (17), p. 8

NOTICE—

- of assessment how to be published, s. 112, p. 93.
- of demand when to be served, s. 120, p. 97.

NOTICE—*contd.*

- of demand how to be served, s. 356, p. 205.
- on owner or occupier of land how to be served, s. 357, *ib.*
- of cause of action against Commissioners, s. 363 and *note*, pp. 208—211.

NOXIOUS—

- animals—*See* “**ANIMALS.**”
- vegetation—*See* “**VEGETATION.**”

NUISANCE—

- where carrying on of certain trades amounts to, Commissioners may order discontinuance, s. 262, p. 163.
- penalty for disobedience to such order, s. 277, p. 169.
- Commissioners may direct prosecution for public, s. 352, p. 201.
- nothing in this Act to exempt person from suit or prosecution in respect of, s. 367, p. 213.
- private persons cannot bring suit for public, *note* to s. 367, *ib.*

NUMBERS—

- to houses may be affixed by Commissioners, s. 215, p. 138.
- penalty for removing ditto, s. 216, cl. (2), *ib.*

OCCUPATION OF HOLDING—

- to be notified by owner, s. 111, p. 92.

OFFENCES—

- against Act, to be reported by Police-officers, s. 365, p. 212.
- finer on conviction for, by whom may be imposed, s. 355, p. 202.
- under bye-laws, distinction between, and under Act, *note* to s. 355 p. 204.
- no prosecution for, to be instituted without consent of Commissioners, s. 353, p. 201.

OFFENSIVE AND DANGEROUS TRADES—

- not to be carried on without license, s. 261, p. 161.
- fee may be levied for license, p. 162.
- when Commissioners may order to be discontinued, s. 262, p. 163.
- penalty for carrying on without license, s. 273, cl. (2), p. 167.
- penalty for neglect of order to discontinue, s. 277, p. 169.

OFFENSIVE MATTER—

- definition of, s. 6, cl. (10), p. 7.
- Commissioners to provide establishment for the removal of, s. 186, p. 122.
- hours and mode of removal of, to be fixed, s. 187, *ib.*
- removed, to become property of Commissioners, s. 196, p. 127.
- penalty for not removing within prescribed period, s. 217, cl. (1), p. 138.
- penalty for allowing to flow into surface-drain, s. 270, cl. (2), p. 166.

OFFICE OF NATURE—

- Model Bye-Law under s. 350 prohibiting the performance of, on or within sight of any road, p. 365.
- Model Bye-Law under s. 350 prohibiting the performance of, in any place outside private premises other than that appointed, p. 368.

OFFICERS—

- appointment of, s. 46, p. 43.
- and servants not to purchase distrained property, s. 125, p. 100.
- penalty for taking unlawful gratification by, s. 366, p. 212.
- what classes of, to be considered public servants under the Indian Penal Code, *note* to s. 125, p. 100.

OFFICES—

- for municipal purposes, Fund may be applied to erection and maintenance of, s. 69, p. 57.