



The Arunachal Pradesh Code Volume-I

**REGULATIONS IN FORCE IN THE UNION
TERRITORY OF ARUNACHAL PRADESH**

**GOVERNMENT OF ARUNACHAL PRADESH
LAW AND JUDICIAL DEPARTMENT
1982**

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**GOVERNMENT OF ARUNACHAL PRADESH
LAW AND JUDICIAL DEPARTMENT**

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P R E F A C E

This is the first attempt to present in a Code, the laws, in force, in the Union Territory of Arunachal Pradesh.

A brief historical reference to the evolution of this territory may be useful.

The commencement of administration in this territory, which is now known as Arunachal Pradesh, may be traced back to the Government of India, Foreign and Political Department Notification of 1914, which provided that the Assam Frontier Tracts Regulation, 1880 would extend to the hills inhabited or frequented by Abors, Miris, Mishmis, Singphos, Khamties, Bhutias, Akas and Daflas. The Hill areas were separated from the then Darrang and Lakhimpur District of the province of Assam by issue of Notifications dated 25th September, 1914, in exercise of powers under the Assam Frontier Tracts Regulation, 1880 and the three frontier tracts (collectively known as North East Frontier Tracts) as under came into existence :—

Historical evolution of territory.

(1) The Central and Eastern Section, (2) The Western Section, (3) The Lakhimpur Frontier Tract.

In the year 1919 the Central and Eastern Section was renamed as the Sadiya-Frontier Tract. The Western Section was renamed as the Balipara Frontier Tract. There was no change in the name of the Lakhimpur Frontier Tract.

In 1921 the tracts were included in the 'backward tracts' under Section 52A of the Government of India Act, 1915-1919.

Some areas thereafter were either excluded or included in the said North East Frontier Tracts.

In the year 1937, the said frontier tracts also came to be known collectively as the excluded areas in the province of Assam under the Government of India (Excluded and Partially Excluded Areas) Order, 1936 issued under the provisions of Section 91 (1) of the Government of India Act, 1935.

In the year 1943, with some areas of Lakhimpur Frontier Tract and Sadiya Frontier Tract, a new administrative unit known as Tirap Frontier Track was formed.

In 1946, the Balipara Frontier Tract was divided for administrative convenience into Sela Sub-agency and Subansiri area.

In 1948, the remaining Sadiya Frontier Tract was divided into Abor Hills District and Mishmi Hills District.

When the Constitution of India came into force on 26th January, 1950, the areas were included in Table B under paragraph 20 of the Sixth Schedule to the Constitution, which provided for the Tribal Areas within the State of Assam.

In 1954, the Balipara Frontier Tract was bifurcated into (1) Kameng Frontier Division, and (2) Subansiri Frontier Division; (3) Tirap Frontier Tract was renamed Tirap Frontier Division. (4) Abor Hills District was renamed Siang Frontier Division and (5) Mishmi Hills District was renamed Lohit Frontier Division (the Naga tribal area known as Tuensang Frontier Division, which was until then also part of the territory, in 1957, was excluded from the territory). The territory was collectively known as North East Frontier Agency, popularly NEFA.

The administration of this area until then under the control of the Ministry of External Affairs, Government India, was taken over by Ministry of Home Affairs and in 1965 the aforesaid frontier divisions became Districts and the Political Officers came to be known as Deputy Commissioners.

On 21st January 1972, the Territory was constituted into the Union Territory of Arunachal Pradesh, under the provisions of Section 7 of the North Eastern Areas Re-organisation Act, 1971 and ceased to be a tribal area within the State of Assam. The provisions of the Sixth Schedule to the Constitution also ceased to be applicable to it. The Governor of Assam, who until then administered the area as the agent of the President under paragraph 18 of the Sixth Schedule also ceased to function as such. The President administered the territory through an Administrator appointed under the provisions of Article 239 of the Constitution. The Agency Council under the provisions of the NEFA Panchayat Raj Regulation, 1967 and with effect from 21st January, 1972, the Pradesh Council under the provisions of the NEFA Administration (Supplementary) Regulation, 1971 were only advisory bodies.

On 15th August, 1975 the provisions of the Government of Union Territories Act, 1963 were applied to the Union Territory of Arunachal Pradesh and the former Pradesh Council with some modification, until a Legislative Assembly under the said Act was duly constituted, became the provisional Legislative Assembly of the Union Territory of Arunachal Pradesh. A Council of Ministers was sworn in on 15th August, 1975. The Administrator of Union Territory of Arunachal Pradesh until then designated Chief Commissioner, was designated with effect from 15th August, 1975 as Lt. Governor.

As is by now well known, by issue of three notifications in the year 1914, in exercise of powers under Section 2 of the Assam Frontier Tracts Regulation, 1880, the operation of all the laws in the then NE Frontier Tracts, except the said regulation, was barred. In the year 1915, the provisions of the Scheduled Districts Act, 1874, were extended to the said tracts and from time to time thereafter, various Central and other enactments of the period prior to the Government of India Act, 1915-1919 were extended to the said tracts by issue of notifications in exercise of powers under Section 5 (A) of the said Scheduled District Act, 1874 such as the Indian Penal Code, 1860, the Police Act, 1861, the Assam Forest Regulation, 1897, the Assam Land and Revenue Regulation 1886 (only two sections thereof were extended) and others.

Historical background of Legislative process for Central Laws.

During the period, the Government of India Act, 1915-1919 was in force, since the then Central Legislature, under the said Act, was competent to make laws for this territory as well, and in the notification issued under Section 52A (2) of the Government of India Act, 1915-1919 (perhaps because the provisions of the Assam Frontier Tracts Regulation, 1880, were already available) there was no further requirement to issue a notification before extension of a law in the territory, subject to the provisions of the extent clause of the law itself, all the laws enacted during the period extended to the territory pro-prio vigore. The said Act continued to be in force upto 31st March, 1937, whereafter, the Government of India Act, 1935 came into force from 1st April, 1937. However, in respect of the laws enacted during the said period, the operation of some laws was barred by issue of notification under Section 2 of the Assam Frontier Tracts Regulation, 1880, such as the Indian Succession Act, 1925.

During the period the Government of India Act, 1955 was in force, by virtue of the provisions of Sub-section (1) of Section 92 of the Act, a law, whether Central or State could extend in this Territory only by a notification issued in exercise of powers under Sub-section (1) of Section 92 of the said Act.

The Constitution of India came into force on 26th January, 1950 and thereafter, the Parliament was competent to make a law for this territory in exercise of powers under Article 246(4), and accordingly, all post-constitution Central laws extended to the territory subject of course to the provisions of the extent clause. It may be noted that this territory was in Part 'B' of the table under paragraph 20 of the then Sixth Schedule to the Constitution and although the Governor could, with the prior approval of the President, in exercise of powers under clause (a) of sub-paragraph 1 of paragraph 18, extend the provisions of the other paragraph of the said Schedule to this territory, it appears that no such notification was issued. The result was that although under paragraph 12, there was power with the Governor of Assam to restrict the extension of laws made by Parliament to the other Tribal areas within the State of Assam, the provisions of the said paragraph 12 were not available for this territory and the said power, it appears, was never exercised. All Central laws during the post-constitution period extend to the territory, subject of course, as said before, to the extent clause.

A number of pre-constitution Central laws came to be extended to this territory during the post-constitution period, by virtue of substitution of the entire extent clause of the laws by a parliamentary legislation or by a law to extend the laws.

The Code is presented in three volumes, and contains laws which extend to Arunachal Pradesh as on 1-1-81. The first volume consists of Regulations of local application upto 14-8-1975 and also the Bengal Eastern Frontier Regulation, 1873 and the Chin Hills Regulation, 1896. Scheme of Code

The second volume consists of lists of pre-constitution Central laws and other State enactments which extended to the territory, which subsequently became the Union Territory of Arunachal Pradesh. The volume consists of only the relevant notifications or of information regarding the extension of laws. The text of the Central laws has not been provided, because the same is available in any India Code or may be easily obtained. The text of other State laws/regulations has been provided.

The third volume consists of the laws which were enacted by the Legislative Assembly of Arunachal Pradesh, that is after 15th August, 1975 upto date.

Useful relevant material information is being furnished in Appendices.

We shall welcome suggestions for improvement and shall be grateful for information relevant to the purpose, which may be sent to us.

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Secretary (Law and Judicial Deptt),
Government of Arunachal Pradesh.

Itanagar,
21st January, 1981.

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BENGAL EASTERN FRONTIER, REGULATION.

1873

(Regulation 5 of 1873)

A Regulation for the peace and government of certain districts on the Eastern Frontier of Bengal.

Whereas the Secretary of State for India in Council has by resolution in Council, declared the provisions of Act 33 Vict. Chapter 3 section 1 to be applicable to the districts of KAMRUP, DARRANG, NOWGONG, SIBSAGAR, LAKHIMPUR (GARO HILLS), KHASI, and JAINTIA HILLS, NAGA HILLS, CACHAR.

Preamble

And whereas the Lieutenant Governor of Bengal has proposed to the Governor General in Council, a draft of the following Regulation, together with the reasons for proposing the same, for the peace and government of the said districts ;

And whereas the Governor in Council has taken such draft and reasons into consideration and has approved of such draft, and the same has received the Governor General's assent ;

The following Regulation is now published in the Gazette of India, and will be published in the Calcutta Gazette, and will thereupon have the force of law, under the 33rd of Victoria, Chapter 3 :-

1. This Regulation shall extend to the districts named in the preamble and shall come into force on the 1st of November, 1873.

Local extent

2. It shall be lawful for the [State Government]¹ from time to time to alter, by notification in the Official Gazette a line to be called "The Inner Line" in each or any of the above named districts.

Power to prescribe and alter inner line

The [State Government]¹ may, by notification, in the [Arunachal Pradesh]² Gazette prohibit all [citizens of India or any class of such citizens]³ or any persons residing in or passing through such districts

Note This Regulation was made under the Govt. of India Act, 1870 (32 and 34. Vict. C. 3) and Govt. of India Act, 1915 in force in Assam. ¹Made applicable under section 5 Schedule of the Districts Act, 1874, vide Manual of Assam orders and Rules Local Vol. I (page 173-Vo. I)

- 1. Substitute for 'Provincial' by ALO 1950.
- 2. Substitute for 'Official' by NEA (Reorg) (AP) ALO, 1974.
- 3. Substitute for 'British subject or any class of British subject' by ALO, 1950.

from going beyond such line without a pass under the hand and seal of the Chief Executive Officer of such district or of such other officer as he may, authorise to grant such pass; and the [State Government]¹ may, from time to time, cancel or vary such prohibition.

3. Any person so prohibited who, after "the Inner Line" has been prescribed and notified in accordance with section 2 of this Regulation, goes beyond such line without a pass, shall be liable, on conviction before a Magistrate, to imprisonment of either description which may extend to one year, to a fine not exceeding one thousand rupees, or to both.

Penalty for crossing line without pass.

4. The [State Government]¹ may from time to time prescribe by notification in the [Arunachal Pradesh]² Gazette a form of pass for each district, and may in such form fix such restrictions or conditions as the [State Government]¹ may deem fit and may require the payment of such dues and fees for such passes as the [State Government]¹ may deem proper.

Power to prescribe form of pass.

Any holder of such a pass shall, on breach of any restriction or condition be liable, on conviction to imprisonment of either description which may extend to one year, or to a fine not exceeding one thousand rupees, or to both.

5. (1) Any rubber, wax, ivory or other jungle product (or any book, diary, manuscript, map, picture, photograph film, curio or article of religious or scientific interest) found in the possession of any person convicted of an offence under this Regulation may be confiscated to Government by an order to be passed at the time of conviction by the Magistrate.

Confiscation of jungle products found with offender.

(2) If the Magistrate has reason to believe that any article which if found in the possession of a person convicted under this Regulation would have been liable to confiscation under sub-section (1) has been acquired or wholly or partly written, made or taken by such person beyond "the Inner Line" the Magistrate after giving the person in whose possession the article is found, an opportunity to show cause why an order

1. Substituted for 'Provincial' by ALO, 1950.

2. Substituted for 'Official' by NEA (Reorg) (AP) ALO, 1974

under this sub-section should not be passed in respect of the article may, unless it is proved that the article was not acquired, written, made or taken as aforesaid, order that such article be confiscated to Government.

6. The Chief Executive Officer of any district comprised in any notification as aforesaid may, subject to the approval of the [State Government]¹ authorise, by a written instrument under his hand any public servant to arrest and bring before him with the least practicable delay-

Power to authorise such arrest.

firstly, any person prohibited from crossing "the Inner Line" prescribed for such district, if such person shall be found beyond the line and when asked to produce his pass shall refuse or be unable so to do :

Secondly, any person to whom a pass may have been granted and who has committed any infraction of its conditions.

7. It shall not be lawful for any person, not being a Native of the district comprised in the preamble of this Regulation, to acquire any interest in land or the product of land beyond the said "Inner Line" without the sanction of the [State Government]¹ or such officer as the [State Government]¹ shall appoint in this behalf.

Acquisition of interest in land by other than natives of districts comprised in preamble.

Any interest so acquired may be dealt with as the [State Government]¹ or its said officer shall direct.

The [State Government]¹ may also, by notification in the [Arunachal Pradesh]² Gazette extend the prohibition contained in this section to any class of persons, natives of the said districts, and may from time to time in like manner cancel or vary such extension.

8. to 10. Rep. by Reg. 1 of 1880.

Killing or capturing elephants.

11. Offences against this Regulation may be tried by Magistrates of the first or second class, and shall be bailable.

Jurisdiction as to offences.

1. Substituted for 'Provincial' by ALO, 1950.

2. Substituted for "Official" by NEA (Reorg) (AP) ALO, 1974.

**THE ASSAM LAND AND REVENUE REGULATION,
1886.**

(Regulation 1 of 1886)

This Regulation has been extended with exception of sections 3 to 159 (both inclusive) to Lakhimpur Frontier Tract. Central and Eastern section of North East Frontier Tract and Western section of North East Frontier Tract and to the transferred tracts to the Balipara and Sadiya Frontier Tracts, vide Assam Government's Notifications No. (1) 4960P dated 18-8-1916 (2) 4958P dated 18-8-1916 (3) 4956 AP dated 18-8-1916 (4) 293P dated 24-1-1925 and (5) 297 AP dated 24-1-1925 respectively (appended). That means only sections 1 and 2 of the Regulation are applicable to Arunachal Pradesh and hence the text of the Regulation has not been included.

ASSAM FOREST REGULATION, 1891.

(7 of 1891)

A REGULATION TO AMEND THE LAW RELATING TO FORESTS, FOREST PRODUCE AND THE DUTY LEVIABLE ON TIMBER IN ASSAM.

Whereas it is expedient to amend the law relating to forests, forest produce and the duty leviable on timber in Assam, it is hereby enacted as follows :

CHAPTER—I

1. (1) This Regulation may be called the Assam Forest Regulation, 1891.

Title, extent and commencement.

(2) It extends to [the whole of the Union Territory of Arunachal Pradesh]¹.

Provided that the [State]² Government may, by notification in the [Arunachal Pradesh]³ Gazette, exempt any place from the operation of the whole or any part thereof, and withdraw such exemption; and

(3) It shall come into force on such day as the [State]² Government, by notification in the [Arunachal Pradesh]³ Gazette directs :

(4) A notification under the proviso to sub-section (2) exempting a place from the operation of the whole or any part of the Regulation shall not affect any thing done, or any offence committed, or any fine or penalty imposed in such place before such exemption.

2. Repealed by Act I of 1938.

Repeal, saving of rules and other proceedings.

3. In this Regulation, and in all rules thereunder, unless something repugnant in the subject or context,—

Definitions.

(1) "Forest Officer" means any person appointed by name or as holding an office by or under the orders of the [State]² Government to be a Conservator, Deputy Conservator, Assistant Conservator, Sub-Assistant Conservator, Forest Ranger, Forester or Forest Guard, or to discharge any function of a Forest Officer under this Regulation or any rule thereunder;

1. Substituted for "the whole of the territories administered by the Government of Assam" by NEA (Reorn) (APA) ALO, 1974.

2. Substituted for "Provincial" by ALO, 1950.

3. Substituted for "Official" by NEA (Reorn) (AP) ALO, 1974.

(2) "tree" includes palms, bamboos, stumps, brush-wood and canes ;

(3) "timber" includes trees when they have fallen or have been felled, and all wood, whether cut up or fashioned or hollowed out for any purpose or not :

(4) "forest produce" includes :—

(a) the following, whether found in, or brought from, a forest or not, that is to say,—timber, charcoal, caoutchouc, catechu, wood-oil, resin, natural varnish, hard lac, myrabolams, rhinoceros horns, and

(b) the following when found in, or brought from a forest, that is to say :—

(i) trees and leaves, and fruits, and all other parts or produce not hereinbefore mentioned of trees,

(ii) plants not being trees (including grass, creepers, reeds and moss), and all parts or produce of such plants,

(iii) wild animals and skins, tusks and horns, bones other than rhinoceros horns, silk, cocoons, honey and wax, and all other parts of produce of animals, and

(iv) peat, surface soil, rock and minerals (including limestone, laterite, mineral oils and products of mines or quarries),

(5) "forest offence" means and offence punishable under this Regulation or any rule thereunder :

(6) "cattle" includes also elephants, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, and sheep, lambs, goats and kids ;

(7) "river" includes also streams, canals, creeks, and other channels, natural or artificial ;

(8) "land at the disposal of the Government" means land in respect of which no person has acquired—

(a) a permanent, heritable- and transferable right of use and occupancy under law for the time being in force ; or

(b) any right created by grant or lease made or continued by or on behalf of the [Government]¹ not being land vested in the [Government]¹ for the purposes of the Central Government ; and

(9) "Magistrate" means a Magistrate of the first or second class, when he is specially empowered by the [State]¹ Government to try forest offences.

Substituted for "Crown" by ALO, 1950.

Substituted for "Provincial" by ALO, 1950.

CHAPTER II

RESERVED FOREST

4. The [State]¹ Government may constitute any land at the disposal of the Government a reserved forest in manner hereinafter provided.

Power to constitute reserved forests.

5. (1) Whenever it is proposed to constitute any land a reserved forest, the [State]¹ Government shall publish a notification in the [Andhra Pradesh]² Gazette,—

Notification by State Government of proposal to constitute a reserved forest.

(a) specifying as nearly as possible the situation and limits of such land ;

(b) declaring that it is proposed to constitute such land a reserved forest ; and

(c) appointing an officer (hereinafter called the Forest Settlement Officer) to inquire in and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favour of, any person in or over any land comprised within such limits, and any claims relating to the practice within such limit of jhum cultivation, and to deal with the same as provided in this chapter.

(2) The Forest Settlement Officer shall ordinarily be a person other than a Forest Officer, but a Forest Officer may be appointed by the [State]¹ Government to assist the Forest Settlement Officer in the inquiry prescribed by this chapter.

6. When a notification has been published under section 5, the Forest Settlement Officer shall publish in the language of the country, at the headquarters of each district and sub-division in which any portion of the land comprised in such notification is situated, and in every town and village in the neighbourhood of such land a proclamation—

Proclamation by Forest Settlement Officer.

(a) specifying as nearly as possible the situation and limits of the proposed forests ;

(b) setting forth the substance of the provisions of the next following section :

1. Substituted for "Provincial" by ALO, 1950.

2. Substituted for "Official" by NEA (Recs) (AP) ALO, 1974

(c) explaining the consequences which as hereinafter provided, will ensue on the reservation of such forest; and.

(d) fixing a period of not less than three months from the date of the publication of such proclamation and requiring every person claiming any right or making any claim referred to or mentioned in section 5 either to present to such officer within such period written notice specifying, or to appear before him such period and state the nature of such right or claim.

7. (1) During the interval between the publication of such proclamation and the date fixed by the notification declaring the forest to be reserved as hereinafter provided, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by, or on behalf of the [Government]¹ or some person in whom such right or power to create such right was vested when the proclamation was published; and on such land no new house shall be built or plantation formed, no fresh clearings for cultivation or for any other purpose shall be made, and no trees shall be cut for the purpose of trade or manufacture except as hereinafter provided.

Bar of accrual of forest rights after proclamation.

(2) Nothing in this section shall be deemed to prohibit any act done with the permission in writing of the Forest Settlement Officer, or any clearings lawfully for jhum cultivation by persons in the habit of practising such cultivation on such land.

8. (1) The Forest Settlement Officer shall take down in writing all statements made under section 6, and shall inquire into all claims made under that section, and the existence of any right or practice mentioned in section 5 in respect of which no claim is made.

Inquiry by Forest Settlement Officer.

(2) The Forest Settlement Officer shall at the same time consider and record any objection which the Forest Officer, if any appointed under section 5 to assist him, may make to any such claim or with respect to the existence of any such right or practice.

9. For the purposes of such inquiry the Forest Settlement Officer may exercise—

Powers of Forest Settlement Officer.

