

[Here insert the days and hours when the public vaccinator is in attendance.]

On your attending before a public vaccinator at the said station within the said hours on any of the said days, or at any other public vaccine-station in the town on the days and within the hours prescribed for public vaccination at such station, you will be vaccinated free of charge.

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

Dated the of 18 .

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

SCHEDULE E.

(see section 18)

To

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

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

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

[Here insert the days and the hours when the public vaccinator is in attendance.]

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

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

You should be careful to have one of the annexed forms of certificate filled in by the public vaccinator, or, if you employ a private medical practitioner to vaccinate the child, by such medical practitioner, and to keep the same in your possession. Any such certificate will be granted to you by a public vaccinator free of charge.

Dated the of 18 .

Registrar of Births.

SCHEDULE F.

(see section 22.)

Register of Postponed Vaccination for the District of

Consecutive number.	Name of child	BIRTH.		Date of certificate of postponement.	Signature of Registrar.
		Year.	Number of entry in register		
1	Ram Chunder Dass ...	1878	12	1878 May 10	H.O.

IX

THE PURI LODGING-HOUSE ACT.

BENGAL ACT IV OF 1871.

As modified up to the 1st June, 1908.

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

Preamble.

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.

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

"Lodger."

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

"Owner."

the expression "lodging-house" shall mean a house
 licensed under this Act for the re-
 ception of lodgers;

"Lodging-house."

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

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

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

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

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

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

thereof in the manner provided by law for the verification of plaints.

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

Form of license.

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.

Health Officer when required to report upon lodging-house.

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

Restrictions on power of granting license.

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. * * *

Fine on lodging house-keeper not taking out license.

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

8. There shall be charged upon every certificate of the

Fee for Health Officer's certificate and for license.

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

9. Every license under this Act shall, unless revoked or

Duration of license.

suspended, continue and be in force till the thirty-first day of December of the year in which it is granted.

10. It shall be lawful for the Magistrate or the Health

Power to inspect lodging houses.

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

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

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

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

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

Power to exempt lodging-house from inspection.

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

Persons authorized to inspect deemed public servants.

Act XLV of 1860.

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 license.

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

Keeper of lodging-house to record name of person left in charge.

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 ;

Keeper of lodging-house to report accidents, deaths and sickness and names of persons in lodging-house.

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

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

Keeper of lodging-house to expose notice.

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

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

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

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

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

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

(2) Every keeper of a lodging-house who refuses or neglects, without reasonable cause, within one hour after demand, to produce to the

Magistrate or other officer as aforesaid the license for his said lodging-house when he shall be thereunto required, or

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

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

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

18. Whenever the keeper of any lodging-house shall

Persons in charge of lodging-houses responsible.

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

19. All offences against this Act shall be heard and

Determination of offences.
XXV of 1861.

determined according to the provisions of Chapter XV of the Code of Criminal Procedure.

20. It shall be lawful for the Magistrate to revoke or suspend any license granted under

Power to revoke or suspend licenses.

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.

Power to reduce number of lodgers for which license is granted.

21A. Where, in cases of urgency, the Magistrate is satisfied that sufficient accommodation cannot be provided in the licensed lodging-houses for all the pilgrims visiting the towns, he may grant temporary licenses on such terms as he may think fit, and may charge for any such license such fee as he thinks fit, not exceeding the fee payable for a license under section 8.

Power to grant temporary licenses in cases of urgency.

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

Fees and fines recoverable under Act to go towards sanitary improvement.

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

Applications to be 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 earth-ware or

Depositing dirt, etc., in highways and sewers.

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

Permitting offensive matter to run into drains or upon highways.

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

shall be liable to a fine not exceeding ten rupees.

26. The Magistrate may give notice to the owner or to the occupier of any land to cut and trim any hedges or trees which

Notice to cut trees.

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,

Penalty on occupier of house not removing filth.

keeps or allows to be kept for more than twenty-four hours, otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil or filth, or 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 neglect to employ proper means to cleanse the same, shall be liable to a fine not exceeding fifty rupees.

