

SONTHAL PARGANAS ACT, 1855

37 of 1855

[22nd December, 1855]

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SCHEDULE 1 :- THE SCHEDULE

SONTHAL PARGANAS ACT, 1855

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An Act to remove from the operation of the general Laws and Regulations certain district inhabited by Sonthals and others, and to place the same under the superintendence of an officer to be specially appointed for that purpose. Preamble.- Whereas the general Regulations and Acts of Government now in force in the Presidency of Bengal are not adapted to the uncivilized race of people called Sonthals, and it is therefore expedient to remove from the operation of such laws the district called the Damin-i-Koh, and other districts which are inhabited principally by that tribe: It is enacted as follows,-

1. Districts removed from operation of general Regulations

:-

¹Clause 1.- The districts described in the Schedule to this Act are hereby removed from the operation of the general Regulations of the Bengal Code and of the laws passed by the Governor-General of India in Council, except so far as is hereinafter provided; and ²[no Central Act passed before the commencement of Part III of the Government of India Act, 1935 ,] shall be deemed to extend to

any part of the said districts, unless the same shall be specially named therein : Proviso. Provided that nothing herein contained shall ³[* * *] remove any part of the said districts from the operation of ⁴Regulation 10 of 1804 of the Bengal Code; nor permanently settled land revenue due under the same, nor any law relating to the sale of lands for arrears of revenue, or relating to patni taluks or to the sale thereof for arrears of rent, nor any law relating to mutations or batwara or to any other matter to which the ⁵[State Government] shall at any time notify in the ⁶[Official Gazette] that the general Laws and Regulations shall extend. Superintendence of districts. Clause 2.- The said districts shall be placed under the superintendence and jurisdiction of an officer or officers⁷ to be appointed in that behalf by the State Government and such officer or officers shall be subject to the directions⁸ and control of the State Government.

1. Clause 1 of section I appears to have been superseded by the Sonthal Parganas Settlement Regulations, 1872 (3 of 1872), section 3.

2. Substituted for the words "no law which shall hereafter be passed by the Governor-General of India in Council" by A. O" 1937 (1-4-1937).

3. The words "extend to or affect any case now pending in any Court, nor", were omitted by the Amending Act. 1891 (12 of 1891).

4. The Bengal State Offences Regulation, 1804, was repealed by the Special Laws Repeal Act, 1922 (4 of 1922).

5. Substituted for the words "Provincial Government" by A. L. O.. 1950.

6. Substituted for the words "Calcutta Gazette" by A. O., 1937 (1-4-1937).

7. For provisions as to Courts of officers appointed under this section, see the Sonthal Parganas Justice Regulation, 1893 (5 of 1894), Chap. III, Part II.

8. Any directions issued under clause 2 of section I must be consistent with enactments in force in the Sonthal Parganas, see Regulation 5 of 1893, section 27.

2. Administration of justice and collection of revenue :-

The administration of civil and criminal justice and the collection of the revenue, not being permanently settled land revenue within the said districts, are hereby vested in the officer or officers to be so appointed : Suits exceeding value of one thousand rupees. ¹ Provided that all civil suits in which the matter in dispute shall exceed the value of one thousand rupees shall be tried and determined according to the general laws and regulations in the

same manner as if this Act had not been passed : Collection of permanently settled land revenue. Provided also that all permanently settled land revenue shall be collected and paid at the same places and in the same manner as if this Act had not been passed.

1. With reference to this proviso, see the Sonthal Parganas Settlement Regulation, 1872 (3 of 1872), section 3 (2) and Sonthal Parganas Justice Regulation, 1893 (5 of 1893), section 15.

3. Administration of civil and criminal justice :-

In the administration of civil and criminal justice the officer or officers appointed under this Act ¹[***] may hold his or their Courts either within the said district or at any place or places that may be appointed for that purpose by the ² [State Government]; and any person liable to be imprisoned in any civil or criminal jail may be imprisoned in any civil or criminal jail, as the case may be, which the State Government] may order, whether the same be in or out of the said district.

1. The words "shall be guided by the spirit and principle of the Civil and Criminal Laws administered in the Courts of the East India Company in the Presidency of Bengal, but shall not be bound to take the fatwa of a law officer; and he or they", were omitted by the Sonthal Parganas Justice Regulation. 1893 (5 of 1893).

2. Substituted for the words "Provincial Government" by A. L. O., 1950.

4. Decisions final; confirmation of death sentence; appeal; procedure on references to Sadar Court :-

Repealed by the Sonthal Parganas Justice Regulation, 1893 (5 of 1893).]

5. Saving of laws relating to European British subjects :-

Repealed, by the Sonthal Parganas Justice Regulation, 1893 (5 of 1893).]

6. Commencement of Act :-

Repealed by the Repealing Act. 1870 (14 of 1870).]

SCHEDULE 1

THE SCHEDULE

The Damin-i-Koh. So much of Pargana Bhaglapur and of Pargana Satiyari as lies east of the Gerua Nadi and south of a line drawn eastward from Hamza Chak to the village of Dighi. Pargana Tiliyagarhi. Except such parts of them as are now or may " Jamuni. hereafter be situate on the left bank of the main " Chituliya. stream of the Ganges so that any change in the " Kankjaul. course of the river the main stream shall be the " Bahadarpur. boundary. "

Akbarnagar. " Inayatnagar. " Makrain. " Sultanganj. " Ambar. " Sultanabad. " Godda. " Amolmotiya. " Pasai. " Handwa. Except such detached villages as lie within the Tappa Manihari. general boundaries of parganas not mentioned " Belpatta. in this schedule. Pargana Pabbiya. Tappa Sarath Deogarh. " Kandit Karaiya. " Muhammadabad. Such part of Pargana Darin Mauleshwar as lies north of the Chilla or Chandan Ghat Nala. ZILA BIRBHUM ZILA BHAGAIPUR Such detached portions of other parganas and tappas as lie within the general boundaries of any of the above mentioned parganas and tappas. Such portions of parganas belonging to Malda and Purnea below the village of Khidurpur in Pargana Tiliyagarhi, as are now or may hereafter be situate on the right bank of the main stream of the Ganges.