(a) power to enter, by himself or any officer authorised by him for the purpose, upon any land, and to survey, demarcate, and make a map of the same; and

1. Substituted for 'Crown' by ALO, 1950.

(b) the powers of a Civil Court in the trial of suits.

10. (1) In the case of a claim relating to the practice of jhum cultivation of Forest Settlement Officer, shall record a statement, setting forth the particulars of the claim and of any local rule, or order under which the practice is allowed or regulated, and submit the statement to the [State] Government, together with his opinion as to whether the practice should be permitted or prohibited wholly or in part.

(2) On receipt of the statement and opinion the [State] Government may make an order permitting or prohibiting the practice wholly or in part.

(3) If such practice is permitted wholly or in part, the Forest Settlement Officer may arrange for its exercise

(a) by altering the limits of the land under settlement, so as to exclude land of sufficient extent of a suitable kind, and in a locality, reasonably convenient for the purposes of the claimants, or

(b) by causing certain portions of the land under settlement to be separately demarcated, and giving permission to the claimants to practise jhum cultivation therein under such conditions as he may prescribe.

All arrangements made under this sub-section shall be subject to the previous sanction of the [State] Government.

(4) The practice of Jhum cultivation shall in all cases be deemed to be a privilege subject to control, restriction and abolition by the [State] Government, and not to be a right.

11. (1) In the case of a claim to a right in or over any land other than the following rights, namely:—

(a) a right of way, which right is claimed;

(b) a right to watercourse or to use of water,

(c) a right of pasture or to forest produce,

The Forest Settlement Officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

1. Substituted for Provincial by ALO, 1950.

(2) If such claim is admitted wholly or in part, the Forest Settlement Officer may,—

(a) come to an agreement with the claimant for the surrender of the right, or

(b) exclude the land from the limits of the proposed forest, or

(c) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1894.

(3) For the purpose of so acquiring such land—

(i) the Forest Settlement Officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1894 ;

(ii) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section 9 of that Act ;

(iii) the provisions of the proceeding section of that Act shall be deemed to have been complied with, and

(iv) the Collector, with the consent of the claimant, may award compensation in land, or in money, or partly in land and partly in money.

12. (1) In the case of a claim to a right of a kind specified in clause (a), clause (b) or clause (c) of section 11, sub-section (1), the Forest Settlement Officer shall pass an order specifying the particulars of each claim and admitting or rejecting the same, wholly or in part.

Order on claims to right of way, water course or pasture, of forest produce.

(2) When a claim to any such right is admitted, if the right is for the beneficial enjoyment of any land or building, the Forest Settlement Officer shall record the designation, position and area of such land or the designation and position of such building.

(3) Where the right is a right to forest produce, the Forest Settlement Officer shall record whether the forest produce obtained by the exercise of such right may be leased, sold, or bartered, and such other particulars as may be necessary in order to define the existence, nature, and extent of the right.

13. (1) When the Forest Settlement Officer has admitted wholly or in part and recorded under the last foregoing section a claim to a right of pasture or to forest produce, he shall as far as possible provide for the exercise of such right—

Provision for rights of pasture or to forest produce admitted.

(a) by altering the limits of the proposed reserved forest so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimant, or

(b) by recording an order continuing to the claimant a right of pasture or to forest produce, as the case may be, subject to such rules as may be prescribed by the [State]¹ Government.

R

(2) An order passed under clause (b) of sub-section (1) shall record, as far as practicable,—

(i) where the right is a right of pasture, the number and description of the cattle which the claimant is, from time to time, entitled to graze, and the local limits within which, and the seasons during which such pasture is permitted, and

(ii) where the right is a right to forest produce, the quantity of such produce which the claimant is authorised to take or receive and the local limits within which, the season during which and the mode in which the taking or receiving of such produce is permitted, and

(iii) whether the right is a right of pasture or a right to forest produce, such other particulars as may be required in order to define the extent of the right which is continued, the mode in which it may be exercised, and the extent to which the benefit thereof may be leased, sold, or bartered.

1. Substituted for 'Provincial' by ALO, 1950.

14. Whenever any right of pasture or to forest produce admitted under section 12 is not provided for in one of the ways prescribed in section 13, the Forest Settlement Officer shall, subject to such rules as the [State]¹ Government may prescribe in this behalf, commute such right by paying a sum of money in lieu thereof, or, with the consent of the claimant, by the grant of land, or in such other manner as such officer thinks fit.

Commutation of such rights.

15. Any person who has made a claim under this Chapter or any forest officer or other person generally or specially empowered by the [State]¹ Government in this behalf, may within three months from the date of any order passed on such claim by the Forest Settlement Officer under sections 11, 12, 13, or 14, present an appeal from such order to such officer of the Revenue Department, of rank not lower than that of a Deputy Commissioner, as the [State]¹ Government may, by notification in the [Arunachal Pradesh]² Gazette, appoint by name, or as holding an office, to hear appeals from such orders.

Appeal from order passed under foregoing section.

16. (1) Every appeal under the last foregoing section shall be made by petition in writing and may be delivered to the Forest Settlement Officer, who shall forward it without delay to the officer competent to hear the same.

Appeal under the last foregoing section.

(2) Every such appeal shall be heard in the manner prescribed for the time being for the hearing of appeals in matters relating to revenue and, except as hereinafter provided, the order passed on the appeal shall be final.

17. (1) when the following events have occurred namely,—

Notifications declaring forest reserve.

(a) the period fixed under section 6 for preferring claims has elapsed, and all claims, if any, made within such period have been disposed of by the Forest Settlement Officer, and

(b) if such claims have been made, the period fixed by section 15 for appealing from the orders passed on such claims has elapsed, and all appeals, if any, presented within such period have been disposed of by the appellate officer, and

(c) all lands, if any, to be included in the proposed reserved forest which the Forest Settlement Officer has,

1. Substituted for 'Provincial' by ALO, 1950.

2. Substituted for 'Official' by NEA (Reorgn) (AP) ALO, 1974.

under section 11, elect to acquire under the Land Acquisition Act, 1894 have become vested in the Government I of 1894. under that Act,

the [State] Government may publish a notification in the [Arunachal Pradesh] Gazette, specifying the limits of the forest which it is intended to reserve and declaring the same to be reserved from a date fixed by such notification.

(2) From the date as fixed such forest shall be deemed to be a reserved forest.

18. Right, in respect of which no claim has been preferred under section 6 and of the existence of which no knowledge has been acquired by inquiry under section 8 shall thereupon be extinguished, unless, before the publication of such notification, the person claiming them has satisfied the Forest Settlement Officer that he had sufficient cause for not preferring such claim within the period fixed under section 6. Extinction of rights not claimed

19. The Deputy Commissioner of the district in which the forest is situate shall, before the date fixed by such notification, caused a translation thereof in the language of the country to be published in the manner prescribed for the proclamation under section 6. Publication of translation of such notification in neighbourhood of forest.

20. The [State] Government may, within five years from the publication of any notification under section 17, revise any arrangement made under section 13 & 16 and may rescind or modify any order made under this Chapter, and direct that any one of the proceedings specified in section 13 be taken in lieu of the other of such proceedings, or that a right admitted under section 12 be commuted in the manner mentioned in section 14. Power to revise arrangement made

21. No right of any description shall be acquired in or over a reserved forest, except by succession or under grant or contract in writing made by or with the previous sanction, of the [State] Government or some person in whom such right, or the power to create such right, was vested when the notification under section 17 was published. Acquisition of rights over reserved forest.

1. Substituted for 'Provincial' by ALO, 1950
2. Substituted for 'Official' by NEA (Refor) (AP) ALO, 1974.

22. (1) Notwithstanding anything herein contained, no right continued under section 13 shall be alienated by way of grant, sale, lease, mortgage or otherwise without the previous sanction of the [State] Government:

Provided that, when any such right is continued for the beneficial enjoyment of any land or building, it may be sold or otherwise alienated with such land or building without such sanction.

(2) The benefit of any right continued under section 13 shall not be leased, sold or bartered, except to the extent defined by the order recorded under this section.

23. Any forest officer may, from time to time, with the previous sanction of the [State] Government or of a forest officer or other officer authorised by the [State] Government in this behalf, stop any public or private way or watercourse in a reserved forest:

Provided that for the way or watercourse so stopped another way or watercourse which, in the opinion of the [State] Government, is equally convenient, already exists or has been provided or constructed by the forest officer stopping the way or watercourse:

24. Any person who in a reserved forest—
 (a) trespasses, or pastures cattle, or permits cattle to trespass, or

(b) causes any damage by negligence in felling any tree or cutting or dragging any timber,

shall be punished with fine which may extend to fifty rupees, or, when the damage resulting from his offence amounts to more than twenty-five rupees to double the amount of such damage.

25. Any person who—

- (a) makes any fresh clearing prohibited by section 7,
- (b) sets fire to a reserved forest, or in contravention of any rules made by the [State] Government, kindles any fire,

1. Substituted for Provincial by AEO, 1950.

leaves any fire burning, in such manner as to endanger such a forest,

or who in any such forest,

- (c) kindles, keeps or carries any fire except at such seasons and in such manner as Forest Officer specially empowered in this behalf may from time to time notify, or
- (d) fells, cuts, girdles, marks, lops, taps or injures by fire or otherwise any tree, or
- (e) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process or removes any forest produce, or
- (f) clears or breaks up any land for cultivation or any other purpose, or
- (g) poisons water or, in contravention of any rules made by the [State]¹ Government, hunts, shoots, fishes or sets traps or snares,

shall be punished with imprisonment for a term which may extend to six months or with fine which, in cases where a rhinoceros has been killed, may extend to one thousand rupees and in other cases to five hundred rupees, or with both.

26: Nothing in section 24 or section 25 shall be deemed to prohibit—

- (a) any practice of Jhum cultivation permitted under section 10, or
- (b) the exercise, in accordance with the rules, if any, made by the [State]¹ Government under section 13 of any right continued under that section, or
- (c) the exercise of any right created by grant or contract in the manner described in section 21, or
- (d) any act done with the permission in writing of a Forest Officer specially empowered to grant such permission.

Acts
exempted
from
sections
24 and 25.

1. Substituted for 'Provincial' by ALO, 1950'

27. Whenever fire is caused wilfully or by gross negligence in a reserved forest by any person having rights in such forest or permission to practise Jhum cultivation therein, or by any person, in his employment, or whenever any person having rights in such forest contravenes the provisions of section 22, the [State]¹ Government may, notwithstanding the infliction of any punishment under this Regulation, direct that in such forest or any specified portion thereof, the exercise of all or any of the rights of pasture or to forest produce shall be extinguished, or for such period as it thinks fit be suspended, and, with respect to the practice of Jhum cultivation, may take such action under section 10, sub-section (4), as may seem to it to be proper. Penalty for offences committed by persons having rights in reserved forest.

28. (1) The [State]¹ Government may, by notification in the [Arunachal Pradesh]² Gazette, direct that from a date to be fixed by such notification, any forest, or any portion thereof, reserved under this Regulation shall cease to be reserved. Power to declare forest no longer reserved.

(2) From the date so fixed such forest or portion shall cease to be reserved, but the rights, if any, which have been extinguished therein, shall not revive in consequence of such cessation.

CHAPTER III VILLAGE FORESTS

29. (1) The [State]¹ Government may by notification in the [Arunachal Pradesh]² Gazette, constitute any land at the disposal of the Government a village forest for the benefit of any village community or group of village communities, and may, in like manner, vary or cancel any such notification. Constitution of village forests.

(2) Every such notification shall specify the limits of such village forest.

30. The [State]¹ Government may make rules for regulating the management of village forests, prescribing the conditions under which the community or group of communities, for the benefit of which any such forest is constituted may be provided with forest produce or with pasture, and their duties in respect of the protection and improvement of such forest. Power to make rules for village forests.

1. Substituted for 'Provincial' by ALO, 1950.

2. Substituted for 'Official' by NEA (AP) ALO, 1974.

(2) The [State]¹ Government may by such rules declare any of the provisions of Chapter II of this Regulation to be applicable to village forests.

31. All claims to any rights other than the rights of the village community or group of village communities, for the benefit of which such village forest is constituted, shall be inquired into, recorded, and provided for in the manner prescribed by Chapter II of this Regulation. Inquiry into and settlement of rights.

CHAPTER IV GENERAL PROTECTION OF FORESTS AND FOREST PRODUCE.

32. The [State]¹ Government may, by notification in the [Arunachal Pradesh]² Gazette: Reserved trees in unsettled tracts.

- (a) declare that any trees or any specified class of trees standing on any land at the disposal of the Government shall, from a date to be fixed by such notification, be reserved trees;

(b) vary or cancel any such notification.

33. No person shall fell, cut, girdle, mark, lop, tap, or injure by fire or otherwise any reserved tree, except in accordance with rules made by the [State]¹ Government in this behalf or as provided by the last section of this Chapter. Protection of reserved trees.

34. (1) No person shall make use of any forest produce of any land at the disposal of the Government and not included in a reserved forest or village forest, except in accordance with rules to be made by the [State]¹ Government in this behalf, or as provided by the last section of this Chapter. Protection of unsettled forests belonging to the Government.

(2) such rules may, with respect to such land,—

- (a) regulate or prohibit the cutting of Jhums or the issue of grants or leases on behalf of the Government;
- (b) regulate or prohibit the kindling of fires, and prescribe the precautions to be taken to prevent the spreading of fires;

1. -Substituted for 'Provincial' by ALO, 1950.

2. Substituted for 'Official' by NEA (Reorg) (AP) ALO, 1974.

- (c) regulate or prohibit the felling, cutting, girdling, marking, lopping, tapping, or injuring, by fire or otherwise, of any trees, the sawing, conversion, and removal of timber and the collection and removal of other forest produces ;
- (d) regulate or prohibit the quarrying of stone, the boiling of catechu, or the burning of lime or charcoal ;
- (e) regulate or prohibit the cutting of grass and pasturing of cattle and regulate the payments, if any, to be for such cutting or pasturing ;
- (f) prohibit the poisoning of water and regulate or prohibit hunting, shooting and fishing and the setting of traps or snares ;
- (g) regulate the sale or free grant of forest produce ; and
- (h) prescribe or authorise any Forest Officer to prescribe, subject to the control of the [State] Government, the fees, royalties, or other payments for forest produce, and the manner in which such fees, royalties, or other payments are to be levied, whether in transit, or partly in transit, or otherwise.

(3) The [State] Government may exempt any person of class of persons, or any local area, from the operation of any such rule, and may cancel such exemption.

35. (1) If any person, infringes the provisions of section 33, he shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

(2) The [State] Government may, by rule under section 34, attach to the breach of any rule under that section any punishment not exceeding that mentioned in sub-section (1).

36. Nothing in this Chapter, or in any rule under this Chapter shall be deemed to prohibit any act done in the exercise of any right or with the permission in writing of Forest Officer specially empowered to grant such permission.

in certain cases.

CHAPTER IV A

CONTROL OVER FOREST AND WASTE LANDS NOT BEING THE PROPERTY OF GOVERNMENT

36A. (1) The [State]¹ Government may, by notification in the local [Arunachal Pradesh]² Gazette, regulate or prohibit in any forest or waste land—

Protection of forests for special purposes.

- (a) the breaking up or clearing of land;
- (b) the pasturing of cattle ; or
- (c) the firing or clearing of the vegetation ;

when such regulation or prohibition appears necessary in the public interest for any of the following purposes :—

(i) for protection against storms, winds, rolling stones, floods and avalanches ;

(ii) for the preservation of the soil on the ridges and slopes and in the valleys of hilly tracts, the prevention of land slips or of the formation of ravines and torrents, or the protection of land against erosion, or the deposit thereon of sand, stones or gravel ;

(iii) for the maintenance of a water-supply in springs, rivers and tanks ;

(iv) for the protection of public roads, public bridges, railways and other lines of communication;

(v) for the preservation of public health.

(2) the [State]¹ Government may, for any such purpose, construct at its own expense in or upon any forest or waste land, such work as it thinks fit.

1. Substituted for 'Provincial' by ALO, 1950

2. Substituted for 'Official' by the NEA (Reorgan) (AP) ALO, 1974.

(3) No notification shall be made under sub-section (1) nor shall any work be begun under sub-section (2) until after the issue of notice to the owner of such forest or land calling on him to show cause, within a 'reasonable period' to be specified in such notice, why such notification should not be made or work constructed, as the case may be, and until his objections, if any and any evidence he may produce in support of the same, have been heard by an officer not below the rank of Deputy Commissioner duly appointed in that behalf.

(4) All objections¹ filed under the preceding sub-section, together with the proceedings of the Special Officer relating thereto, shall be referred to the [State]¹ Government for orders. On receipt of such reference, and after hearing such further cause as the objector may have to show, the [State]¹ Government shall pass such orders as it thinks fit.

In any case in which an order under sub-section (1) or action under sub-section (2) is, in the opinion of the [State]¹ Government, likely to disturb substantially the owner's rights in the land to which such order or action relates, the [State]¹ Government may award to such owner such compensation as it may deem equitable :

Provided that any compensation so paid shall be deducted from the amount payable to the owner under the provisions of the Land Acquisition Act, 1894, in the event of action being taken under the provisions of section 36 C.

36B. (1) In case of neglect of or wilful disobedience to, any regulation or prohibition under section 36A, or if the purposes of any work to be constructed under that section so require, the [State]¹ Government may, after notice in writing to the owner of such forest or land and after considering his objections, if any, place the same under the control and management of a Forest Officer and may declare that all or any of the provisions of this Regulation shall apply to such forest or land.

Power to assume management of forest.

(2) The net profits, if any, arising from the management of such forest or land shall be paid to the said owner.

1. Substituted for 'Provincial' by ALO, 1950

36C. (1) In any case under this Chapter in which the [State]¹ Government considers that, in lieu of placing the forest or land under the control and management of a Forest Officer, the same should be acquired for public purposes the [State]¹ Government may proceed to acquire it in the manner provided by the Land Acquisition Act, 1894.

Expropriation of forests in certain cases.

(2) The owner of any forest or land comprised in any notification under section 36A, or if there be more than one owner thereof, the owner of shares therein amounting in the aggregate to at least two thirds thereof, may, at any time, not less than three or more than twelve years from the date thereof, require that such forest or land shall be acquired for public purposes and the [State]¹ Government shall acquire such forest or land accordingly.

36D. (1) The owner of any land or, if there be more than one owner thereof, the owner of shares therein amounting in the aggregate to at least two thirds thereof, may, with a view to the formation or conservation of forests thereon, represent in writing to the Deputy Commissioner their desire—

Protection of forests at requests of owners.

(a) that such land be managed on their behalf by the Forest Officer on such terms as may be mutually agreed upon; or

(b) that all or any of the provisions of this Regulation be applied to such land.

(2) In either case the [State]¹ Government may, by notification in the local [Arunachal Pradesh]² Gazette, apply to such land such provisions of this Regulation as it thinks suitable to the circumstances thereof and as may be desired by the applicants.

CHAPTER V. DUTY ON IMPORTED FOREST PRODUCE.

37. (1) The Central Government may levy a duty in such manner, at such places and at such rates as it may prescribe by notification in the [Arunachal Pradesh] Gazette, on all forest produce which is brought into the territories to which this Regulation extends from any place beyond those territories.

Power to impose duty on forest produce.

1. Substituted for 'Provincial' by ALO, 1950.

2. Substituted for "official" by NEA (Reorg) (AP)

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(2) In every case in which such duty is directed to be levied ADVALOREM, the Central Government may, by like notification, determine the manner in which the value is to be ascertained.

(3) Until provision to the contrary is made by the [Parliament]¹ the [State]² Government may continue to levy on forest produce brought into the territories to which this Regulation extends from any place in the [State]² beyond these territories and which it was levying immediately before the commencement of [Constitution]³.

Provided that nothing in this sub-section authorises the levy of any duty which as between forest produce of the [State]² and similar produce of a locality outside the [State]² discriminates in favour of the former, or which, in the case of forest produce of locality outside the [State]² discriminates between forest produce of one locality and similar forest produce of another locality.

38. The Central or, as the case may be, the [State]² Government may exempt any forest produce from the duty to which it is liable under the last foregoing section, and revoke such exemption.

Power to exempt forest produce

39. Nothing in this Chapter shall be deemed to limit the amount, if any, chargeable as purchase-money or royalty in respect of any forest produce.

(1) from duty. Provisions of Chapter not to limit purchase money or royalty.

CHAPTER VI CONTROL OF FOREST PRODUCE IN TRANSIT

40. (1) The control of all rivers and their banks as regards the floating of timber, as well as the control of all forest produce in transit by land or water, is vested in the [State]² Government, and that Government may make rules to regulate the transit of any forest produce.

Power to make rules to regulate transit of forest produce.

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1. Substituted for "Central Legislative" by ALO, 1950.
 2. Substituted for "Provincial" by ALO, 1950.
 3. Substituted for Part III of the Government of India Act, 1935 by ALO, 1950.