28. Whoever, being the owner
Keeping cattle near high-ways. 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
Power to license public necessities. 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
Clearing drains and cess-pools. 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
Power to set apart tanks for domestic use. of the Health Officer, to appropriate to the domestic use of the inhabitants of Puri, or of any other town

to which this Act may be extended, any tank not being a private tank;

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

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

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

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

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

shall be liable to a fine not exceeding fifty rupees.

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

Notice to drain and clear vegetation.

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

Power to drain tanks, etc.

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

34. In case any person to whom any notice, warning or order under the provisions of section 26, 30 or 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,

Power to perform works of which notice is given.

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

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

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

35. Every notice, warning, order or summons, under any of the preceding sections of this Act, may be served personally upon the person to whom the same is addressed, or may be served by leaving the same at his usual or last-known place of abode with some adult male member or servant of

Service of notices.

his family, or, if it cannot be so served, may be served by being put up in some conspicuous part of such place of abode.

If such notice, warning, order or summons relates to any house, building or land, and the place of abode of the person whom it is intended to affect by such notice, warning, order or summons is unknown, or is not within the town in which such house, building or land is situate, the same shall be deemed to be duly served if put up in some conspicuous part of the house, building or land to which the same relates.

36. No action shall be brought against the Magistrate, nor against the Health Officer, nor against any 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,

Indemnity clause.

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

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

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

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

37. It shall be lawful for the Magistrate, with the assent of the Health Officer and the Civil

Power to make by-laws.

Surgeon of the district if he be not

the Health Officer, to make by-laws, and to repeal, alter and amend the same, subject to the confirmation herein-after mentioned,

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

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

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

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

Provided that no by-law shall be repugnant to any law in force, and that no fine for any one infringement of a by-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 by-law or alteration of a by-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.

By-laws to be confirmed
by Lieutenant-Governor.

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

Short title.

THE DISORDERLY HOUSES ACT.

BENGAL ACT NO III OF 1906.*

WHEREAS it is expedient to make provision for the discontinuance of brothels and disorderly houses in certain localities

Short title and extent.
in Bengal; It is hereby enacted as follows:—

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

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

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

2. (1) When any Magistrate of the first class receives information—
Power to direct discontinuance of use of house as a brothel or by disorderly persons.

(a) that any house in the vicinity of any educational institution, or of any boarding-house, hostel or mess used or occupied by students, is used as a brothel or for the purpose of habitual prostitution, or is used by disorderly persons of any description, or

(b) that any house is used as aforesaid to the annoyance of respectable inhabitants of the vicinity or

(c) that any house in the immediate neighbourhood of a cantonment is used as a brothel or for the purpose of habitual prostitution,

This Act is repealed by Bengal Act III of 1907 in Municipalities constituted under the Bengal Municipal Act, 1884 (Ben. Act III of 1884), in which the Calcutta Suburban Police Act, 1886 (Ben. Act II of 1886), is in force,

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

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

(i) with the sanction or by the order of the District Magistrate; or

(ii) on the report of the Commissioners of the municipality concerned; or

(iii) on the complaint of three or more persons resident in the immediate vicinity of the house to which the complaint refers.

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

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

XI

THE LICENSED WAREHOUSE AND FIRE-BRIGADE ACT.

BENGAL ACT NO. I OF 1893.

As amended up to March 1894.

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

Preamble.

CHAPTER I.

Preliminary.

1. (1) This Act may be called
 the Licensed Warehouse and Fire-
 brigade Act, 1893.

Title, application and commencement.

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

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

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

Repeal.

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

Definitions.

or context,—

3. In this Act, unless there is something repugnant in the subject

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

(2) "cotton" means loose raw cotton :

(3) "jute" means raw jute, either loose or in drums, and loose jute-cuttings and rejections :

(4) "Magistrate" means and includes a Presidency Magistrate and a Magistrate of the first class :

(5) "person" includes an undivided Hindu family, a firm or company or association of individuals whether incorporated or not :

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

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

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

CHAPTER II.

Licensed Warehouses.

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

Warehouse not to be used till licensed.

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

License of previously licensed building or place.