- (2) such rules may, among other matters —
- (a) prescribe the routes by which alone forest produce may be imported into, exported from or moved within, the territories to which this Regulation extends ;
 - (b) prohibit the import, export, collection or moving of forest produce without a pass from an Officer authorised to issue the same, or otherwise than in accordance with the conditions of such pass ;
 - (c) provide for the issue, production and return of such passes ;
 - (d) fix or authorise any Forest Officer, subject to the control of the [State]¹ Government, to fix the fees payable for such passes ;
 - (e) in the case of timber formed into a raft or fastened to the shore, prohibit the loosening or the setting adrift of such timber by any person not the owner thereof or not acting on behalf of such owner or of the [Government]² ;
 - (f) provide for the stoppage, reporting, examination, and marking forest produce in transit in respect of which there is reason to believe that any money is payable to the [Government]² or to which it is desirable, for the purposes of this Regulation, to affix a mark ;
 - (g) establish revenue stations to which forest produce is to be taken by the persons in charge of it for examination, or for the realisation of such money, or in order that such mark may be affixed to it, and prescribed, or authorise a Forest Officer, subject to such control as aforesaid, to prescribe, the conditions under which forest produce is to be brought to, stored at, and removed from such revenue stations ;
 - (h) provide for the management and control of such revenue stations and for regulating the appointment and duties of persons employed thereat ;

1. Substituted for 'Provincial' by ALO, 1950.

2. Substituted for 'Crown' by ALO, 1950.

- (i) authorise the transport of timber across any land and provide for the award and payment of compensation for any damage done by the transport of such timber;
- (j) prohibit the closing up or obstruction of the channel or banks of any river used for the transit of forest produce, and the throwing of grass, brushwood, branches or leaves into any such river, or any other act which tends to cause the obstruction of such channel;
- (k) provide for the prevention and removal of any obstruction in the channel or on the banks of any such river and for recovering the cost of such prevention or removal from the person causing such obstruction;
- (l) prohibit absolutely or subject to conditions within specified local limits, the establishment of sawpits, the converting, cutting, burning, concealing, marking or supermarking of timber, the altering or effacing of any marks on the same and possession or carrying of marking hammers or other implements used for marking timber; and
- (m) regulate the use of property-marks for timber and the registration of such marks, authorise the refusal or cancellation of the registration of any property marks, prescribe the time for which the registration of property marks is to hold good, limit the number of such marks which may be registered by any one person, and provide for the levy of fees for such registration.

(3) The [State]¹ Government may direct that any rule made under this section shall not apply to any specified class of timber or other forest produce or to any specified local area.

40A. Notwithstanding anything in section 40, the Central Government may make rules to prescribe the route by which alone timber or other forest produce may be imported, exported or moved into or from [India]² across any customs frontier as defined by the Central Government, and any rules, made under section 40, shall have effect subject to the rules made under this section.

Power of
Central
Government as to
movement
of timber
across cu-
stoms fr-
ontiers.

1. Substituted for 'Provincial' by ALO, 1950.
2. Substituted for 'British' by ALO, 1950.

41. (1) The [State] Government may, by a rule under the last foregoing section, attach to the breach as, any rule under that section any punishment, not exceeding imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both:

Penalties for breach of rules under then last foregoing section.

(2) In cases where the offence is committed after sunset and before sunrise or after preparation for resistance to the execution of any law or any legal process, or where the offender has been previously convicted of a like offence, the convicting court may inflict double the penalty prescribed for such offence.

42. In case of any accident or emergency involving danger to any property at a revenue station established under a rule made under section 40, every person employed at such revenue station, whether by the Government or by any private person, shall render assistance to any Forest Officer or Police Officer demanding his aid in averting such danger and securing such property from damage or loss.

All persons bound in case of accident at revenue station.

CHAPTER VII

COLLECTION OF DRIFT, STRANDED AND OTHER TIMBER

43. (1) Timber falling under any of the following description namely:

Certain kinds of timber to be deemed the property of the State Govt. until title thereto proved.

(a) timber found adrift, beached, stranded, or sunk,

(b) timber bearing marks which have not been registered under rules made under section 40,

(c) timber which has been supermarked, or on which marks have been obliterated, altered or defaced by fire or otherwise, and

(d) in such areas as the [State] Government directs, all unmarked timber,

shall be deemed to be the property of the [State] Government, unless and until any person establishes his right thereto as provided in this Chapter.

1. Substituted for 'Provincial' by AEO, 1950.

(2) Such timber may be collected by any Forest Officer or other person entitled to collect the same, and may be brought to such stations as a Forest Officer specially empowered in this behalf may from time to time, notify as stations for the reception of drift timber.

(3) The [State]¹ Government may, by notification in the [Arunachal Pradesh]² Gazette, exempt any class of timber from the provisions of this section and withdraw such exemption.

44. (1) Public notice shall, from time to time as occasion may require, be given by a Forest Officer specially empowered in this behalf of timber collected under the last foregoing section.

Notice to claimants of timber of those kinds:

(2) Such notice shall contain a description of the timber, and will require any person claiming the same to present to such officer, within a period not less than one month from the date on which such notice is given, a written statement of such claim.

45 (1) When any such statement is presented as aforesaid, the Forest Officer, may, after making such inquiry as he thinks fit, either reject the claim after recording his reasons for so doing or deliver the timber to the claimant.

Procedure on claim preferred to such timber.

(2) If such timber is claimed by more than one person, the Forest Officer may either deliver the same to any of such persons whom he deems entitled thereto, or may refer the claimants to the Civil Court and retain the timber pending the receipt of an order from such Court for its disposal.

(3) Any person whose claim has been rejected under this section may, within three months from the date of such rejection, institute a suit to recover possession of the timber claimed by him, but no person shall recover any compensation against the [Government]³ or against any Forest Officer on account of such rejection, or the detention or removal of any timber or the delivery thereof to any other person under this section.

1. Substituted for 'Provincial' by ALO 1950.
2. Substituted for 'Official' by the NEA (Reorg) (AP) ALO 1974.
3. Substituted for 'Crown' by ALO 1950.

(4) No such timber shall be subject to process of any Civil Court until it has been delivered, or a suit brought under this section has been decided.

46. Where no statement is presented in the manner and within the period prescribed by notice issued under section 44, or where such statement having been so presented and the claim rejected, the claimant omits to institute a suit to recover possession of such timber within the further period mentioned in section 45, the ownership of such timber shall vest in the [State]¹ Government free from all incumbrances or, when such timber has been delivered to another person under section 45, in such other person free from all incumbrances not created by him.

Disposal of un-claimed timber.

47. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until such sum as may be due for salving, collecting, moving, storing, and disposing of the timber has been paid by him to the Forest Officer or other person entitled to receive the sum.

Payments to be made by claimants before timber is delivered to him.

48. (1) The [State]² Government may make rules to regulate the following matters, namely :—

Power to make rules and prescribe penalties.

- (a) the salving, collection, and disposal of all timber mentioned in section 43 ;
- (b) the use and registration of boats used in salving and collecting timber ;
- (c) the amount to be paid for salving, collecting, moving, storing and disposing of such timber ; and
- (d) the use and registration of hammers and other implements to be used for marking such timber.

1. Substituted for "Crown for the purposes of the province" by ALO 1950.

2. Substituted for "Provincial" by ALO 1950

(2) The [State]¹ Government may, by a rule under this section, attach to the breach of any rule under this section any punishment not exceeding imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

CHAPTER VIII

PENALTIES AND PROCEDURE

49. (1) When there is reason to believe that a seizure of property liable to confiscation forests, offence has been committed in respect of any forest produce, such produce, together with all tools, boats, carts and cattle used in the commission of such alleged offence, may be seized by any Forest Officer or Police Officer.

(2) Every officer seizing any property under this section shall place on such property, or the receptacle, if any, in which it is contained, a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the person accused of the offence on account of which the seizure has been made :

Provided that when the forest produce with respect to which such offence is believed to have been committed is the property of the [Government]¹ and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

49A. Any Forest Officer of a rank not inferior to that of a Forester who or whose subordinate has seized any tools, boats, carts, or cattle under section 49, may release the same on the execution by the owner or the person in charge thereof of a bond for the production of the property so released, if and when so required, before the Magistrate having jurisdiction to try the offence on account of which the seizure has been made. Power to release property seized under section 49.

50. Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law. Procedure on receipt by Magistrate of report of seizure.

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1. Substituted for 'Provincial' by ALO, 1950
 2. Substituted for 'Crown' by ALO, 1950.

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51. (1) When any person is convicted of a forest offence, all forest produce which is not the property of the [Government]¹ and in respect of which such offence has been committed, and all tools, boats carts and cattle used in the commission of such offence, shall be liable, by order of the convicting Court, to confiscation.

(2) Such confiscation may be in addition to any other punishment prescribed for such offence.

52. When the trial of any forest offence is concluded, any forest produce in respect of which such offence has been committed shall, if it is the property of the [Government]¹ or has been confiscated, be taken possession of by a Forest Officer especially empowered in this behalf, and, in any other case, shall be disposed of in such manner as the Court may order.

53. (1) When the offender is not known or cannot be found, the Magistrate enquiring into the offence, if he finds that an offence has been committed, may on application in this behalf, order the property in respect of which the offence has been committed to be confiscated and taken possession of by a Forest Officer specially empowered in this behalf, or to be made over to such Forest Officer or other person as the Magistrate may consider entitled to the same.

Provided that no such order shall be made till the expiration of one month from the date of the seizure of such property, or without hearing the person, if any, claiming right thereto and the evidence, if any which he may produce in support of his claim.

(2) The Magistrate shall either cause a notice of any application under sub-section (1) to be served upon any person whom he has reason to believe to be interested in the property seized, or publish such notice in any way which he may think fit.

1. Substituted for 'Crown' by ALO 1950.

54. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section 49 and subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with such property if it had not been sold.

Procedure as to perishable property seized under section 49.

55. Any person claiming to be interested in property seized under section 49 may, within one month from the date of any order passed by a Magistrate under section 51, section 52 or section 53, present an appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.

Appeal from orders under section 51, 52 and 53.

56. When an order for the confiscation of any property has been passed under section 51 or section 53, and the period limited by section 55 for presenting an appeal from such order has elapsed, and no such appeal has been presented, or when, on such an appeal being presented, the Appellate Court confirms such order in respect of the whole or a portion of such property, such property or portion, as the case may be, shall vest in the [State Government]¹ free from all incumbrances.

Vesting of confiscated property in the State Government

57. Nothing hereinbefore contained shall be deemed to prevent any Forest Officer or other officer empowered in this behalf by the [State]² Government from directing at any time, the immediate release of any property seized under section 49 which is not the property of the [Government]¹ and the withdrawal of any charge made in respect of such property.

Saving of power to release property seized.

58. (1) Any Forest Officer or Police Officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Regulation, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Punishment for wrongful seizure.

(2) Any fine so imposed, or any portion thereof shall, if the convicting Court so direct, be given as compensation to the person aggrieved by such seizure.

1. Substituted for "Crown for the purposes of the province" by ALO, 1950.

2. Substituted for 'Provincial' by ALO, 1950.

59. Whoever, with intent to cause damage or injury to the public, or to any person, or to cause wrongful gain as defined in the Indian Penal Code,

Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary marks.

(a) knowingly counterfeits upon any tree or timber a mark used by Forest Officers to indicate that such tree or timber is the property of the [Government] or of some person, or that it may lawfully be felled or removed by some persons, or

(b) unlawfully affixes to any tree or timber a mark used by Forest Officers, or

(c) alters, defaces or obliterates any such mark placed on any tree or timber by or under the authority, of a Forest Officer, or

(d) alters, moves, destroys, or defaces any boundary mark of any forest or waste land to which any provisions of this Regulation apply.

shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

60. (1) Any Forest Officer or Police Officer may, without orders from a Magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he will abscond.

Power to arrest without warrant.

(2) Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case or to the officer in charge of the nearest police station.

(3) Any Forest Officer or Police Officer who vexatiously or maliciously arrests any person on the pretence that he is suspected of having been concerned in any forest offence or otherwise as provided by section 60(1) of this Regulation shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

1. Substituted for 'Crown' by ALO, 1950.

(4) No Forest Officer or Police Officer shall detain in custody a person arrested under sub-section (1) of this section for a longer period than under all the circumstances of the case is reasonable; and such period shall not exceed twenty-four hours exclusive of the time necessary for the journey from the place of arrest to the Magistrate's Court having jurisdiction in the case or to the Officer-in-charge of the nearest police station.

61. It shall be the duty of every Forest Officer and Police Officer to prevent, and any such officer may interfere for the purpose of preventing, the commission of any forest offence. Power to prevent commission of offence.

62. (1) The [State]¹ Government may, by notification in the [Arunachal Pradesh]² Gazette, empower a Forest Officer by name, or as holding an office, — Power to compound offences.

(a) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence, other than an offence specified in section 58 or section 59, a sum of money by way of compensation for the offence which such person is suspected to have committed, and

(b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.

(2) On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the property, if any, seized shall be released, and no further proceedings shall be taken against such person or property.

(3) No Forest Officer shall be empowered under this section unless he is a Forest Officer of a rank not inferior to that of a Forest Ranger, and is in receipt of a monthly salary amounting to at least one hundred rupees and the sum of money accepted as compensation under sub-section (1), clause (a), shall in no case exceed the sum of fifty rupees.

1. Substituted for 'Provincial' by ALO 1950.

2. Substituted for 'Official' by the NEA (Recog) (AP) ALO 1974.

*Note—Please see foot note at page 40.

63. Omitted

64. (1) When any person is convicted of felling, cutting, girdling, marking, loping or tapping trees, or of injuring them by fire or otherwise, in contravention of the Regulation or of any rule thereunder, the convicting Court may, in addition to any other punishment which it may award, order that person to pay to the [State]¹ Government such compensation, not exceeding ten rupees, for each tree with respect to which the offence was committed, as it may deem just. Compensation for damage caused by commission of offences.

(2) If the person convicted of the offence committed it as the agent or servant of another person, the convicting Court may, unless after hearing that other person it is satisfied that the commission of the offence was not a consequence of his instigation, or of any neglect or default on his part, order him, instead of the person who committed the offence, to pay the compensation referred to in sub-section (1).

(3) An appeal from any order under sub-section (1) or sub-section (2) shall lie to the Court to which orders made by the convicting Court are ordinarily appealable, and the order passed on such appeal shall be final.

65. When the holder of any lease, licence or contract whatsoever granted or continued by, or on behalf of the [Government]² for any of the purposes of this Regulation commits an offence against this Regulation or any rule thereunder, or when any such offence is committed by any agent or servant of the holder of any such lease, licence or contract, and the [State]¹ Government is satisfied that the commission of the offence was a consequence of the instigation of such holder or of any neglect or default on his part, the [State]¹ Government may, by order in writing, declare the lease, licence or contract to be forfeited, in whole or in part with effect on and from a date to be specified in the order not being prior to the date of the commission of the offence. Forfeiture of leases

1. Substituted 'Provincial' by ALO, 1950.

2. Substituted for 'Crown' by ALO, 1950.

*Note :—The words "in no case" means "in the case of no person" 'Conservator' vide Order No. 75 of 4th July, 1910.

CHAPTER IX

CATTLE TRESPASS

66. Cattle trespassing in a reserved forest or in a village forest shall be deemed to be cattle doing damage to a public plantation within the meaning of section 11 of the Cattle Trespass Act, 1871, and may be seized and impounded as such by any Forest Officer or Police Officer. Cattle Trespass Act, 1871, to apply.

67. The [State]¹ Government may, by notification in the [Arunachal Pradesh]² Gazette, direct that, in lieu of the fines fixed by section 12 of the Act, last aforesaid, there shall be levied for each head of cattle impounded under section 66 of this Regulation such fines as it thinks fit, but not exceeding the following, namely :—

	Rs a.
For each elephant... ..	10.0
For each buffalo	2.0
For each horse, mare, gelding pony, colt, filly, mule, bull, bullock, cow, or heifer	1.0
For each calf, ass, pig, ram, ewe, sheep, lamb, goat, or kid.....	0.8

CHAPTER X

FOREST OFFICERS

68. (1) The [State]¹ Government may invest any Forest Officer by name, or as holding an office, with all or any of the following powers, namely :— Investiture of Forest Officer with certain powers.

- (a) power to enter upon any land to survey, demarcate, and make a map of the same ;

1. Substituted for 'Provincial' by ALO, 1950.

2. Substituted for 'Official' by the NEA (Reorg) (AP) ALO, 1974.

- (b) the powers of a Civil Court to compel the attendance of witnesses and the production of documents ;
- (c) power to issue search-warrants under the Code of Criminal Procedure, [1882]*
- (d) power to hold inquiries into forest offences, and in the course of such inquiries to receive and record evidence ;
- (e) power to notify the seasons and manner in which fire may be kindled, kept or carried in a reserved forest ;
- (f) power to grant any permission referred to in sections 26 and 36 ;
- (g) power to notify stations for the reception of drift timber ;
- (h) power to give public notice of timber collected under section 43 ;
- (i) power to take possession of property under this Regulation ;
- (j) power to direct the release of property or withdrawal of charges and may withdraw any power so conferred.

(2) Any evidence recorded under clause (d) of subsection (1) shall be admissible in any subsequent trial before a Magistrate of the alleged offender.

Provided that it has been taken in the presence of the accused person and recorded in the manner provided by section 355, section 356, or section 357 of the Code of Criminal Procedure, 1882.

69. All Forest Officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

Forest Officers deemed public servants.

70. No suit or criminal prosecution shall lie against any public servant for any thing done or omitted by him in good faith under this Regulation.

Indemnity for acts done in good faith.

71. No Forest Officer shall, as principal or agent, trade in forest produce, or be or become interested in any lease or mortgage of any forest, or in any contract for working any forest, whether in [India or in any] foreign territory.

Forest Officers not to trade.

1. Substituted for "British or" by ALO. 1950.

*Note :—The Code of 1882 is repealed by the code of 1998 which is also since repealed by the Code of 1973 (No 2 of 1974).

CHAPTER XI

SUPPLEMENTAL PROVISIONS.

72. The [State]¹ Government may make rules consistent with this Regulation :—
- Additional powers to make rules.
- (a) to declare by what Forest Officers or class of Forest Officers the powers or duties conferred or imposed by or under this Regulation on a Forest Officer are to be exercised or performed ;
 - (b) to regulate the procedure of Forest Settlement Officers ;
 - (c) to provide for the ejection of any person who has encroached upon forest reserves ;
 - (d) to regulate the rewards to be paid to officers and informers ; and
 - (e) generally, to carry out the provisions of this Regulation.
73. All rules made by the [State]¹ Government under this Regulation shall be published in the [Arunachal Pradesh]² Gazette, and shall thereupon have the force of law.
- Rules when to have force of law.
74. Every person who exercises any right in a reserved forest or village forest, or who is permitted to remove any forest produce from, or to pasture cattle, or practise Jhum cultivation in, such forest, and every person who is employed by such person in such forest and every person in any village contiguous to such forest who is employed by the [Government]³ or who receives emoluments from the [Government]³ for services to be performed to the community, shall be bound to furnish, without unnecessary delay, to the nearest Forest Officer or Police Officer, any information which he may possess respecting the occurrence of a fire in or near such forest, or the commission of or intention to commit, any forest offence, and shall assist any Forest Officer, or Police Officer demanding his aid —
- Persons bound to assist Forest Officer and Police Officer.

¹ Substituted for "Provincial" by ALO, 1950.

2. Substituted for "Official" by NEA (Rcorg) (AP) ALO 1974.

3. Substituted for "Crown" by ALO, 1950.

- (a) in extinguishing any fire occurring in such forest ;
- (b) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest ;
- (c) in preventing the commission in such forest of any forest offence ; and
- (d) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

75. All money, other than fines, payable to the [Government]¹ under this Regulation, or under any rule made thereunder, or on account of the price of any forest produce, or of expenses incurred in the execution of this Regulation in respect of any forest produce, may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land revenue. Recovery of money due to the Government.

76. (1) When any such money is payable for, or in respect of, any forest produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Forest Officer specially empowered in this behalf and may be retained by him until such amount has been paid. Lien on forest produce for such money

(2) If such amount is not paid when due, such Forest Officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

(3) The surplus, if any, if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to the [Government]¹.

77. The [Government]¹ shall not be responsible for any loss or damage which may occur in respect of any forest produce while at a revenue station established under a rule made under section 40, or while detained elsewhere for the purposes of this Regulation, or in respect of any timber collected under section 43 ; and no Forest Officer shall be responsible for any such loss or damage unless he shall have caused the same negligently, maliciously, or fraudulently. The Govt. and its officers not liable for loss or damage in respect of certain forest produce.

1. Substituted for "Crown" by ALO, 1950.

78. Whenever it appears to the [State]¹ Government that any land is required for any of the purposes of this Regulation, such land shall be deemed to be needed for a public purpose within the meaning of section 4 of the Land Acquisition Act, 1870 (since repealed and reenacted as 1 of 1894).

Land required under this Regulation to be deemed for a public purpose.

79. When any person, in compliance with any rule under this Regulation binds himself by any instrument to perform any duty or Act, or covenants by any instrument that he, or that he and his servants and agents, will abstain from any Act, the whole sum mentioned in such instrument as the amount to be paid in case of a breach of the conditions thereof may notwithstanding anything in sections 74 of the Indian Contract Act, 1872, be recovered from him in case of such breach as if it were an arrear of land revenue.

l. Substituted for 'Provincial' by ALO, 1950.

The text of the Regulation includes all subsequent amendments etc. made by the Government of Assam as notified under the following :—

- (1) Section 3(4) (a) and (b) the words "rhinoceros horns" Section 25 (g) the words "or with both" by the Assam Forest (Amendment) Act, 1933,
- (2) Section 15 the words "Chapte"; entire Chapter IVA : and Section 49A ;
inserted by the Assam Forest (Amendment) Act, 1931
- (3) Section 40A by notification No. 713-L dated 27th September 1937,
- (4) Sub-section (3) and (4) of section 60 ; and section 63 inserted and deleted respectively by Notification No. L-316/42/6 dated 31st March 1943.
- (5) Section 72(e) inserted by Assam Act IX of 1946.

Note :— See appendices for Notifications extending the Regulation to Arunachal Pradesh as it stood as on and before the date of the said Notifications.

THE CHIN HILLS REGULATION, 1896

(Regulation No. V of 1896)

(As restricted and modified in its application to the
Union Territory of Arunachal Pradesh.)

1. Where the [Deputy Commissioner]¹ of any area specified above is satisfied that the presence of any person not being a native of such area is injurious to the peace or good administration of the area, he may, for reasons to be recorded in writing, order such person to leave the area within a given time. Section 22

2. Whoever, not being a native of any such area, disobeys an order under clause 1, may on conviction by a Magistrate, be punished with imprisonment for a term which may extend to six months, or with a fine which may extend to Rs. 1,000/- or with both. Section 23

3. [Omitted]² Section 35

4. The [State Government]³ may revise order passed under clause 1. Section 38.
(2)

5. No order made under clause 1 shall be called in question in any civil or criminal Court. Section 40

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1. Substituted for 'Political Officer' by NEFA (Administration) Regulation, 1965 (7 of 1965).
 2. Omitted by section 6 of the NEFA (Abolition of Poll Tax and Levy of House Tax) Regulation, 1959.
 3. Substituted for 'Local Administration, by ALO, 1950.

NOTE : See Appendices for notifications.

**THE ASSAM EXCLUDED AREAS (POST OFFICE)
REGULATION, 1941
(Regulation II of 1941)**

Whereas it is expedient to amend the Indian Post Office Act, 1898 (VI of 1898), hereinafter referred to as the said Act, in its application to the Excluded Areas in Assam specified in the Schedules to the Government of India (Excluded and Partially Excluded Areas) Order, 1936; and whereas by sub-section (2) of section 92 of the Government of India Act, 1935, the Governor is empowered to make regulations for the peace and good government of any area in his province which is for the time being an Excluded Area. Preamble

Now, therefore, the Governor of Assam in exercise of the said powers and of all other powers enabling him in that behalf, is pleased to make the following regulation for the said Excluded Areas.

- | | |
|---|---------------|
| (a) This Regulation may be called The Assam Excluded Areas (Post Office) Regulation, 1941. | Short title. |
| (b) It extends to the whole of the Excluded Areas of Assam. | Local extent. |
| (c) It shall come into force on such date as the [Administrator] may by notification in the [Arunachal Pradesh] ² Gazette appoint. | Commencement |
2. (1) The proviso to sub-section (1) of section 7 and the First Schedule of the said Act shall be omitted.
- (2) For sub-section (2) of section 7 of the said Act, the following shall be substituted, namely :-
- “(2) Unless and until such notification as aforesaid is issued the rates chargeable for the time being in the rest of [****]³ India shall be the rates chargeable in Sadiya, Balipara, Lakhimpur Frontier Tracts, the Naga Hills, the Lushai Hills and the North Cachar Hills.

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1. Substituted for “Governor” by the NEA (Reorgn) (AP) ALO, 1972.
 2. Substituted for ‘Official’ by the NEA (Reorgn) (AP) ALO 1974.
 3. The words ‘British’ omitted by ALO, 1950

THE ASSAM EXCLUDED AREAS (EPIDEMIC DISEASES) REGULATION, 1941

(Regulation III of 1941)

A Regulation to apply certain provisions of the Epidemic Diseases Act, 1897, to the Sadiya, Balipara and Lakhimpur Frontier Tracts.

Whereas it is expedient to apply certain provisions of the Epidemic Diseases Act, 1897 (Act III of 1897), to the Sadiya, Balipara and Lakhimpur Frontier Tracts, and whereas by sub-section (2) of section 92 of the Government of India Act, 1935, the Governor is empowered to make regulations for the peace and good government of any area in his province which is for the time being an Excluded Area. Preamble.

Now, therefore, the Governor of Assam in exercise of the said powers and of all other powers enabling him in that behalf, is pleased to make the following Regulation for the said areas which have been declared to be Excluded Areas by the Government of India (Excluded and Partially Excluded Areas) Order, 1936.

1. (a) This Regulation may be called the Assam Excluded Areas (Epidemic Diseases) Regulation, 1941, Short title.
(b) It extends to the whole of the Sadiya, Balipara and the Lakhimpur Frontier Tracts. Local extent.
(c) It shall come into force on such date as the [Administrator]¹ may by notification in the [Arunachal Pradesh]² Gazette appoint. Commencement.

[1 A. 'Administrator' means the Administrator of the Union Territory of Arunachal Pradesh appointed by the President under Article 239 of the Constitution]³ Definition.

2. Sections 2,3 and 4 of the Epidemic Diseases Act, 1897 (Act III of 1897) shall apply to the Sadiya, Balipara and Lakhimpur Frontier Tracts subject to the following modifications :—

(a) Reference to the [State]⁴ Government shall be taken as referring to the [Administrator]¹ and

(b) The reference to the [State]⁴ shall be taken as referring to the area named in clause 1(b).

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1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO 1972.
 2. Substituted for 'Official' by 'NEA (Reorgn) (AP) ALO, 1974.
 3. Inserted by NEA (Reorgn) (AP) ALO 1972.
 4. Substituted for 'Province' by ALO 1950.

THE NORTH-EAST FRONTIER TRACTS (INTERNAL ADMINISTRATION) REGULATION, 1943
(Regulation I of 1943)

WHEREAS it is expedient for the good government of the North-East Frontier (Sadiya, Balipara and Lakhimpur) Tracts to establish therein a further unit of administration.

Preamble

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 92 of the Government of India Act, 1935, the Governor of Assam is pleased to make the following Regulation —

1. (1) This Regulation may be called the North-East Frontier Tracts (Internal Administration) Regulation, 1943.

Short title and commencement.

(2) It shall come into force on such date as the [Administrator]¹ may by notification in the [Arunachal Pradesh]² Gazette appoint.

[I A. "Administrator" means the Administrator of the Union Territory of Arunachal Pradesh appointed by the President under Article 239 of the Constitution.]³

Definition.

2. So much of the Sadiya Frontier Tract as is contained within the boundaries set out in the First Schedule and so much of the Lakhimpur Frontier Tracts as is contained within the boundaries set out in the Second Schedule shall cease to be under the administrative control respectively of the [Deputy Commissioner]⁴ Sadiya Frontier Tract, and the Deputy Commissioner Lakhimpur, and shall henceforth under the designation of the Tirap Frontier Tract be jointly under the administrative control of an authority to be designated the [Deputy Commissioner]⁴ Tirap Frontier Tract.

Administrative boundaries.

3. All laws for the time being in force in the Sadiya and Lakhimpur Frontier Tracts shall apply in the Tirap Frontier Tract, subject to any reservations or modifications with which they are applicable in the Sadiya Frontier Tract or the Lakhimpur Frontier Tract, as the case may be.

Application of law.

The First Schedule and the Second Schedule have been amended by the North East Frontier Tracts (Internal Administration) (Amendment) Regulation, 1944 (1 of 1944) (Separately given).

Amended by Regulation 1 of 1944.

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1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.
 2. Substituted for 'Official' by NEA (Reorgn) (AP) ALO 1974.
 3. Inserted definition of 'Administrator' by the NEA (Reorgn) (AP) ALO, 1972.
 4. Substituted for 'Political Officer' by NEFA (Admn) Regulation, 1965.

THE NORTH-EAST FRONTIER TRACTS (INTERNAL
ADMINISTRATION) (AMENDMENT)
REGULATION, 1944

(Regulation I of 1944)

Whereas it is expedient to amend the North-East Frontier Tracts (Internal Administration) Regulation, 1943 in the manner hereinafter appearing; now therefore, in exercise of the powers conferred by subsection (2) of section 92 of the Government of India Act, 1935, the Governor of Assam is pleased to make the following Regulation :—

Preamble

1. (1) This Regulation may be called the North-East Frontier Tracts (Internal Administration) (Amendment) Regulation, 1944. short title.

(2) It shall come into force on such date as the [Administrator]¹ may by notification in the [Arunachal Pradesh]² Gazette appoint. Commencement.

[1A. "Administrator" means the Administrator of the Union Territory of Arunachal Pradesh appointed by the President under Article 239 of the Constitution]³ Definition.

2. For the First and Second Schedule of the North-East Frontier Tracts (Internal Administration) Regulation, I of 1943, the following shall be substituted, namely :—

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1. Substituted for 'Governor' by the NEA (Reorgn) (AP) ALO, 1974.
 2. Substituted for 'Official' by NEA (Reorgn) (AP) ALO, 1974.
 3. Inserted by NEA (Reorgn) (AP) ALO 1972.

THE FIRST SCHEDULE

From the confluence of the Kolia, or Koria North
 Pani stream and Burhi Dihing river up the left bank and East
 of the former, then following the western boundary
 of Bisa Pathar village, and the path via Bura Dumsa
 to Mohonggaon, to the point where this part crosses
 the Dirak Hka (height 493 feet); thence by a straight
 line running eastwards to meet Kumchair Hka, there-
 after to a point (height 2,127 feet) on the Mana
 Bum Range, thence along this range to Champai
 Bum (height 8,144 feet); thence passing through Dap-
 ha Bum on the main range till it meets the Assam
 Burma boundary; thence southwards along the Assam
 Burma boundary to the point (height 10,871 feet) in
 latitude $27^{\circ}05'30''$ and longitude $97^{\circ}08'26''$ from where
 the Patkai Range takes off westwards.

Thence westwards along the Patkai Range (vide South
 Inter-Provincial Boundary Agreement, between the
 Government of Burma and Assam) to the source of
 the Tirap or Sumbhak Ju.

Thence down the mid-stream of the Tirap, or West
 Sumbhak Ju to a stone known as Koiri Dhip in lati-
 tude $27^{\circ}07'22''$, longitude $95^{\circ}42'40''$, thence westwards
 up this stream to the ridge about 2 miles North-East
 of Yangkang village then on the Wasu peak (height-
 4,438 feet), thence by a line due east to a pillar
 known as Saban (Chaban) Dhip, thence along the mid-
 stream a tributary to an iron post latitude $27^{\circ}13'43''$,
 longitude $95^{\circ}8'07''$ on the Dirak Nadi and thereafter
 in a North-easterly direction to a pillar on the Hesang
 Hill thence along the demarcated lines eastwards to the
 Hesang Nadi; and by the mid-stream of this river to
 the Namdang and up the latter to the mouth of a
 small feeder of the Namdang river; thence by the
 mid-stream of this feeder to a point $3/4$ of a mile
 South-east of the triangulation station Tikak (height
 1,644 feet); thence along the demarcated lines to the
 Ledo Pani and down its mid-stream to where it
 is crossed by the foot-path from Nakbang, thence
 along demarcated lines to the Matang Pani, thence
 down its mid-stream to the Lika (Likha) Pani to the
 point where it meets the south-western corner of the

Lakhapani Mining Lease grant ; thence along the southern boundary of this grant and Tipang-Pani Mining Lease grant and crossing the Tirap river to the South-east corner of Tipang-Pani grant, thence northwards along a portion of this grant to the Tirap river and down the mid-stream of the Tirap river to the mouth of a small stream in latitude $27^{\circ}19'50''$, longitude $95^{\circ}58'20''$ having its source on a hill (height 894 feet), thence up this small stream to its source and over the hill to the source of the Lekha Hka and by the latter to its junction with the Kathang Hka ; thence by the Namchik river to its confluence with the Namphuk or Burhi Dihing river, and by the right bank of the Burhi Dihing the mouth of the Kolia Pani, the starting point. *

THE SECOND SCHEDULE

Commencing from the pillar at the South-West corner of the Likhapani Mining Lease grant eastwards along this and the Tipangpani Mining Lease grant crossing the Tirap to the South-East corner of Tipangpani grant, thence North-wards along a portion of this grant to the Tirap river, thence down the mid-stream of the Tirap river to the mouth of a small stream in latitude $27^{\circ}19'50''$, Longitude $95^{\circ}58'20''$ having its source on a hill (height 894 feet), thence up this small stream to its source and over the hill to the source of the Lekha Hka and by the latter to its junction with the Kathang Hka, and thence by the Namchik river to its confluence with the Namphuk or Burhi Dihing river; thence by the right bank of the Burhi Dihing river to the mouth of the Pengri Kha and up to the latter to its source, thence along a demarcated straight line to the South-east boundary pillar of Kathang Tea Estate grant (W.L. application No. 121) ; thence along the Southern boundary of this grant to the point where it meets the eastern boundary of the Upper Dihing Reserve Forest, thence southwards by the eastern boundary of this reserve to the Manmau Jan which is followed to the Burhi Dihing thence up the mid-stream of the Burhi Dihing to the Tirap and up the mid-stream of the latter to the Likha Pani thence up the mid-stream of the Likha Pani western boundary of to the point where it meets the Likhapani Mining Lease grant and thence southwards by the western boundary of this grant to the starting point.

THE ASSAM FRONTIER (ADMINISTRATION OF JUSTICE) REGULATION, 1945
(Regulation I of 1945)

A Regulation to consolidate and amend the law governing the administration of justice in the Frontier Tracts of Assam.

Whereas it is expedient to consolidate and amend the law governing the administration of justice in the Balipara, Lakhimpur, Sadiya and Tirap Frontier tracts of Assam. Preamble.

Now, therefore, the Governor of Assam, in exercise of the powers conferred by the sub-section (2) of section 92 of the Government of India Act, 1935, is pleased to make the following Regulation :—

CHAPTER I—GENERAL

1. (a) This Regulation may be called the Assam Frontier (Administration of Justice) Regulation, 1945. Short title, extent, commencement and repeal
(b) It extends the whole of the Balipara, Lakhimpur, Sadiya and Tirap Frontier Tracts.

(c) It shall come into force on such date as the [Administrator]¹ may by notification in the [Arunachal Pradesh]² Gazette and from such date the rules for the administration of justice in the Balipara Frontier Tract, the rules for the administration of justice in Lakhimpur Frontier Tract, and the rules for the administration of justice in the Sadiya Frontier Tract published with Notification Nos. 2350(f)-AP, 2530(d)-AP and 2530 (e)-AP respectively dated the 26th March, 1937 shall be deemed to be repealed.

2. In this Regulation, except where the contrary appears from the context : Definitions

['Administrator' means the Administrator of the Union Territory of Arunachal Pradesh appointed by the President under Article 239 of the Constitution]³
'heinous offence' means and includes any of the following namely :

1. Substituted for the words 'Governor' means the Governor of Assam' by AP ALO (2) of 1972.
2. Substituted for 'Assam' by the NEA (Reorgn) (AP) ALO, 1974.
3. Definition for 'Administrator' inserted by the NEA (Reorgn) (AP) ALO, 1972.

Murder, culpable homicide, causing grievous hurt, rape, kidnapping or abducting in order to subject to slavery, disposing or buying of persons as slaves, habitual dealing in slaves, dacoity, robbery, rioting, house-breaking, theft of cattle, mischief by fire or any explosive substances, any offence punishable under Chapter VI or Chapter XII of the Indian Penal Code, any offence punishable under Arms Act, and any attempt to commit or abetment of any of the aforesaid offences.

“Pleader” includes a mukhtar or any professional agent.

[“Deputy Commissioner”]¹ includes an [“Addl. Deputy Commissioner”]²

“The Tracts” means the Balipara, Lakhimpur, Sadiya and Tirap Frontier Tracts.

3. (1) The administration of the Tract is vested in the [Administrator]³ and of each Tract in the [Deputy Commissioner]¹ the [Assistant Commissioner]⁴ and the village authorities thereof, or such other Officer or officers as the [Administrator]³ see fit from time to time to appoint in that behalf, subject to the provisions hereinafter contained. Administration.

(2) [The Deputy Commissioner]¹ the [Assistant Commissioner]⁴ of the District shall be appointed by the [Administrator]³ acting in his discretion.

4. The [Deputy Commissioner]¹ may, subject to the provisions of this Regulation define the jurisdiction of any [Assistant Commissioner]⁴ and may transfer any case, civil or criminal, from one [Assistant Commissioner]⁴ to another or from an [Assistant Commissioner]⁴ to himself. Jurisdiction of Assistant Commissioner.

1. Substituted for ‘Political Officer’ by NEFA (Admn) Regulation 1965.
2. Substituted for ‘Addl. Political Officer’ by NEFA (Admn) Regulation, 1965.
3. Substituted for ‘Governor’ by the NEA (Reorgn) (A.P) ALO 1972.
4. Substituted for ‘Asstt. Political Officer’ by NEFA (Admn) Regulation 1965.

5. (1) The [Deputy Commissioner]¹ shall appoint such persons as he considers to be the members of a village authority for such village or villages as he may specify, and may modify or cancel any such order of appointment, and may dismiss any person so appointed. Village authority

(2) In any area for which no village authority has been constituted under the provisions of sub-section (1), the powers and functions of village authority as provided by this Regulation, shall be exercisable and performed by the [Deputy Commissioner]¹ or by any [Assistant Commissioner]² authorised by him in this behalf.

CHAPTER II—POLICE

6. (1) The ordinary duties of police in respect of crime shall be discharged by the village authorities. They shall maintain peace and order within their jurisdiction. Public duties of village authorities.

(2) The village authorities shall not be deemed to be police officer for purposes of section 25 and section 26 of the Indian Evidence Act, 1872 or the section 162 of the Code of Criminal Procedure 1898 (since repealed by Act II of 1974). Act I of 1872. Act II of 1974.

1. Substituted for " Political Officers" by NEFA (Admin) Regulation 1965.

2. Substituted for ' Assistant Political Officer' by NEFA (Admn) Regulation 1965.

(3) The village authorities shall watch and report on any vagrant, or any bad or suspicious character found within their jurisdiction, and may apprehend any such person if they have reasonable grounds for suspecting that he has committed or is about to commit an offence, and shall hand over any person so apprehended to the [Deputy Commissioner]¹ or an [Assistant Commissioner].²

7. Every Civil Police station shall be under the control of the [Deputy Commissioner]¹ but its administration with regard to the pay, allowances, clothing, transfer and discipline of the staff shall be vested in the Superintendent of Police of the District which furnished the staff or such other police officer as the Government may appoint in this behalf, provided that transfer shall be made in consultation with the [Deputy Commissioner].¹

Control of police.

8. On the commission of any heinous offence within their jurisdiction, the inhabitants of the village shall at once, if possible apprehend the offender and in any case shall at once inform the village authority, who if the offender has not been apprehended, shall proceed without delay to the place where the offence was committed and enquire into it.

Occurrence of heinous offence.

9. It shall be the duty of the village authorities to report to the [Deputy Commissioner]¹, [Assistant Commissioner]² as soon as possible all crimes, violent deaths, and serious accidents occurring within their jurisdiction, and all occurrences whether within or beyond their jurisdiction, which may come to their knowledge and which are likely to affect the public peace: and to arrest and deliver up offenders as soon as may be [within a period of twenty four hours of such arrest excluding the time necessary for the journey from the place of arrest]³ to the court having jurisdiction to try them.

Reports by village authority.

10. A village authority may pursue beyond their jurisdiction any offender or vagrant or bad or suspicious character whom they consider it necessary to apprehend under the provisions of sub-section (3) of

Pursuit and arrest of offenders.

- 1- Substituted for 'Political Officer' by the NEFA (Admn), Regulation 1965.
2. Substituted for 'Assistant Political Officer' by NEFA (Admn) Regulation, 1965.
3. Inserted by ALO 1950.

section 6. They shall not, however, ordinarily arrest the offender or such person without informing the village authority within whose jurisdiction he is found and inviting their assistance but may do so if there is a reasonable apprehension that he may otherwise escape.

11. When a village authority is unable to arrest an offender; they may apply to the [Deputy Commissioner]¹ or an [Assistant Commissioner]² or any officer empowered to make arrests, for assistance. Procedure when arrest is impossible.

12. (1) All inhabitants of the Tracts are bound to aid the village authority when required to do so for the maintenance of order of apprehending offenders, and are liable to fine for failing to give such assistance. Aid to village authorities.