6. Any person proposing to use any building or place as a warehouse within the area to which this Act applies or may hereafter be extended, and who, at the commencement

• License of new warehouse.

of this Act, does not hold such license under any of the said aforementioned previous Acts, shall, with his application for a license therefor, send to the Chairman of the Commissioners a plan in duplicate of such building or place prepared on a scale of 8 feet to the inch, and showing—

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

and thereupon it shall be within the discretion of the Chairman of the Commissioners to grant a license from the Commissioners therefor as a warehouse under this Act, subject to the payment to the Commissioners of such annual fee as is hereinafter provided, or to refuse a license for the same :

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

7. Every application for a license under the last preceding section shall be disposed

Period for disposal of application for license.

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

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

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

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

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

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

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

Provided that the annual fee payable by any owner or occupier in respect of license shall not exceed seven hundred and fifty rupees, and that estimated total annual amount to be derived from such fees shall not exceed fifty

rupees per centum of the amount required to meet the cost of the fire-brigade, as shown in the budget mentioned in section twenty-six of this Act :

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

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

11. Whenever and so often as a change in the occupation of any warehouse occurs, the person entering into occupation of the same shall, within two weeks of his so entering into occupation, give notice in writing to the Chairman of the Commissioners of such change of occupation, and shall thereupon pay to the Commissioners a fee of five rupees ; and his name shall accordingly be substituted in the license in respect of such warehouse for the name of the last occupier.

12. (1) Whenever the Chairman of the Commissioners receives credible information that any of the conditions, to which the license of any warehouse shall

Change in occupation of warehouse to be notified.
Chairman may apply to Magistrate to suspend license of warehouse.

be subject, has been broken by the holder thereof, he may apply in writing, setting forth the substance of such information, to a Magistrate for the issue of a summons upon the holder of the license to show cause why such license should not be cancelled or suspended, and may also apply to such Magistrate to suspend in the meantime such license pending the hearing of the case.

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

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

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

Magistrate may cancel
or suspend license.

CHAPTER III.

Penalties.

14. Any person who, without taking out a license, use any building or place as a warehouse shall be liable, on conviction before a Magistrate, to a penalty

Penalty for not taking
out license.

not exceeding fifty rupees for each day during which he may so use or continue to use such warehouse.

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

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

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

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

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

Penalty for preparing, &c, inflammable substance on roof of building.

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

Penalty for using as residence any warehouse used for pressing jute or cotton.

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

Penalty for using matches or artificial light in warehouse.

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

Penalty for smoking within warehouse.

CHAPTER IV.

Funds.

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

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

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

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

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

(b) a rate not exceeding one-half per centum on the annual value, as it is assessed to the payment of municipal taxes, on all basti lands with the huts, if any, upon them;

(c) a general rate not exceeding one-eighth per centum on the annual value of all houses and land assessed under the provisions of the Bengal Municipal Act, 1884, and the Calcutta Municipal Consolidation Act, 1888.

(2) Any building or place in respect of which a license has been granted under this Act as a warehouse, which has been assessed under clause (a), and any basti land assessed under clause (b), shall be exempt from further assessment under clause (c).

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

Commissioner of Police to prepare annually budget or estimate of receipts and expenditure of fire-brigade.

taken into account by the Local Government in fixing the sum to be annually contributed by the municipalities concerned under this Act.

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

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

Sums to be appropriated as asset of Fire-brigade Fund.

28. The provisions of the Bengal Municipal Act, 1884, and the Calcutta Municipal Consolidation Act, 1888, relating to the recovery of rates levied under those Acts, respectively, shall, so far as they are consistent with this Act, apply to the recovery of rates levied under section twenty-five of this Act:

Mode of recovery of rates levied under section 25.
Provided that the rates levied under this Act in Calcutta shall be included with the four rates mentioned in section one hundred and one of the Calcutta Municipal Consolidation Act, 1888, as one consolidated rate.

29. The Local Government may fix the proportionate liability for the cost of the fire-brigade to be borne by the Commissioners of the municipalities to which this Act applies or may

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

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

CHAPTER V.

Fire-brigade.

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

Commissioner of Police to maintain fire-brigade for municipalities.

31. (1) The Local Government may from time to time make, and when made alter or repeal, such general or special orders as it may think fit—

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

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

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

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

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

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

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

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

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

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

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

32. (1) On the occasion of a fire, the Commissioner or Deputy Commissioner of Police, Commissioner of Police, &c., may exercise certain powers on occasion of a fire. or the Chief or other Officer in charge of the fire-brigade on the spot, may—

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

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

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

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

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

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

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

Police-officers to aid fire-brigade in execution of its duties.