(2) such fine if imposed by the village authority shall not exceed Rs. 50 and if imposed by the [Deputy Commissioner]¹ or an [Assistant Commissioner]² shall not exceed Rs. 200.

(3) An appeal shall lie from an order passed under sub-section (2) by a village authority to the [Assistant Commissioner]² and from an order passed under sub-section (2) by an [Assistant Commissioner]² to the [Deputy Commissioner]¹.

(4) If it appears that the community is to blame and that particular offenders cannot be discovered, a fine not exceeding Rs. 1,000 may be imposed upon the community by the [Deputy Commissioner].¹

(5) Any fine imposed under sub-section (2) or sub-section (4) shall be recovered by distraint of the property of the person or persons on whom it is imposed.

13. Without prejudice to any punishment to which he may be liable under any other law, a member of a village authority shall, for any misconduct in the exercise of his functions under this Chapter, be punishable with fine which may extend to Rs. 500. Punishment of members of a village authority.

1, Substituted for 'Political Officer' by NEFA (Admn) Regulation 1965.

2. Substituted for 'Asstt. Political Officer' by NEFA (Admn) Regulation, 1965.

or with imprisonment of either description for a term which may extend to six months, on conviction by the [Deputy Commissioner]¹ or an [Assistant Commissioner]². An appeal shall lie from an order of [Assistant Commissioner]² under this section to the [Deputy Commissioner]¹.

14. The [Administrator]³ may at any time call for the proceedings in any matter, under section 12 or section 13, and may modify or set aside an order of a village authority passed under sub-section (2) of section 12, or an order, original or appellate, passed by the [Deputy Commissioner]¹ or an [Assistant Commissioner]² under either of those sections. Revision.

CHAPTER III^a—CRIMINAL PROCEEDINGS

15. Criminal justice, shall be administered by the [Deputy Commissioner]¹, the [Assistant Commissioner]² and the village authorities. Adminis-
tration.

16. The [Administrator]³ may appoint an [Additional Deputy Commissioner]⁴ for the trial of particular cases when he thinks fit, and may direct that such [Additional Deputy Commissioner]⁴, shall, for the purpose, exercise all or any of the powers of the [Deputy Commissioner]¹. Appoint-
ment of
Additional
Deputy
Commis-
sioner.

17. The [Deputy Commissioner]¹ shall be competent to pass any sentence warranted by law. Powers of
Deputy
Commis-
sioner.

18. The [Assistant Commissioner]² shall exercise any powers not exceeding those of a Magistrate of the 1st Class, as defined in the Criminal Procedure Code, with which they may be invested by the [Administrator]³. Powers of
Assistant
Commis-
sioner.

1. Substituted for 'Political Officer' by the NEFA (Administration) Regulation 1965.
2. Substituted for 'Assistant Political Officer' by the NEFA (Admin) Regulation, 1965.
3. Substituted for 'Governor' by the NEA (Reorgn), Arunachal Pradesh A/O 1972.
4. Substituted for 'Additional Political Officer' by the NEFA (Administration) Regulation 1965.

19. The village authorities may try any case involving any of the under mentioned offences in which the person or persons accused is or are resident within their jurisdiction :—

Jurisdiction of village authorities.

Theft, including theft in a building.

Mischief, not being mischief by fire or any explosive substance

Simple hurt.

Criminal trespass or house trespass.

Assault or using criminal force.

20. A village authority may impose a fine not exceeding Rs. 50, for any offence which they are competent to try, and may also award payment in restitution or compensation to the extent of the injury sustained; such fines and payments may be enforced by distraint of the property of the offender.

Powers of village authorities

21. The [Deputy Commissioner]¹ or an [Assistant Commissioner]² may order compensation to be paid to any person in a criminal case out of the proceeds of fines imposed in the case.

Compensation.

22. The village authorities shall decide all cases in open Darbar in the presence of at least three independent witnesses and of the complainant and the accused. They are empowered to order the attendance of all the foregoing, and of the witnesses to be examined in the case, and to impose a fine not exceeding Rs. 50 on any person failing to attend when so ordered.

Disposal of cases by village authorities and powers to compel attendance.

23. If any person on whom a fine has been imposed by a village authority fails to deposit the amount at once, or within such further time as the village authority may allow, the village authority shall send him to an [Assistant Commissioner]² to be dealt with in such manner as he may deem fit, unless the accused person gives notice of his intention to appeal against the decision.

Procedure by village authorities after sentence.

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1. Substituted for 'Political Officer' by the NEFA (Administration) Regulation, 1965.
 2. Substituted for 'Assistant Political Officer' by NEFA (Admn) Regulation, 1965.

24. Any party aggrieved by a decision of a village authority, may appeal within seven days to the [Assistant Commissioner]¹ who on receipt of such appeal, shall try the case *de novo*. Appeals from village authorities.

25. An appeal shall lie from an original decision of an [Assistant Commissioner]¹ to the [Deputy Commissioner]². Appeals from Assistant Commissioner.

26. An appeal shall lie to the [High Court]³ against sentences of three years imprisonment and upward, and sentences of death or transportation. In other cases there shall be no right of appeal, but the [High Court]³ may entertain an appeal [by special leave]⁴. Appeal to the High Court.

27. (1) All appeals under section 25 or 26 must be presented within thirty days from the date of the order appealed against, excluding the time taken in procuring a copy of the order. Provided that an appeal from a sentence of death shall be preferred, within seven days from the date of the sentence, excluding the time taken in procuring a copy of the order. Limitation for appeals.

(2) The [Deputy Commissioner]² shall on passing a sentence of death, inform the person sentenced of the provisions of sub-section (1).

28. The [High Court]³ or [Deputy Commissioner]² may call for the proceedings of any officer subordinate to [it]⁵ and reduce, enhance or cancel any sentence passed, or remand the case for retrial, but no offence shall be punished by a sentence exceeding that warranted by law. Power of revision.

29. The [High Court]³ may for any reason which [it]⁶ considers proper transfer any original case, pending or under trial before any Court to any other Court competent to try it, which is governed by this Regulation. Transfer of cases.

1. Substituted for 'Assistant Political Officer' by the NEFA (Administration) Regulation 1965.

2. Substituted for 'Political Officer' by NEFA (Admn) Regulation, 1965.

3. Substituted for 'Governor' by ALO 1950.

4. Substituted for 'at his discretion' by ALO 1950.

5. Substituted for 'him' by ALO 1950.

30.(1) All sentences of death, transportation, or imprisonment for seven years or more shall be subject to confirmation by the [High Court]¹, and the proceedings of all cases in which any such sentence has been passed shall be submitted to the [High Court]¹ forthwith, and no such sentence shall be carried into effect unless so confirmed. Confirmation of sentence.

(2) In any case submitted under sub-section (1), the [High Court]¹ — Powers in such cases.

- (a) may confirm the sentence or pass any other sentence warranted by law ; or
- (b) may annul the conviction and convict the accused of any other offence of which the [Deputy Commissioner]² might have convicted him ; or
- (c) may order a new trial on the same or an amended charge ; or
- (d) may acquit the accused person ; provided that no order of confirmation shall be made until the period allowed for preferring an appeal has expired, or if an appeal is presented within such period. until such appeal is disposed of.

31.(1) When a sentence of death passed by the [Deputy Commissioner]² is confirmed by the [High Court]¹, the [Deputy Commissioner]² shall, on receiving the order of confirmation, cause such order to be carried into effect by issuing a warrant in the form given in item No. XXXV of Schedule V of the Code of Criminal Procedure, 1898 and taking such steps as may be necessary. Sentence of death. Act V. of 1898.

(2) The [Deputy Commissioner]² shall fix the time and place of execution, and the time fixed shall not be less than 21 or more than 28 days from the date of issue of the warrant.

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1. Substituted for 'Governor' by ALO 1950.
 2. Substituted for 'Political Officer' by the NEFA (Admn) Regulation 1965.

32. [The High Court]¹, the [Deputy Commissioner]² the [Assistant Commissioner]³ shall be guided in regard to procedure by the principles of the Code of Criminal Procedure, 1898 so far as they are applicable to the circumstances of the [District]⁴ and consistent with the provisions of this Regulation. The chief exceptions are :—

Criminal
Procedure
Code (V of
1898).

(a) Verbal orders or notice only shall be requisite in any case except when the regular police are employed, or when the person concerned is not a resident of or in the [District]⁴ at the time but orders of summons shall in every case be for a fixed day, and the order shall be made known to the person concerned or to some adult member of his family, and, failing this, shall be openly proclaimed at the place where he is, or was last known to be, in sufficient time to allow him if he sees fit, to appear.

(b) The proceedings of the village authorities need not be recorded in writing, nor shall it be necessary that examinations before the [Deputy Commissioner]², [Assistant Commissioner]³ be signed by the parties examined but the [Deputy Commissioner]², [Assistant Commissioner]³ may require the village authority to report their proceedings in any way which appears suitable.

(c) There shall be no preliminary enquiries by regular or village police unless the [Deputy Commissioner]² or [Assistant Commissioner]³ sees fit to direct one.

(d) Recognisance to appear shall not be taken unless it appears necessary to the [Deputy Commissioner]² or an [Assistant Commissioner]³.

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1. Substituted for 'Governor' by ALO, 1950.
 2. Substituted for 'Political Officer' by the NEFA (Admn) Regulation 1965.
 3. Substituted for 'Assistant Political Officer' by NEFA (Admn) Regulation 1965.
 4. Substituted for 'tracts' by NEFA (Admn) Regulation 1965.

Note :— See form 42 under Schedule V of the code of CRPC 1973 which correspond to item No. XXXV of Schedule V of the Code of CRPC 1898.

(e). Proceedings before the [Deputy Commissioner]¹ or [Assistant Commissioner]² shall be recorded in English only.

33. Omitted.

34.(1) The President may, either upon or without conditions, suspend the execution of or remit any sentence of death, and the [Administrator]³ may, in like manner suspend the execution of or remit any sentence.

Suspension and remission.

(2) If any sentence has been suspended or remitted upon conditions, and in the opinion of the President or the [Administrator]³ as the case may be, these conditions have not been fulfilled, the President or the [Administrator]³ may cancel the suspension or remission and thereupon the person whose sentence has been suspended or remitted may, if at large, be arrested by any police without warrant and remanded to undergo the unexpired portion of his sentence or made to undergo the punishment.

35. The President may commute any sentence of death and the [Administrator]³ may commute any one of the following sentences for any other mentioned after it :— death, [imprisonment for life]⁴, confiscation of property, rigorous imprisonment, whipping, simple imprisonment, fine.

Continuation.

CHAPTER IV CIVIL PROCEEDINGS

36. Civil justice shall be administered by the [Deputy Commissioner]¹, the [Assistant Commissioner]² and the village authorities.

Administration

37. The [Deputy Commissioner]¹ may try suits of any value. The [Assistant Commissioner]² may try suits not exceeding Rs. 1,000 in value.

Powers of Deputy Commissioner and Assistant Commissioner.

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1. Substituted for 'Political Officer' by the NEFA (Admn) Regulation 1965.
 2. Substituted for 'Assistant Political Officer' by the NEFA (Admn) Regulation, 1965.
 3. Substituted for 'Governor' by the NEA (Reorg) (AP) ALO 1972.
 4. Substituted for 'transportation for life' by Act 26 of 1955.

38.(1) [The Deputy Commissioner]¹ and [Assistant Commissioner]² shall in every case in which both parties are indigenous to the [Union Territory of Arunachal Pradesh]³ endeavour to persuade them to submit to arbitration by a panchayat. Arbitration.

(2) If the parties agree, each party shall nominate an equal number of members of the panchayat, and the [Deputy Commissioner]¹ or [Assistant Commissioner]² shall either choose, or direct the panchayat to choose, a further person as umpire.

(3) The names and addresses of the members of the panchayat and umpire, and a statement of the matter in dispute shall be recorded, and the [Deputy Commissioner]¹ or [Assistant Commissioner]² shall direct the village authority or some other person to assemble the panchayat and witnesses within such time as he may specify, and also fix a date on which the decision of the panchayat shall be announced before him.

(4) The umpire shall have no vote as a member of the panchayat, but shall enter on and decide the matter in dispute if the panchayat, or a majority of its members, are unable to agree on their decision before the date fixed under sub-section (3).

(5) On the date fixed for the announcement of the decision, the umpire and the parties shall appear before the Court which directed the arbitration, and the Court shall record the decision together with any order which it considers reasonable for the payment, or apportionment, of the costs of the panchayat's proceedings.

(6) The decision so recorded shall be enforceable as if it was a decision of the Court recording it and shall be final.

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1. Substituted for 'Political Officer' by the NEFA (Admn) Regulation 1965. (7 of 1965)
 2. Substituted for 'Assistant Political Officer' by NEFA (Admn) Regulation, 1965.
 3. Substituted for 'NEFA' by NEA (Reorg) (AP) ALO 1972.

39. (1) In cases in which neither or only one of the parties is indigenous to the [Union Territory of Arunachal Pradesh]¹ the [Deputy Commissioner]² or [Assistant Commissioner]³ may, with the consent of both parties, order that the case be referred to arbitration by a panchayat, and the provisions of sub-section (2) to (5) inclusive of section 38 shall then apply except that the [Deputy Commissioner]² or [Assistant Commissioner]³ shall give the parties an opportunity to object to the decision. Arbitration in other cases.

(2) Any such objection must be made within ten days of the day on which the decision of the panchayat or umpire is recorded and if made, shall be considered by the [Deputy Commissioner]² whose decision shall be final.

(3) If no such objection is made the provisions of sub-section (6) of section 38 shall apply.

40. The village authorities shall try all suits without limit of value, in which both the parties are indigenous to the [Union Territory of Arunachal Pradesh]¹ and live within their jurisdiction and which are not submitted to arbitration under the provisions of section 38. All other suits which are not submitted to arbitration under the provisions of section 39 shall be tried by the [Deputy Commissioner]² or an [Assistant Commissioner].³ Powers of authorities

41. The village authorities shall have power to order the attendance of the parties and of witnesses, and to fine up to a limit of Rs. 50, persons failing to attend when ordered to do so. Powers to enforce attendance

42. The village authorities shall have power to award costs, as well as compensation not exceeding Rs. 50 in any case to defendants for unfounded or vexatious suits brought against them. Unfounded and vexatious suits

1. Substituted for 'NEFA' by the NEA (Reorganisation) (Arunachal Pradesh) ALO 1972.

2. Substituted for the 'Political Officer' by the NEFA (Administration) Regulation 1965. (7 of 65).

3. Substituted for the 'Assistant Political Officer' by the NEFA (Admn) Regulation. 1965.

43. The village authorities may appoint one or more assessors to assist them in coming to a decision, and when they do so, shall record, but shall not be bound by the opinion of the assessor or assessors. Assessors.

44. (1) All suits tried by the village authorities shall be decided in open Darbar in the presence of the parties and at least three independent witnesses. Hearing of cases.

(2) The [Deputy Commissioner]¹ or an [Assistant Commissioner]² may direct a village authority to report their proceedings in any case or class of cases in any way which may appear to him to be suitable. Save as required by such direction, no record of any proceedings shall be maintained.

(3) After hearing both parties and their witnesses, if any, the village authority shall forthwith pronounce a decision.

45. (1) Unless any party having a right of appeal against a decision of a village authority gives notice, when such decision is pronounced, of his intention to appeal against it, the village authority shall carry out the decision forthwith, and for such purpose may proceed by distraint of any property belonging to any person liable to pay any sum under the decision, unless such person furnish security to the satisfaction of the village authority. Procedure after pronouncement of decision.

(2) If notice of intention to appeal is given, the village authority shall send the parties and witnesses to the [Deputy Commissioner]¹ or an [Assistant Commissioner]² forthwith, and one of the members of the village authority or one of the independent witnesses shall accompany them.

46. (1) Any person aggrieved by a decision of a village authority may appeal to the [Assistant Commissioner]² in suits not exceeding Rs. 500 in value and to the [Deputy Commissioner]¹ in suits exceeding that value. Appeals from village authorities.

1. Substituted for 'Political Officer' by the NEFA (Administration) Regulation, 1965.

2. Substituted for 'Assistant Political Officer' by NEFA (Admn) Regulation, 1965.

(2) If such an appeal is filed, a record shall be made of the matter in dispute, and of the decision of the village authority.

(3) The appellate court shall, if necessary, examine the parties, and, if the decision appears to be just, shall affirm and enforce the decision as its own. If the appellate court sees grounds to doubt the justice of the decision, it shall try the case de novo or refer to a panchayat; in any case so referred, the provisions of section 3⁴ shall apply as if the parties had agreed to submit to arbitration.

47. An appeal shall lie to the [Deputy Commissioner]¹ from any decision, original or appellate, of an [Assistant Commissioner]² Appeals from Assistant Commissioner.

48. An appeal shall lie to the [High Court]³ from an original decision of the [Deputy Commissioner]¹ if the value of the suit is not less than Rs. 500 or if the suit involves a question of trial of rights or customs, or of the right to, or possession of, immovable property. Appeals from Deputy Commissioner.

49. An appeal which lies to the [Deputy Commissioner]¹ or [High Court]³ may be presented to the [Assistant Commissioner]² who shall, if it is in order and presented in due time, endorse upon it the date of receipt and transmit it with the records of the case to the [Deputy Commissioner]¹ Presentation of appeals.

50. The [High Court]³ may, on application or otherwise, call for the proceedings of any original case or appeal decided by the [Deputy Commissioner]¹ and not appealable under this Regulation and may pass such orders as [it]⁴ may deem fit. Powers of revision.

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1. Substituted for 'Political Officer' by the NEFA (Administration) Regulation 1965.
 2. Substituted for 'Assistant Political Officer' by the NEFA (Admn) Regulation 1965.
 3. Substituted for 'Governor' by ALO 1950.
 4. Substituted for 'he' by ALO 1950.

51. Every petition of appeal under section 47 or section 48 and every application under section 50 shall be accompanied by a copy of the order against which the appeal or application is made, and shall be filed within thirty days of the date of such order, excluding the time taken in procuring a copy of the order.

Limitation and other conditions.

52. [The High Court]¹ the court of [Deputy Commissioner]², [Assistant Commissioner]³ shall be guided by the spirit, but shall not be bound by the letter, of the Code of Civil Procedure, 1908, and shall follow subject to any express provisions of these rules, the principles of the Indian Limitation Act,** 1908, in disputes between persons who are not indigenous to the [Union Territory of Arunachal Pradesh]⁴

Civil Procedure.

Act IX of 1908.

53. (1) If any decree is modified or amended as a result of an appeal or of an order under section 50, the decree as so modified or amended shall for the purposes of execution, be deemed to be the decree of the original Court.

Execution of decrees.

(2) Decree against persons resident beyond the jurisdiction of the Court, if satisfaction cannot be obtained within the [Union Territory of Arunachal Pradesh]⁴ shall be transferred for execution to a Court having jurisdiction.

54. Houses, necessary clothings, cooking utensils, or implements whereby the owner or his family subsist, shall not be attached, sold or transferred in execution of a decree, unless the house or other thing so exempted is the actual subject matter of the suit. Land may be sold or temporarily transferred where custom admits of individual rights in it being recognised.

Exemption from execution.

55. No person shall be imprisoned for debt, except when the [Deputy Commissioner]² is satisfied that he has made a fraudulent disposition or concealment of property. In such case the debtor may be detained for a period not exceeding six months.

Imprisonment for debt.

1. Substituted for 'the Court of the Governor' by ALO 1950.
2. Substituted for 'Political Officer' by the NEFA (Administration) Regulation 1965. (7 of 1965).
3. Substituted for 'Assistant Political Officer' by NEFA (Admn) Regulation 1965.
4. Substituted for 'NEFA' by the NEA (Reorg) (Arunachal Pradesh) ALO 1972.

**Limitation Act 1208 since repealed by limitation Act 1963 (34 of 1963)

56. (1) No pleader shall be allowed to appear in any case before the village authorities. Representation.

(2) No pleader shall be allowed to appear in the Court of the [Deputy Commissioner]¹ or [Assistant Commissioner]² except with the [Deputy Commissioner's]¹ permission. Such permission shall not be refused if the defendant at the time the cause of action arose resided beyond the jurisdiction of the Court in an area where the appearance of pleader is not restricted;

(3) The [High Court]³ may [by special leave]⁴ permit any pleader to appear in any case before it.

CHAPTER V—EVIDENCE

57. In criminal cases before the [Deputy Commissioner]¹, [Assistant Commissioner]², oaths shall be administered to all witnesses when the accused is charged with murder, but not in other cases unless either party so require or the Court so determines. Oaths.

(2) In civil suits before the [Deputy Commissioner]¹, [Assistant Commissioner]² oaths shall not be administered to parties or witnesses unless either party so requires, or the Court so determines.

(3) When an oath is administered, it shall be in the manner which the Court considers most binding on the conscience of the person making it.

58. Any person who gives false evidence in any criminal case or civil suit, whether as a party or a witness, and whether after an oath has been administered to him or otherwise, shall be deemed to have given false evidence within the meaning of the Indian Penal Code, 1860. False evidence.
Act XIV of 1860.

59. The [Deputy Commissioner]¹, [Assistant Commissioner]² shall in all criminal cases and civil suits be guided by the general principles of the Indian Evidence Act, 1872. Guidance with regard to evidence.
Act I of 1872

1. Substituted for 'Political Officer' by the NEFA (Administration) Regulation 1965. (7 of 1965).

2. Substituted for 'Assistant Political Officer' by the NEFA (Admn) Regulation 1965.

3. Substituted for 'Governor' by ALO 1950.

4. Substituted for 'at his discretion' by ALO 1950.

THE ASSAM NORTH-EAST FRONTIER (SADIYA,
BALIPARA, TIRAP AND LAKHIMPUR) TRACTS,
(ELECTRICITY) REGULATION, 1947

(Regulation 1 of 1947)

Whereas by virtue of certain notifications issued under section 2 of the Assam Frontier Tracts Regulation, 1880, the Indian Electricity Act, 1910 ceased to be in force in the Assam North-East (Sadiya, Balipara, Tirap and Lakhimpur) Tracts which are at present a part of the Excluded Areas in the Province of Assam;

Regulation
II of 1880,
Act IX of
1910

And whereas it is expedient to bring the said Act again into force in the said tracts and to provide for matters connected therewith :

And whereas by sub-section (2) of section 92 of the Government of India Act, 1935, the Governor is empowered to make regulations for the peace and good government of any area in his province which is for the time being an Excluded Area :

Preamble.

Now, therefore, the Governor of Assam in exercise of the said powers and of all other powers enabling him in that behalf is pleased to make the following regulation for the said Excluded Areas :—

1. (1) This Regulation may be called the Assam North-East Frontier (Sadiya, Balipara, Tirap and Lakhimpur) Tracts (Electricity) Regulation, 1947.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of the North-East Frontier (Sadiya, Balipara, Tirap and Lakhimpur) Tracts, hereinafter called "the said Tracts".

Note : This Regulation has been made under Section 92 (2) of the Government of India Act, 1935 by the Governor of Assam and assented to by the Governor General on 8th July, 1947.

(3) It shall come into force, at once.

2 (1) Any notification issued under section 2 of the Assam Frontier Tracts Regulation, 1880, shall in respect of the said Tracts, in so far provides by whatever form of words that the Indian Electricity Act, 1910, shall cease to be in force in any frontier tract which is an Excluded Area, be inoperative, and be deemed to have become inoperative on the date of commencement of the Assam (Excluded Areas) Electricity Regulation, 1946. Bringing o
Act IX of
1910 into
force in
certain
Excluded
Areas.

(2) The Indian Electricity Act, 1910, as subsequently amended by any Central Act and all rules, orders and notifications made thereunder which are in force in the rest of Assam, shall be in force in the said tracts, and be deemed to have come into force on the date of commencement of the Assam (Excluded Areas) Electricity Regulation, 1946 (2 of 1946). Regulation
II of 1946

3. References in the Indian Electricity Act, 1910, to the District Magistrate shall be construed as reference.— Rule of
construction

(a) in the Sadiya, Balipara, Tirap Frontier Tract to the [Deputy Commissioner]¹ of that Tract, and

(b) in the Lakhimpur Frontier Tract, to the [Deputy Commissioner]¹ of the Lakhimpur District.

4. The Assam (Excluded Areas) Electricity Regulation 1946, is hereby repealed. Repeal.

1. Substituted for 'Political Officer' by the NEFA (Admn) Regulation 1965. (7 of 1965)

THE BALIPARA/TIRAP/SADIYA FRONTIER TRACT
JHUM LAND REGULATION, 1947.

(Regulation III, IV and V 1947)

Whereas it is expedient to frame a Regulation in order to safeguard and regulate the rights of the tribes indigenous to the Balipara/Tirap/Sadiya Frontier Tract to Jhum land in the Balipara/Tirap/Sadiya Frontier Tract. Preamble.

Now, therefore, the Governor of Assam, in exercise of the powers conferred by sub-section (2) of section 92 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, is pleased to make the following Regulation,—

1.(1) This Regulation shall be called the Balipara/Tirap/Sadiya Frontier Tract Jhum Land Regulation 1947. Title and application

(2) It extends to the whole of the Balipara/Tirap/Sadiya Frontier Tract.

(3) It shall come into force at once.

(4) Its provisions shall apply in supersession of all existing enactments and rules, so far as the latter are inconsistent with, contrary to or repugnant to, the provisions of this Regulation.

2. In this Regulation :—

Definitions.

*Note.—No EX/Misc/20/47/67-AD-This Regulation made by his Excellency the Governor of Assam under sub-section (2) of section 92 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, and assented to by His Excellency the Governor General on 17th January, 1948.

(a) ["Administrator" means the Administrator of the Union Territory of Arunachal Pradesh appointed by the President under Article 239 of the Constitution]¹

(aa) "Land Conservator" means and includes the [Deputy Commissioner]² of the Balipara/Tirap/Sadiya Frontier Tract, any officer exercising the powers of a District Magistrate within the Balipara/Tirap/Sadiya Frontier Tract, any sub-divisional officer within the limits of his sub-division and any officer especially invested by the [Administrator]³ with the powers of a Land Conservator under this Regulation.

(b) "Jhum Lands" means and includes all lands which any member or members of a village or community have customary rights to cultivate by means of shifting cultivation or to utilise by clearing jungle or grazing livestock provided that such village or community is in a permanent location but does not include —

(i) any land which has been or is under process of being terraced for the purpose of permanent or semi-permanent cultivation whether by means of irrigation or not,

(ii) any land attached or appurtenant to a dwelling house and used for the purposes of permanent cultivation, or

(iii) any land which in the opinion of the [Deputy Commissioner]² is subject to permanent cultivation.

Explanation :— (1) Any land which is otherwise Jhum land according to the above definition shall be deemed to be so notwithstanding the fact that a part or the whole thereof may have been planted with fruit trees, bamboos, or tung or reserved for growing firewood.

-
1. Definition for 'Administrator' inserted by the NEA (Reorg) (AP) ALO 1972.
 2. Substituted for 'Political Officer' by the NEA (Admn) Regulation 1965.
 3. Substituted for 'Governor of Assam' by the NEA (Reorg) (AP) ALO 1972.

(2) Any village or community shall be held to be in permanent location of it always remains within a specific area, although part or the whole of such village or community may migrate from time to time to different localities within that area.

(c) "Community" includes the residents of a village as a whole, the clan, sub-clan, phratry or kindred.

3. Where more than one Land Conservator exercises authority within the same area, the [Deputy Commissioner]¹ may, subject to any orders issued by the [Administrator]² make such arrangements as he thinks fit for the distribution of work among such Land Conservators.

Distribution of work among Land Conservator.
Accrual of customary rights.

4. (1) A customary right to Jhum land shall be deemed to be established in favour of village or a community when such village or community has enjoyed the right to cultivate or utilise such Jhum land for not less than 5 years prior to the making of this Regulation.

(2) A customary right to Jhum land shall be deemed to be established in favour of an individual cultivator,—

(a) if he inherited the land in accordance with a local custom ;

(b) if he purchased the land prior to the making of this Regulation and such purchase was not contrary to local custom, or

(c) if he has purchased the land at any date subsequent to making of this Regulation, provided such purchase was not contrary to any local custom or any provisions of this Regulation, or

(d) if, being a resident of permanent village, he has brought the land under cultivation, and the land has not been cultivated at any time within 30 years preceding his bringing the same into cultivation :

Provided that such land is within cultivable reach of his own village.

5. (1) Jhum land to which a community has a customary right may not be transferred to another community or to any individual except with the permission of the Land Conservator.

Transfers.

-
1. Substituted "Political Officer" by the NEA (Admn) Regulation, 1965. (17 of 1965)
 2. Substituted for "Governor of Assam" by NEA (Reorg) (AP) ALO, 1972.

(2) Jhum land to which an individual belonging to a village or community has a customary right may be community or to that village or community as a whole. It shall not be transferred to another village or community or to a member of another village or community except with the previous permission of the Land Conservator.

(3) Nothing in this section shall affect a transfer which is valid under any other provision of this Regulation.

6. (1) No Jhum land shall be leased by anyone having a customary right thereto unless :—

(a), the Land Conservator has approved of such lease on the ground that such lease benefits the village or the community, or

(b) the lessor is, by reason of age or other infirmity unable to cultivate or utilise it, and the lessee is a member of the same village or community as the lessor.

(2) A lease under clause (b) above shall be determined on the death of the lessor or on the termination of his infirmity provided that the lessee shall be entitled to tend and reap any crop standing on the leased land on the date of the determination of the lease.

7. Jhum land which is transferred or leased otherwise than in accordance with the provisions of this Regulation shall be deemed to have been forfeited, and, subject to any customary right of inheritance, may be transferred by the Land Conservator to any member or members of the village or community to which the transferor or lessor belongs or, belonged. **Improper transfers and leases.**

8. Subject to any order that may be made under this Regulation, persons having customary rights to any jhum land shall be entitled to forest produce from such land for their own use or for the use of members of their own village or community, but shall be bound by any other rule or Regulation in force determining or regulating the sale of such produce. **Forest produce.**

9. (1) All customary rights in Jhum land as are now in existence shall subsist subject to the provisions of this Regulation and any other law or Regulation which may hereafter be enacted by competent authority. **Taxation.**

(2) Such rights shall also be subject to the payment by the persons entitled thereto of such rents, taxes or any other dues as may be lawfully imposed from time to time by competent authority.

(3) Where any such rents, taxes or other dues have not been paid by any person, the [Deputy Commissioner]¹ may suspend the rights of that persons to all Jhum land, and if the default has subsisted for more than a year, may declare such rights of that person to have been extinguished and may thereupon make such arrangement for the transfer of the rights as he thinks fit.

10. The Government may acquire any Jhum land required for a public purpose. No formal acquisition proceedings shall be necessary but an opportunity shall be given to those having rights in the land to show cause against such acquisition and reasonable compensation shall be paid for all land required under this section.

Acquisition for public purpose.

Land so acquired shall, if relinquished by the Government at any time, be returned to the village, community or individual from whom it was acquired on refund, if any, of such compensation to the Government as the latter may decide.

11. The Land Conservator may at any time summarily eject without notice any person who has squatted without authority of any jhum land.

Ejectment.

12. (1) The Land Conservator may at any time make such general or special order for the reforestation of jhum land as he thinks fit as also for ensuring that strips of reasonable width within any jhum land may not be cultivated.

Prevention of erosion.

(2) Where it appears that undue erosion or the diminution of the supply of water required or likely to be required for irrigation is resulting or is likely to result from the excessive cutting of trees from any jhum land, the Land Conservator may direct that a part or the whole of such jhum land shall be a protected forest, and no person shall thereafter cut any trees from such protected forest without the permission of the Land Conservator.

(3) Where it appears that undue erosion or diminution of the supply of water required or likely to be required for irrigation, is resulting or is likely to result from the cultivation of any jhum land the Land Conservator may direct that the jhum land shall not be cultivated by any person for a period not exceeding ten years.

(4) No order shall be made under sub-section (2) of sub-section (3), unless a reasonable opportunity had been given to those having customary rights to the

1. Substituted for 'Political Officer' by the NEA (Admn) Regulation, 1965 (7 of 1965).

land to prefer objections against such order, and, unless all objections so preferred have been considered, and rejected as unreasonable and unobjectionable.

(5) For the purpose of protecting a road or bridge path, the Land Conservator may direct that any land lying within 50 yards of the road or bridge path shall not be cultivated and may further direct that trees upon such land shall not be felled or cut.

(6) The Land Conservator may direct that for the purpose of preserving water supply, any particular area under jungle and previously unbroken shall remain uncultivated provided that the existing rights of the community or the individual to collect forest produce shall not be interfered with.

13. The Land Conservator may make such general or special orders, as he thinks fit to prevent, risk or damage by fire to jhum land, **Prevention of fire.**

14. The Land Conservator may by order prohibit the establishment of any new village or erection of any new residential houses on any jhum land. **Erection of houses.**

Provided that no order shall be made under this section which would prevent person having customary rights to the land from securing reasonable and adequate accommodation for themselves and their families.

15. Where a Tribal Council approved by the [Administrator]¹ in this behalf has been set up in any area, any or all of the powers granted to the Land Conservator under the provisions of this Regulation may be vested by the [Administrator]¹ in that Tribal Council in respect of such area and the Land Conservator shall not exercise any power so vested. **Powers of Tribal Council.**

16. Any person who intentionally disobeys or violates any order or direction passed by competent authority under any of the provisions of this Regulation, shall, on conviction of such offence, be punished with imprisonment of either description for one month, or with fine not exceeding one hundred rupees, or with both. **Penalty for disobedience or violation of orders/direction.**

17. The [Administrator]¹ may call for and examine the records of any proceedings or trial under the provisions of this Regulation and may set aside, modify or alter order or sentence passed by any subordinate authority. **Appeal and revision.**

1. Substituted for 'Governor of Assam' by the NEA (Reorgan) (Arunachal Pradesh) A.O. 1972.

2. Substituted for "Governor" by the NEA (Reorgan) (Arunachal Pradesh), A.O. 1972.

THE NORTH-EAST FRONTIER TRACTS
(INTERNAL ADMINISTRATION) REGULATION, 1948.

(Regulation I of 1948)

Whereas it is expedient for the good Government of the North-East Frontier Tracts to divide the present Sadiya Frontier Tract into two units of administration. Preamble.

Now, therefore, in exercise of the powers conferred by sub-section (2), of section 92 of the Government of India Act, 1935 as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to make the following Regulation :—

1. (1) This Regulation may be called the North-East Frontier Tracts (Internal Administration) Regulation, 1948. Short title and commencement.

(2) It shall come into force on such date as the [Administrator] may by notification in the [Assam] Pradesh] Gazette appoint.

2. The Sadiya Frontier Tract as constituted at present shall be divided into two separate units of administration called the Abor Hills District and the Mishmi Hills District each comprising areas as set out in the Schedules I and II below respectively. Administrative units with boundaries.

3. All laws for the time being in force in the Sadiya Frontier Tract shall apply in the Abor Hills District and the Mishmi Hills District, subject to any reservations or modifications with which they are applicable in the Sadiya Frontier Tract, as the case may be. Application of laws.

THE SCHEDULE I

Boundary of the Abor Hills District

East :—From a point, height 13774, in latitude 29°02'56" longitude 25°16'20" on the Macmohan Line about one mile south-west of the Khangri Kharpo La pass (sheet 82.0 of 1916) the boundary runs in a southerly direction along the range dividing the Siang and Dibang Valley through points 13337, 13798, 13663 1392, 13921, 13959, 13945, 13325, (Abroka) 13640, 13244, 10820, 8120, 6550 to Tirap 10310, and continuing south-eastwards through point 7430 to point 6844 thence down a nameless stream with its source below point 6944 to the Egadi river; thence down the midstream of this river to the Sesserri river; thence down the midstream of this river to its junction with the Dihong at old Sesserimukh, thence the left bank of the Dihong and across the mouth of the Lohit to the left bank

1. Substituted for "Governor" by the NEA (Reorg) (AP) ALO, 1972.

2. Substituted for "Official" by the NEA (Reorg) (A.P) ALO, 1974

of the Brahmaputra which is followed as far as Rang-dai Ghat (sheet 183 M/NW, published in 1927); thence, by western boundary of the Saikhowa Reserve Forest to the Laika Jan.

South :— From the above point westward down the Laika Jan to its junction with the Brahmaputra river; thence crossing the Brahmaputra river, so as to include the Kaplang and Dorkang Chapris within the area of the Abor Hills District to the point where the Burhi Suti (Channel) leaves the Brahmaputra (Survey of India Sheet No. 88 M/2 of 1925, scale one inch to the mile); thence by the right bank of the Brahmaputra river keeping the Mesaki Chapri in the Abor Hills District to a point in latitude $27^{\circ}36'27''$ longitude $94^{\circ}56'57''$ where the Sengajan road comes down to the Brahmaputra river; thence in a North-westerly direction by this road to the Burhi-Suti as shown in the Survey of India sheet 831/14 scale one inch to the mile published in 1924, thence by the left bank of the Burhi-Suti to the mouth of the Dijmur Nadi, a branch of the Simen river and thence by the mid-stream of that Nadi and the parent stream to the mouth of the Dipa (Sinyang) Nadi; thence by the left bank of the Dipa (Sinyang) Nadi to where it leaves the foothills from where the line of boundary runs in a westerly direction by the path at the feet of hills so as to include all Gallong villages within the Abor Hills District to a point where the Jiya Dhol river cuts the Rajgarh Ali; thence up the right bank of the Jiya Dhol river to a point due east of a spur height 3420, in latitude $27^{\circ}35'55''$ longitude $94^{\circ}26'40''$; thence up this spur and along it in a westerly direction until it drops again at the junction of the Siplu and Subansiri rivers at Siplumukh.

West :— Thence by the left bank of the Subansiri river to the point where it cuts the Macmohan Line on the Indo-Tibetan Frontier.

North :— From the last point westwards by the Macmohan Line to the starting point.

THE SCHEDULE II

Boundary of the Mishmi Hills District

East :— From a point, height 15283, where the Macmohan Line joins the Indo-Burma boundary in latitude $28^{\circ}12'10''$ longitude $97^{\circ}22'40''$ (Survey of India sheet No. 91H of 1942) southwards along the Indo-Burma boundary to a point latitude $27^{\circ}38'40''$ longitude $96^{\circ}55'50''$ where the range leading westwards takes off to Dapha Bum height 15020.

South :— Westwards along this range through Dapha Bum 15020 Jaitu 10847 Champai Bum height 8244; thence in a South-westerly direction to the saddle at the east end of the Mana Bum range (sheet 92 A of 1938) thence a North-westerly direction along the Man Bum range to a point, height 2127; thence a line west-south-west crossing the Kumchai and Noa Dihing stream to the point where the path from Bara Dumsa to Mohonggaon cuts the Dirak Hka, height 493; from this point down the left bank of the Dirak Hka in a North-westerly direction to the village of Chota Dirak (Khamti) as published in 1926; thence in a westerly direction by the southern edge of the path leading from this village to the Bar Maithang to a point on the Hahkhati-Jan about one mile west of the village of Chhota Dirak, near where the Hahkhati Jan turns westwards at height 450 as shown on the said map, thence by the Hahkhati Jan stream known also as the Dhola and then the Dangori Nadi lower down its course, vide Survey of India sheet 83M/10 of 1920, to a point where a small channel or Khar connects it with the Ajuka Nadi, thence by this channel to the Ajuka Nadi and down the Ajuka Nadi also known as the Laika Jan lower down its course to the point where the southern end of the western boundary of the Saikhowa Reserve Forest is reached.

West :— Thence northwards along the western boundary of the Saikhowa Reserve Forest to Rangdai-Ghat on the left bank of the Brahmaputra river, thence up along the left bank of this river across the mouth of the Lohit to the bank of the Dihang and up the left bank of the Dihang to the mouth of the Sesseri at Sesserimukh (Sheet 83 M/NW. published in 1927) thence up the midstream of the Sesseri river to where the "Egadi" river joins the Sesseri river; thence up the midstream of the former to where it is joined on the right bank by a nameless stream having its source below point 6944, up this stream to point 6844 and thence through, point, 7430, 10310 (Tirap) 6550, 8120, 10820, 13244, 13640, 13325 (Abroka), 13945, 13959, 13921, 13663, 13798, 13337, to the point height 13744 in latitude $29^{\circ}02'86''$ longitude $95^{\circ}16'20''$ on the Macmohan Line about one mile southwest of the Khangri : Kharpo La pass (vide sheet 820 of 1916).

North :— Thence eastwards along the Macmohan Line which forms the Indo-Tibetan Frontier to the starting point,

THE ASSAM NORTH EAST FRONTIER (ABOR
HILLS, MISHMI HILLS, BALIPARA, TIRAP AND
LAKHIMPUR) TRACTS CO-OPERATIVE
SOCIETIES REGULATION, 1949.

(Regulation II of 1949)

Whereas by virtue of certain notifications issued section 2 of the Assam Frontier Tracts Regulation 1880, the Co-operative Societies Act, 1912, ceased to be in force in the Assam North East Frontier (Abor Hills, Mishmi Hills, Balipara, Tirap and Lakhimpur Tracts), which are at present a part of the Excluded Areas in the Province of Assam ;

Regulation II
of 1880.
Act II
of 1912.

And whereas it is expedient to bring the said Act again into force in the said tracts and to provide for matters connected therewith :

Preamble.

And whereas by sub-section (2) of section 92 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor is empowered to make regulations for the peace and good government of any area in his province which is for the time being an Excluded Area :

Now, therefore, the Governor of Assam, in exercise of the said powers and of all other powers enabling him in that behalf is pleased to make the following Regulation for the said Excluded Areas :—

1. (1) This Regulation may be called the Assam North East Frontier (Abor Hills, Mishmi Hills, Balipara, Tirap and Lakhimpur) Tracts (Co-operative Societies) Regulation, 1949.