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

Non-liability of police-officer, &c., to damages.

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

Chief Officer of brigade to enquire into origin of fire and to make report to Magistrate.

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

CHAPTER VI.

Fireworks, &c.

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

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

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

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

38. The powers conferred on the Commissioner of Police in respect to Calcutta and the Suburbs by the two last preceding sections, shall be exercised

Penalty for letting off rockets, &c., and selling fireworks without license.

Power of Commissioner of Police to withdraw or suspend license.

Magistrate of Howrah to exercise certain powers of Commissioner of Police.

in the municipality of Howrah by the Magistrate of the district, or the officer in charge of the current duties of the Magistrate's office.

39. In the event of any rockets being let off or fire-balloons sent up, within the precincts of any private premises or compound without the express permission in writing of the Commissioner of Police or the Magistrate or officer as aforesaid, as the case may be, the owner or occupier, or person under whose immediate control the said premises or compound is, shall be liable to a fine not exceeding fifty rupees, unless he can prove that the offence was committed without his knowledge.

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

CHAPTER VII.

Miscellaneous.

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

Local Government may declare other building or place to be a warehouse.

41. (1) The Commissioners of the several municipalities to which this Act extends shall submit a report to the Local Government once a year, at such time as the Local Government shall direct, giving a statement of account of receipts and disbursements, and showing

Report respecting licenses for warehouses, &c., to be submitted to Local Government.

how the provisions of this Act have been carried out, and specifying the warehouses in respect of which licenses have been granted.

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

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

42. Any person committing any offence in respect of which a penalty is provided by section thirty-six of this Act may, if his name and address be unknown, be arrested by any officer of police and forthwith conveyed before a Magistrate having jurisdiction in the place in which such offence has been committed, or shall be taken to the nearest police-station within the said jurisdiction, in order that such person may be detained until he can be brought before a Magistrate, or until he shall enter into a recognizance with or without sureties for his appearance before a Magistrate.

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

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

Time within which offenders should be conveyed before Magistrate.

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

Form of license for warehouse.

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

Act not applicable to buildings where small quantities of jute, &c., are deposited.

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

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

Repeal of sections 347 of Act II of 1888 and 261 of Act III 1884.

46A. Anything in the last preceding section notwithstanding, the Commissioners are hereby authorised to levy fees under sections three hundred and forty-seven of the Calcutta Municipal Consolidation Act, 1888, and two hundred sixty-one of the Bengal Municipal Act, 1884, as the case may be, up to the thirty-first day of March, 1894, and it is hereby declared that the repeal of the said sections, in so far as the power is withdrawn from the Commissioners of levying fees in respect of prem-

Operation of section 46 suspended.

ises licensed as depots for hay, straw, wood, rags, jute or other dangerously inflammable material which are licensed and used as warehouses under this Act, shall not take effect until the first day of April 1894.

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

SCHEDULE.

(Referred to in section 44)

License under Bengal Act of 18.

No. of 18

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

Name of owner

Name of occupier

Secretary to the Corporation

(or to the Municipal Commissioners).

The day of

(On the back of the license.)

BRIGADE ACT.

381a.

CONDITIONS.

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

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

Change.

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

NOTIFICATION.

No. 2853 M.—The 14th August 1893.—It is hereby notified for general information that, in the exercise of the power vested in the Local Government by section 45 (2) of the Bengal Licensed Warehouse and Fire-Brigade Act I of 1893, the Lieutenant-Governor is pleased to declare that 50 maunds of jute, cotton, resin, varnish, pitch, tar, hay, straw, rags, tallow, wood or other inflammable substance or thing for the time being, subject to the operation of the said Act, shall be deemed to be a "small quantity" within the meaning of section 45 (1) of the Act, and that the provisions of the Act shall not apply to any building or places wherein any quantity of the inflammable materials mentioned above, not exceeding 50 maunds, is deposited.

Calcutta Gazette of 16th }
August, 1893.

J. A. BOURDILLON,
Offg. Secy. to the Govt. of Bengal.

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