Short
title,
extent and
commen-
cement.

(2) It extends to the whole of North East Frontier (Abor Hills, Mishmi Hills, Balipara, Tirap and Lakhimpur) Tracts hereinafter called "the said tracts".

(3) It shall come into force at once.

2. (1) Any notification issued under section 2 of the Assam Frontier Regulation, 1880, shall, in respect of the said tracts in so far as it provides by whatever form of word that the Co-operative Societies Act, 1912, shall cease to be in force in any Frontier Tracts, which is an Excluded Area, be in-operative, and be deemed to have become in-operative, on the date of commencement of the Assam North East Frontier (Abor Hills, Mishmi Hills, Balipara, Tirap and Lakhimpur) Tracts (Co-operative Societies) Regulation, 1949.

Bringing
of Act II
of 1912
into force
in cer-
tain Ex-
cluded
Areas.

II
(2) The Co-operative Societies Act, 1912, as subsequently amended and all rules, orders and notifications made thereunder and all rules, which are in force in the rest of Assam, shall be in force in the said tracts and be deemed to have come into force on the date of commencement of the Assam North East Frontier (Abor Hills, Mishmi Hills, Balipara, Tirap and Lakhimpur) Tracts (Co-operative Societies) Regulation, 1949.

(3) Reference to the Code of Civil Procedure in sub-section (3) of section 42 shall be read as referring to the relevant provisions prescribed in the Rules for the Administration of Justice in the Assam Frontier (Administration of Justice) Regulation, 1945,

(4) Section 49 shall be omitted.

THE MISHMI HILLS DISTRICT (HOME GUARDS)
REGULATION, 1950.

(Regulation II of 1950)

Whereas it is expedient to remove doubts as to the operation of Assam Home Guard Act (Act XXIV of 1947) in the Excluded Area of Mishmi Hills District in the Province of Assam;

And Whereas it is expedient to provide a Preamble, volunteer body called the Home Guard to supplement the ordinary police force in certain portion of the said Excluded Area with effect from 1st April, 1948;

And whereas by sub-section (2) of section 92 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor is empowered to make regulation for the peace and good government of any area in his province, which is for the time being an Excluded Area;

Now, therefore, the Governor of Assam in exercise of the said powers and all other powers enabling him in that behalf is pleased to make the following Regulation for the said Excluded Area of the Mishmi Hills District :—

1. (a) This Regulation may be called the Mishmi Hills District (Home Guards) Regulation 1950.

Short title, extent and commencement.

(b) It extends to the portion of the Mishmi Hills District of the Sadiya Frontier Tract as constituted by Regulation I of 1948, which falls within the boundaries described in Schedule I here to, annexed, hereinafter referred to as "the said area of the District"

(c) It shall come into force at once.

2. The Assam Home Guard Act, 1947 (Act XXIV of 1947) and all rules, orders, notifications made or issued thereunder which are in force in the rest of Assam, shall be in force in the said area of the District and be deemed to have come into force on the first day of April nineteen hundred and fortyeight, subject to the modifications mentioned in Schedule II below :—

Application of Act XXIV of 1947.

First published in the Assam Gazette, Part II, of 8th February, 1950 page 227

SCHEDULE I

North—From a point in latitude 27°52'50" longitude 95°31'15" approximately on the junction of the Ganga and Dibang rivers along a straight line to a point 492 on the left bank of the Kundil river, thence due east to point 625 on the right bank of the Balijan river.

East—Thence down the Balijan river, following the right bank of the western channel of the Balijan river to its confluence of the Lohit river; thence across and down the left bank of the Lohit river to Nao Dehing Mukh; thence up the right bank of the Nao Dehing river to a point opposite to the Dirak Hkamukh; thence across the Dirak Hka river and along its left bank to where this river joins the Sadiya Frontier Tract and the Lakhimpur District boundary.

South—Thence in a westerly direction by the southern edge of the path leading from the village of Chota Dirak (Hkamti) to the Bormainhang to a point on Hahkhatijan about one mile west of the Chota Dirak near where the Hahkhatijan turns westwards at height 450; thence by the Hahkhatijan stream known also as the Dholja and thence the Dangari Nadi lower down its course, vide survey of India, Sheet No. 83, M/10 of 1920, to a point where a small channel or Khal connects it with the Ajuka Nadi, thence by this channel to Ajuka Nadi and down the Ajuka Nadi also known as the Laikajan lower down its course to the point where the southern end of the western boundary of Saikhowa Reserve is reached.

West—Thence northwards along the western boundary of the Saikhowa Reserve forest to Rongdoi Ghat of the left bank of this river across the mouth of the Lohit river to the left bank of the Dibang river and up the left bank of the Dibang river to the Sesserri at Sesserimukh; thence up the midstream of the Sesserri river to its junction of the Ganga river; thence along the left bank of the Ganga river to the starting point.

SCHEDULE II

Reference to "District Magistrate" shall be read as referring to the [Deputy Commissioner]¹.

1. Substituted for "Political Officer" by NEFA (Administration) Regulation, 1965.

THE NORTH-EAST-FRONTIER [TRACTS]¹ (ADMINISTRATION) REGULATION, 1954.

(Regulation No. 1 of 1954)

A Regulation to provide for the readjustment of the administrative units of the [North-East Frontier Tract]¹ specified in Part B₁ of the Table annexed to the Sixth Schedule to the Constitution, and for certain matters incidental thereto.

In exercise of the powers conferred by clause (2) of article 243 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him:—

1. (1) This Regulation may be called ~~the North-East~~ ^{Short title,} Frontier [Tracts]¹ (Administration) Regulation, 1954, and ~~come into~~ ^{and come into} ~~force.~~ ^{effect.}

(2) It shall come into force, on such date as the [Administrator]² may by notification in the [Arunachal Pradesh]³ Gazette appoint.

***Note.**

No. GA 140/50/121:— This Regulation made by the President of India which was published in the Gazette of India, Extraordinary, dated 5th January 1954, and came into force on 26th January, 1954.

1. For word 'Areas' the word 'Tracts' substituted by NEF Areas (Admn.) (Amendment) Regulation 1957. (5 of 1957):-
2. Substituted for '~~Governor of Assam~~' by the ~~NEA~~ (Reorgn) (AP) ALO, 1972.
3. Substituted for 'Official', by (AP) ALO, 1974 (3) dt 4974.

2. On and from the commencement of this Regulation.

Readjustment of administrative units.

(a) the North East Frontier Tracts, including the Balipara Frontier Tract, the Tirap Frontier Tract, the Abor Hills District, the Mishmi Hills District [shall be known] as the North-East Frontier Agency.

(b) the Balipara Frontier Tract shall be divided into two separate units of administration called the Subansiri Frontier Division and the Kameng Frontier Division, each comprising the areas set out in Schedules I and II respectively;

(c) each of the area specified in column I of the table below shall be known by the name mentioned in the entry corresponding thereto in column 2 thereof.

T A B L E

Existing name of area	New name
1	2
Tirap Frontier Tract ...	Tirap Frontier Division
Abor Hills District ...	Siang Frontier Division
Mishmi Hills District ...	Lohit Frontier Division.

3. Any reference in any existing law—

Construction of certain references in existing laws.

(a) to the Balipara Frontier Tract shall be construed as a reference to the Subansiri Frontier Division and the Kameng Frontier Division; and

(b) to any of the areas specified in column I of the table annexed to section 2 shall be construed as a reference to the area specified in the entry corresponding thereto in column 2 of the said table.

Explanation:— In this section "existing law" means any law, ordinance, order, bye-law, or regulation passed or made before the commencement of this Regulation by any Legislature, authority or person having power to make such law, ordinance, order, bye-law, rule or regulation.

4. Omitted.- [by The NEFA (Administration) Amendment Regulation, 1957 (5 of 1957)]

1. Substituted for "and the Naga Tribal Areas shall be collectively known" by the NEF Areas (Admin) (Amendment) Regulation, 1957 (5 of 1957)

SCHEDULE I

[See section 2 (b)]

Areas in the Subansiri Frontier Division-

North:— The Macmohan Line (falling in the Survey of India Map Sheets 82 D and 82 H').

East and South:— From the point where the Subansiri river cuts the Macmohan Line on the India-Tibet Frontier, the boundary runs down the midstream of the Subansiri river till it meets the Inner Line of the Balipara Frontier Tract at the junction of the Siplu and Subansiri rivers at Siplumukh; thence along the Inner Line of the Balipara Frontier Tract to the point where it meets the Burai river South of Somma parbat (Survey of India Map sheets 82H, 82L, 83I, 83E and 83F).

West.— From the point where the Inner Line of the Balipara Frontier Tract meets the Burai river the boundary runs in a North-westerly direction along the hill ridge that forms the watershed between the Papum and Dessing rivers to the hill top with height 6980; thence in a North-easterly direction along the hill ridge between the Papum and Pakkui rivers to the hill top with height 7590; thence in a North-westerly direction along the hill ridge between the Pakkui and Par rivers to the hill top with height 7510; thence in a Northerly and then in a North-westerly, and westerly direction over the hill tops with heights 11710, 12390, 11579, 12127, 10094, 11320 and along the main hill ridge—that forms the watershed between the river Kameng and its tributaries on the West and the river Panir and Kharu on the East to the point 20950 on the Macmohan Line at latitude 27°—59' and longitude 92°—45'.

The hill tops with height mentioned above are depicted on the survey of India quarter inch scale standard map sheets 83A, 83E, and 83F.

SCHEDULE II

[See section 2 (b)]

Areas in the Kameng Frontier Division

- North.— The Macmohan Line (falling in the Survey of India Map sheets 78M and 83A)
- East.— The western boundary of the Subansiri Frontier Division as set out in the First Schedule, from the Macmohan Line on the North to the Inner Line of the Balipara Frontier Tract to the South.
- South.— From the South-western corner of the Subansiri Frontier Division on the Butai river westwards along the Inner Line of the Balipara Frontier Tract as defined in the Assam Government Notification No. 6778-AP, dated the 2nd November, 1934 to the point at which the boundary between India and Bhutan leaves the Inner Line and turns northwards.
- West.— Along the boundary between India and Bhutan from the point where it leaves the Inner Line of the Balipara Frontier Tract to the Macmohan Line.

Note : No. GA:440/50/22:44 in pursuance of Sub-section (2) of section 1 of the North East Frontier Tracts (Administration) Regulation, 1954 (Regulation 1 of 1954), the Governor of Assam is pleased to appoint the 26th of January, 1954 as the date on which the said Regulation shall come into force.

THE NORTH-EAST FRONTIER AGENCY (REQUISITIONING OF SERVICE AS PORTERS) REGULATION,
- 1954.

(Regulation No. 2 of 1954)

Promulgated by the President in the Fifth Year of the Republic of India.

A Regulation to ensure the proper movement in the tribal areas within the State of Assam of public officers on duty and of their baggage and equipment and of commodities, stores and equipment essential to the life of the community, and for such public purposes to provide for the requisitioning of able-bodied persons to act as porters in an emergency.

In exercise of the powers conferred by clause (2) of article 243 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him :—

1.(1) This Regulation may be called the North-East Frontier Agency (Requisitioning of Service as Porters) Regulation, 1954. Short title, extent and commencement.

[(2) It extends to the whole of the Union Territory of Arunachal Pradesh].¹

(3) It shall come into force at once.

2. In this Regulation, unless the context otherwise requires :— Definitions.

[(a) 'Administrator' means the Administrator of the Union Territory of Arunachal Pradesh appointed by the President under article 239 of the Constitution].²

[(aa)³ 'emergency' means a situation in which concerted action on the part of the people of any area to which this Regulation extends and with a view to hampering the administration in such area—

(i) a public officer, in the course of the discharge of his duties as such, is either prevented from visiting a place or having gone to a place is prevented from leaving that place for want of porters to carry the essential items of his baggage and equipment ;

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1. Substituted for "tribal areas....." by NEA (Reorg) (AP) ALO, 1972.
 2. New sub-clause (a) under section 2 inserted by the NEA (Reorg) (AP) ALO, 1972.
 3. Existing sub-clause (a) under section 2 is renumbered as (aa) by NEA (Reorg) (AP) ALO, 1972.

(ii) the movement of, any police force, the Assam Rifles or any unit of the regular armed forces of the Union to deal with a breach of the peace, or any threat to law and order, is impeded for want of porters to carry their essential items of baggage and equipment;

(iii) the movement of commodities, stores and equipment essential to the life of the community or for the maintenance of law and order or for the prevention of any threat to peace, is impeded for want of porters;

(b) 'public officer' means the [Deputy Commissioner] of an administrative unit or a tribal area and includes any officer authorised by him in writing to act under this Regulation;

(c) 'road' means any mechanically propelled vehicle ordinarily propelled by a motor or steam engine, but does not include a rickshaw or a人力车 (rickshaw or rickshaw);

(d) 'tribal area' means any of the areas specified in clause (a) of section 2 of the NEFA (Administration) Regulation of 1954.

3. (1) Any public officer may, for the purpose of meeting an emergency, by order requisition the service of able-bodied males not below the age of eighteen years residing within his jurisdiction to act as porters;

Provided that in requisitioning such service no discrimination shall be made on grounds only of religion, race, caste or class on any of them;

Provided further that payment shall be made for such service at a rate not less than the normal rates of wages prevailing in the locality with respect to porters.

(2) The circumstances in which a public officer exercises the powers conferred by sub-section (1) shall on every occasion be reduced by him to writing.

1. Substituted for 'Political Officer' by the NEFA (Admin) Regulation 1955. (7/65).

2. Substituted for "tribal" area means any of the tribal areas specified in Part B of the table appended to Paragraph 20 of Sixth Schedule to the Constitution, by the NEA (Reorg) (AP) A.O. 21/1972.

(3) Nothing in this section shall be deemed to authorise a public officer to requisition the service of any person to act as a porter for the carriage of any article to or from a place which is accessible by road or rail.

4. If any person without reasonable excuse (the burden of proving which shall be on him) disobeys an order issued under section 3, he shall be punishable with imprisonment which may extend to one year, or with fine which may extend to five hundred rupees, or with both. Penalty.

5. Any person convicted under section 4 may appeal against his conviction to the court to which an appeal ordinarily lies under the law for the time being in force for the administration of justice in respect of orders passed by the convicting court in criminal cases. Appeal.

6.(1) The [Administrator]¹ may make rules for the purpose of carrying out the provisions of this Regulation. Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, the rules so made may provide for all or any of the following matters, namely :—

- (a) the circumstances under which the service may be requisitioned ;
- (b) the manner of service of any order issued under section 3 ;
- (c) the terms and conditions governing the employment of requisitioned porters ;
- (d) any other matter connected with or ancillary to the matters aforesaid.

1. Substituted for 'the Governor of Assam' by the NEA (Reorg) (AP) ALO, 1972.

Note—Published in the Gazette of India, Extra-ordinary, Part-II. Section 1, dated the 1st June, 1954.

THE NORTH EAST FRONTIER AGENCY (POLITICAL OFFICERS DELEGATION OF FUNCTIONS) REGULATION, 1957.

(Regulation No. 4 of 1957)

Promulgated by the President in the Eighth Year of the Republic of India.

A Regulation to provide for the delegation of the functions vested in Political Officers in the North East Frontier Agency.

In exercise of the powers conferred by article 240 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him:—

1. (1) This Regulation may be called the North East Frontier Agency (Political Officers Delegation of Functions) Regulation, 1957. Short title and extent.

(2) It extends to the whole of [Union Territory of Arunachal Pradesh]¹.

2. In this Regulation—

[(a) "Administrator" means the Administrator of the Union Territory of Arunachal Pradesh appointed by the President under article 239 of the Constitution]². Definitions.

(b) "[Deputy Commissioner]"³ means the [Deputy Commissioner]³ of any [District]⁴ or Area in the Union Territory of ~~Arunachal Pradesh~~.

1. Substituted for 'NEF Agency' by the NEA (Reorg) (Arunachal Pradesh), ALO, 1972.

2. Substituted clause (a) to section 2 inserted and existing sub-clause (a) is renumbered as (b) by the NEA (Reorg) (Arunachal Pradesh) AEO, 1972.

3. Substituted for 'Political Officer' by the NEFA Administration Regulation 1965.

4. Substituted for 'Division' by NEFA (Admin) Regulation 1965.

3. Any functions vested in a [Deputy Commissioner]¹ Functions under any enactment in force in the Territory of Deputy of Arunachal Pradesh² or in any part thereof may, notwithstanding anything contained in any such enactment, be performed also by such officer as the [Administrator]³ may, by general or special order in writing and subject to such conditions and restrictions as may be specified therein, authorise in this behalf. may be performed by other officers also.

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1. Substituted for 'Political Officer' by the NEFA (Administration) Regulation, 1965 A No. 65.
 2. Substituted for 'NEFA' by the NEA (Reorganisation) Arunachal Pradesh; ALO, 1972.
 3. Substituted for 'Governor of Assam' by the NEFA (Reorganisation) Arunachal Pradesh ALO, 1972.

NB : The Regulation was published in the Gazette of India, Extra-ordinary, Part-II, Section 3 dated, the 17th September, 1957.

THE NORTH EAST FRONTIER AREAS (ADMINISTRATION) AMENDMENT REGULATION, 1957

(Regulation No. 5 of 1957)

Promulgated by the President in the Eighth Year of the Republic of India.

A Regulation to amend the North East Frontier Areas (Administration) Regulation, 1954.

In exercise of the powers conferred by article 240 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him :—

1. (1) This Regulation may be called the North East Frontier Areas (Administration) Amendment Regulation, 1957. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In the long title of the North East Frontier Areas (Administration) Regulation, 1954 (hereinafter referred to as the principal Regulation), for the word "areas" the words "the North East Frontier Tract", shall be substituted. Amendment of long title. I of 1954.

3. In section 2 of the principal Regulation :— Amendment of section 2.

(i) in clause (a), for the words "and the Naga Tribal Areas shall be collectively known", the words "shall be known", shall be substituted ;

(ii) in the table below clause (c), the entry relating to Naga Tribal Area shall be omitted.

4. Section 4 of the principal Regulation shall be omitted. Omission of section 4.

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This Regulation was first published in the Gazette of India, Extra-ordinary, Part II, section I dated 1st December, 1957.

THE NORTH EAST FRONTIER AGENCY (ABOLITION
OF POLL TAX AND LEVY OF HOUSE TAX)
REGULATION, 1959.

(Regulation No. 5 of 1959)

Promulgated by the President in the Tenth Year
of the Republic of India.

A Regulation to provide for the abolition of poll
tax and for the levy of a tax on houses in the North-
East Frontier Agency.

In exercise of the powers conferred by article 240
of the Constitution, read with sub-paragraph (2) of
paragraph 18 of the Sixth Schedule to the Constitution,
the President is pleased to promulgate the following
Regulation made by him :—

1: (1) This Regulation may be called the North East Frontier Agency (Abolition of Poll Tax and Levy of House Tax) Regulation, 1959.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of the [Union Territory of Arunachal Pradesh]¹.

(3) It shall come into force on such date as the [Administrator]² may by notification in the [Arunachal Pradesh]³ Gazette, appoint.

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1. Substituted for 'NEFA' by the NEA (Reorgn) (AP) ALO, 1972.
 2. Substituted for 'Governor' by NEA (Reorgn). (AP) ALO, 1972.
 3. Substituted for 'Official' by the NEA (Reorgn). (AP) ALO, 1974.

*Note:— Published in the Gazette of India, Extraordinary, Part II, Section I, dated the 10th September, 1959.

2. In this Regulation unless the context otherwise requires:—

(a) 'Administrator' means the Administrator of the Union Territory of Arunachal Pradesh appointed by the President under article 239 of the Constitution]

(aa) "appointed day" means the day appointed under sub-section (3) of section 1 for the coming into force of this Regulation ;

(b) Omitted

(c) "house" includes an out house, a stable, a structure, shed, hut or any other such structure, whether of masonry, bricks, wood, leaves, grass, thatch or any other material whatsoever, but does not include any movable structure;

(d) "house tax" means the tax levied under section 4.

3. As from the appointed day, the poll tax leviable within the Union Territory of Arunachal Pradesh² by virtue of any law in force immediately before the appointed day shall cease to be levied.

4. (1) The [Administrator]³ may, by notification in the [Arunachal Pradesh]⁴ Gazette, direct that with effect from the appointed day or such other day as may be specified in the notification there shall be levied in the prescribed manner a tax on house situated in the [Union Territory of Arunachal Pradesh]² or any such part thereof as may be specified in the notification.

-
1. Clause (a) of section 2 is relettered as clause (aa) and before the clause so relettered the definition for 'Administrator' as clause (a) inserted by the NEA Reorganisation (Arunachal Pradesh) ALO, 1972.
 2. Substituted for NEFA by the NEA (Reorgn) (AP) ALO, 1972.
 3. Substituted for Governor by NEA (Reorgn) (AP) ALO, 1972.
 4. Substituted for Official Gazette of India by NEA (Reorgn) (AP) ALO, 1974.

(2) The house-tax shall, subject to the prior payment of land revenue, if any, due to the Government in respect of the site of the house, be a first charge upon the house, and upon the movable property, if any, found within and upon the same and belonging to the person liable to pay such tax.

(3) If the occupier of a house pays the house-tax on behalf of the owner, thereof, in cases where the owner is liable to pay the tax, the occupier shall be entitled to recover the same from the owners and may deduct the same from the rent then or thereafter due by him or

5. (1) The Administrator may, by notification in the [Gazette], make rules for carrying out the purposes of this Regulation.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for the following matters, namely:—

(a) the basis on which house-tax may be levied, whether on the capital value of house or on their annual value or otherwise and the rates at which such tax may be levied;

(b) the persons liable to pay house-tax;

(c) the times at which house-tax shall be levied and the manner in which it shall be recovered;

(d) the grant of exemption from house-tax on the ground of poverty or on any other ground;

(e) the grant of vacancy and other remissions;

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1. Substituted for 'Governor' by the NEA Reorganisation [Arunachal Pradesh] ALO, 1972.
 2. Substituted for 'Official' by the NEA Reorganisation [Arunachal Pradesh] ALO, 1974.

(f) the giving of notice of transfer of houses ;

(g) the circumstances in which, and the conditions subject to which, houses constructed, reconstructed or demolished during any part of a year shall be liable or cease to be liable to the whole or any portion of the house-tax;

(h) any incidental or supplementary matters, including, in particular, the entering and inspection of houses and the collection of any information from persons for the purposes of this Regulation.

(3) In making a rule under this section, the [Administrator]¹ may direct that a breach thereof shall be punishable with fine which may extend to two hundred rupees, and if the breach is a continuing one, with further fine which may extend to five rupees for every day after the first during which the breach continues.

6. (1) As from the appointed day, so much of any law referred to in section 3 as relates to the levy of poll tax in the [Union Territory of Arunachal Pradesh]² shall stand repealed.

(2) Notwithstanding anything contained in subsection (1) any amount due by way of poll tax before the appointed day may be recovered as if it had accrued as an arrear of house-tax, and the provisions of this Regulation and the rules made thereunder shall apply accordingly.

1. Substituted for 'Governor' by the NEA (Reorg) (AP) ALO, 1972:

2. Substituted for 'NEFA' by the NEA (Reorg) (AP) ALO, 1972.

THE NORTH EAST FRONTIER AGENCY (EXTENSION
OF LAWS) REGULATION, 1960.

(Regulation No. 3 of 1960)

Promulgated by the President in the Eleventh Year of
the Republic of India.

A Regulation to provide for the extension of the Cattle
Trespass Act, 1871, the Land Acquisition Act, 1894, the
Prisons Act, 1894 and the Prisoners Act, 1900, to the
North East Frontier Agency.

In exercise of the powers conferred by article 240
of the Constitution, read with sub-paragraph (2) of
paragraph 18 of the Sixth Schedule to the Constitution,
the President is pleased to promulgate the following
Regulation made by him :—

1. (1) This Regulation may be called the North- Short title
East Frontier Agency (Extension of Laws) Regulation, and com-
-1960. -mencement.

(2) It shall come into force on such date as the
Central Government may, by notification in the Official
Gazette, appoint.

2. In this Regulation :—

Definition.

[“Division” means any of the Frontier Divisions re-
ferred to in section 2 of the North East Frontier Areas
(Administration) Regulation, 1954] 1;

I of 1954.

Published in the Gazette of India, Extra-ordinary, Part II,
Section I, dated 13th June, 1960. The Regulation came into
force on 1st November 1960 vide Government of India
M.E.A. Notification No. 502-NEFA/60 dated 11th Octo-
ber 1960.

1. Substituted for original section 2 by the NEA (Reorg)
(AP) ALO, 1972.

Note:— Under Regulation 7 of 1965 the word ‘District’
has been substituted for ‘Division’.

3. The enactments specified in the Schedule, as in Extension of Acts I force in the territories to which they generally extend, of 1871, I are hereby extended to, and shall be in force in [the and IX of Union Territory of Arunachal Pradesh] subject to and III of the modifications mentioned in that Schedule. 1894 & III of 1900 to U.T. of A.P.

4. On the commencement of this Regulation, notifiable Regulations Nos. 5459P, 5463P and 5467P, dated 13th October, 1914, in so far as they relate to the enactments specified in the Schedule, shall cease to have effect in the [Union Territory of Arunachal Pradesh].

THE SCHEDULE.

(See section 3-)

Year	No.	Short title	Modifications.
1871	1	The Cattle Trespass Act, 1871	(a) References in the Act to the Magistrate of the District and in section 6 to the State Government shall be construed as reference to the [Deputy Commissioner] ² or the [Addl. Deputy Commissioner] ^{1a} of any [District] ⁴ (b) In section 17, the reference to the revenues of the State shall be construed as a reference to the revenues of the Government.

1. Substituted for 'NEFA' by the NEA (Reorg) (AP) ALO, 1972.

2. 3 and 4. Substituted for 'Political Officer' "Addl. Political Officer" and "Division" respectively by the NEFA (U (Admn) Regulation 1965 (7 of 1965).

Year	No.	Short title	Modifications	No.	Year
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1894 1 The Land Acquisi- (a) References to the Collector shall be construed as reference to the [Deputy Commissioner]¹ or the [Addl. Deputy Commissioner]² of any [District]³.

(b) References to the Code of Civil Procedure 1908, shall unless the context otherwise requires, be construed as references to the corresponding law in force in the [Union Territory of Arunachal Pradesh]⁴.

(c) References to the Indian Post Office Act, 1866, shall be construed as references to the Indian Post Office Act, 1898.

1894 9 The Prisons Act, 1894 (a) References to the Code of Criminal Procedure, 1893, ** shall, unless the context otherwise requires, be construed as references to the corresponding law in force in the [Union Territory of Arunachal Pradesh]⁴.

~~1. 2 & 3~~ Substituted for "Political Officer" "Addl. Political Officer" and "Division" by the NEFA (Admn) Regulation 1965 (7 of 1965)¹

4. Substituted for 'NEFA' by NEA (Reorg) (AP) .

** Cr.P.C 1893 is since repealed by the code of

Year	No.	Short title	Modifications
	5	of 1871	(b) Reference to the Prisoners Act, 1871, shall be construed as a reference to the Prisoners Act, 1900.
	3	of 1960	(c) Reference to the District Magistrate shall be construed as references to the [Deputy Commissioner] ¹ or the [Additional Deputy Commissioner] ² of any [District] ³
1900	3	The Prisoners Act, 1900	(a) References to the Code of Civil Procedure or the Code of Criminal Procedure, 1893** shall unless the context otherwise requires, be construed as references to the corresponding law in force in the [Union Territory of Arunachal Pradesh] ⁴ .
	36	of 1838	(b) Reference to the Lunatic Asylum Act, 1858, shall be construed as a reference to the Indian Lunacy Act, 1912.
	4	of 1912	

1. 2&3. Substituted for 'Political Officer', "Addl. Political Officer" and 'Division' respectively by NEFA Admn. Regulation 1965.

4. Substituted for "NEFA" by the NEA (Reorg) (AP) ALO, 1972.

**Cr.P.C 1893 is since repealed by the Code of 1973 (Act 2 of 1974).

THE NORTH EAST FRONTIER AGENCY (ELEPHANTS' PRESERVATION) REGULATION, 1962.

(Regulation No: I of 1962.)

Promulgated by the President in the Twelfth Year of the Republic of India.

A Regulation to provide for the extension of the Elephants' Preservation Act, 1879 to the North East Frontier Agency.

In exercise of the powers conferred by article 240 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him :—

1. (1) This Regulation may be called the North East Frontier Agency (Elephants' Preservation) Regulation, 1962. Short title and commencement.

(2) It shall come into force at once.

2. [In this Regulation :— "Division" means any of the Frontier Divisions' referred to in section 2 of the North East Frontier Areas (Administration) Regulation, 1954]¹. I of 1954.

3. The Elephants' Preservation Act, 1879 as in force in the territories to which it generally extends, is hereby extended to and shall be in force in the [Union Territory of Arunachal Pradesh]² subject to the modifications mentioned in the Schedule. Extension of Act VI of 1879 to the UT of AP.

1. Substituted for original section 2 by the NEA (Reorg) AP ALO. 1972.

2. Substituted for "NEFA" by NEFA (Reorg) (AP) ALO, 1972.

Note :— Under Regulation 7 of 1965 NEFA (Admn) Regulation 1965 the word 'District' has been substituted for "Division".

4. On the commencement of this Regulation, Notifications Nos. 5459P, 5463P and 5467 P, dated the 13th October, 1914, issued by the then Chief Commissioner of Assam, in so far as they relate to the Elephants' Preservation Act, 1879, shall cease to have effect in the [Union Territory of Arunachal Pradesh]¹. Repeal
6 of 1879.

THE SCHEDULE

(See section 3)

1. In section 5, the reference to the Collector or Deputy Commissioner of any district shall be construed as a reference to the [Deputy Commissioner]² or the [Addl. Deputy Commissioner]³ of a [District]⁴.

2. In section 10, for the words "as if it were an arrear of land-revenue", the words, figures and brackets "as a public demand under the Bengal Public Demand Recovery Act, 1913 (Bengal Act, No. III of 1913)" shall be substituted.

1. Substituted for "NEFA" by the NEA (Reorg) (AP) ALO, 1972.

2,3&4. Substituted for "Political Officer"; "Addl. Political Officer", and "Division" respectively by the NEFA Admn. Regulation, 1965 (7 of 65)

THE NORTH EAST FRONTIER AGENCY (CRIMINAL
LAW AMENDMENT) REGULATION, 1962.

(Regulation No. 2 of 1962)

Promulgated by the President in the Thirteenth Year
of the Republic of India.

A Regulation to provide for the amendment of the
Criminal Law Amendment Act, 1952, in its application
to the North East Frontier Agency.

In exercise of the powers conferred by article
240 of the Constitution, read with sub-paragraph (2) of
paragraph 18 of the Sixth Schedule to the Constitution,
the President is pleased to promulgate the following
Regulation made by him :—

1.(1) This Regulation may be called the North East Frontier Agency (Criminal Law Amendment) Regulation, 1962. Short title and commencement.

(2) It shall come into force at once.

2. [NEFA omitted]¹ Definition.

3. In the Criminal Law Amendment Act, 1952, as applicable to the [Union Territory of Arunachal Pradesh]² (hereinafter referred to as the principal Act), for sub-section (2) of section 6, the following sub-section shall be substituted, namely :— Amendment of section 6.

1. Omitted by the NEA (Reorg) (AP) ALO, 1972.

2. Substituted for 'NEFA' by the NEA (Reorg) (AP) ALO, 1972.

"2 A person shall not be qualified for appointment as a Special Judge under this Act unless he is or has been—

(a) a Sessions Judge or an Additional Sessions Judge or an Assistant Sessions Judge under the Code of Criminal Procedure, [1898]* or 5 of 1898.

(b) a Judicial Officer, [Union Territory of Arunachal Pradesh]"¹.

4. In the principal Act, except in section 9, references to the Code of Criminal Procedure, [1898]* shall be construed as references to the corresponding law for the time being in force in the [Union Territory of Arunachal Pradesh]¹.

Construction of references of Code of Criminal Procedure (5 of 1898)

Published in the Gazette of India, Extra-Ordinary, part I section II dated 1st March, 1962.

1. Subs. for 'NEFA' by the NEA (Reorg) (AP) ALO, 1972.

* Code of Cr.P.C., 1898 is since repealed by Cr. P.C., 1973 (Act 2/74).

**THE NORTH EAST FRONTIER AGENCY
[CONSTRUCTION OF REFERENCES TO STATE GOVERNMENT]
REGULATION, 1965.**

(Regulation No. 4 of 1965)

Promulgated by the President in the Sixteenth Year of the Republic of India.

A Regulation to provide for the construction of references to State Government in certain laws in force in the North East Frontier Agency.

In exercise of the powers conferred by article 240 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him :--

1. (1) This Regulation may be called the North East Frontier Agency (Construction of References to State Government) Regulation, 1965. Short title, extent and commencement.

(2) It extends to the whole of the [Union Territory of Arunachal Pradesh]¹.

(3) It shall come into force at once.

2. In this Regulation, unless the context otherwise requires, [(a) "Administrator" means the Administrator of the Union Territory of Arunachal Pradesh appointed by the President under Article 239 of the Constitution]². Definition

Published in the Gazette of India. Extra-ordinary, part II Section I dated 6th July, 1965.

1. Substituted for 'NEFA' by NEA (Reorg) (AP) ALO, 1972.
2. Substituted for original Clause (a) of Section 2 by the NEA (Reorg) (AP) ALO, 1972.

[b] the expression "existing Law" shall have the meaning assigned to it in clause [10] of the article 366 of the Constitution ;

[c] "Law in force" shall mean—

[i] any existing law ;

[ii] any Act of Parliament ;

[iii] any Ordinance or Regulation made by the President ; and

[iv] any rule, order, bye-law, regulation or other instrument made under any such Act, Ordinance or Regulation.

3. [In any law in force in the Union Territory of Arunachal Pradesh, references to the State Government shall, save as otherwise expressly provided by any other law for the time being in force, be construed as references to the Central Government and unless otherwise directed by the Central Government, as including references to the Administrator]¹. Construction of references to state Govt. in Acts of Parliament, etc.

4. Anything done or any action taken before the commencement of this Regulation by the Governor of Assam in relation to the NEF Agency in the exercise of the powers or the discharge of the functions of the State Government under any law in force therein shall be deemed to have been done or taken by the Governor of Assam as the agent of the President and accordingly any such thing or any such action shall be deemed to have been validly and lawfully done or taken. Validation

1. Substituted for original Section 3 by the NEA (Reorg) (AP) ALO, 1972.

THE NORTH-EAST FRONTIER AGENCY [ADMINISTRATION] REGULATION, 1965.

(Regulation No. 7 of 1965)

Promulgated by the President in the Sixteenth Year of the Republic of India.

A Regulation to make further provision for the administration of the North-East Frontier Agency and for certain matters connected therewith.

In exercise of the powers conferred by article 240 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him :—

1. (1) This Regulation may be called the North-East Frontier Agency [Administration] Regulation, 1965. Short title and commencement.

(2) it shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Regulation :—

Definition.

(a) "Division" means any of the Frontier Divisions referred to in section 2 of the North-East Frontier Areas [Administration] Regulation, 1954. I of 1954.

Published in the Gazette of India, Extra-ordinary, Part II, Section I dated 1st September 1965. This Regulation came into force on 1st December, 1965, vide Government of India, Ministry of Home Affairs No 12 [4]/62-NI dated 25-11-1965.

[b] "existing law" means any law, ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in India or any part thereof.

[c] [Omitted]¹

3. On and from the commencement of this Regulation, each of the Divisions of the [Union Territory of Arunachal Pradesh]² specified in column 1 of the table below shall be known by the name mentioned in the entry corresponding thereto in column 2 thereof.

Change of name of administrative units of the U. T. of A. P.,

TABLE

Existing name of Division.	New Name
1	2
Kameng Frontier Division	Kameng District.
Subansiri Frontier Division	Subansiri District.
Siang Frontier Division	Siang District
Lohit Frontier Division	Lohit District
Tirap Frontier Division	Tirap District.

1. Section 2 [c] omitted by NEA (Reorg) (AP) ALO, 1972.

2. Substituted for 'NEF Agency' by Ditto.

4. Any reference in any existing law to any of the divisions specified in column 1 of table annexed to section 3 shall be construed as a reference to the district specified in the entry corresponding thereto in column 2 of the said table.

Construc-
tion of
certain re-
ferences in
existing
laws.

5. Whenever an expression mentioned in column 1 of the table below occurs in any existing law as applicable to the [Union Territory of Arunachal Pradesh]¹ there shall be substituted therefor the expression set opposite to it in column 2 of the said table, and there shall also be made in any sentence in which the expression occurs such consequential amendments as the rules of grammar may require.

Amend-
ment of
existing
laws

TABLE

1.	2
Political Officer	Deputy Commissioner
Additional Political Officer	Addl. Deputy Commissioner
Asstt. Political Officer	Asstt. Commissioner.

1. Substituted for 'NEF Agency' by NEA [Reorg] [AP] ALO, 1972.

THE NORTH EAST FRONTIER AGENCY PANCHAYAT RAJ REGULATION, 1967
(Regulation No. 3 of 1967)

Promulgated by the President in the Eighteenth Year of the Republic of India.

A Regulation to provide for the constitution of Anchal Samities, Zilla Parishads and Agency Council in the North-East Frontier Agency and for matters connected therewith.

In exercise of the powers conferred by article 240 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him :—

CHAPTER I
PRELIMINARY

1. (1) This Regulation may be called the North East Frontier Agency Panchayat Raj Regulation, 1967. Short title, extent and commencement.

(2) It extends to the whole of the [Union Territory of Arunachal Pradesh]¹.

(3) It shall come into force on such date as the [Administrator]² may, by notification, appoint, and different dates may be appointed for different provisions of this Regulation and for different areas.

2. In this Regulation, unless the context otherwise requires,— Definitions.

(i) ['Administrator' means the Administrator of the Union Territory of Arunachal Pradesh appointed by the President under article 239 of the Constitution]³.

(ii) 'Anchal Samiti' means an Anchal Samiti constituted under section 4

(iii) 'Block' means such area as may be declared by the [Administrator]² under section 3 to be a Block.

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1. Substituted for 'NEFA' by NEA (Reorg) (AP) ALO, 1972.
 2. Substituted for 'Governor' by NEA (Reorg) (AP) ALO, 1972.
 3. Substituted for the definition 'Agency Council' by NEA (Reorg) (AP) ALO, 1972.

- (iv) 'Deputy Commissioner' means the Deputy Commissioner of a district.
- (v) 'District' means a district of the [Union Territory of Arunachal Pradesh]¹
- (vi) (Omitted)²
- (vii) ['Gram Panchayat' means a body of persons elected according to the tribal customary methods by the residents of any village as the Deputy Commissioner may specify in this behalf in the prescribed manner];³ by Regulation 4/ 1971.
- (viii) (Omitted)²
- (ix) 'Notification' means a notification published in the [Arunachal Pradesh]⁴ Gazette;
- (x) 'Prescribed' means prescribed by rules made under this Regulation;
- (xi) ['Sub-Divisional Officer' means the Additional Deputy Commissioner or the Assistant Commissioner in charge of a Sub-division and includes an Extra Assistant Commissioner or such other officer as may be authorised by the Administrator to discharge the functions of a Sub-divisional Officer under this Regulation in respect of an Anchal Samiti]⁵.
- (xii) 'Village' means an area recognised to be a village at the commencement of this Regulation and includes any area which the [Administrator]⁶ may, by notification, declare to be a village;
- (xiii) 'Zilla Parishad' means a Zilla Parishad constituted under section 51.

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1. Substituted for 'NEFA' by NEA (Re-Org) (AP) ALO, 1972.
 2. Omitted by NEA (Re-Org) (AP) ALO, 1972.
 3. Clause (vii) substituted by section 21 of the NEFA Administration supplementary Regulation 1971. (4 of 1971:)
 4. Substituted for 'Official' by the NEA (Re-Org) (AP) ALO, 1974.
 5. Substituted for original clause (xi) by the NEFA PR (Amendment) Regulation 1971. (4 of 1971)
 6. Substituted for 'Governor' by NEA (Re-Org) (AP) ALO, 1972.

CHAPTER—II
ANCHAL SAMITI

3. The [Administrator]¹ may, by notification, declare such contiguous areas in a district as he deems fit to be a block for the purposes of this Regulation, and may specify the Gram-Panchayats in the Block. Declaration of Blocks.

Provided that no area included in a municipality, town committee or cantonment constituted under any law for the time being in force shall be included in a Block.

4. (1) [The Administrator]¹ may, by notification, constitute an Anchal Samiti for a Block with effect from such date as may be specified therein. Constitution of Anchal-Samities and their incorporation.

(2) Every Anchal Samiti shall, by the name of the Block for which it is constituted, be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contracts and shall by its corporate name sue and be sued.

5. (1) [The Administrator]¹ may, after consultation with an Anchal Samiti or Samities concerned, at any time by notification— Alteration in area of Block.

- (a) include any village or part of a village within the limits of a Block;
- (b) exclude any village or part of a village from the limits of a Block; or
- (c) amalgamate two or more Blocks into a single Block.

(2) Where, by a notification under sub-section (1) any village or part of a village is included within the limits of a Block, the jurisdiction of the Anchal Samiti established for that Block shall extend to such village or part which shall, unless the [Administrator]¹ otherwise directs, become subject to all notifications, rules, bye-laws and orders made under this Regulation or any other law in force in that Block.

(3) Where, by a notification under sub-section (1), any village or part of a village is excluded from the limits of a Block, the jurisdiction of the Anchal Samiti established for that block over such village or part shall thereupon cease and all notifications, rules, bye-laws and orders made under this Regulation or any other law in force in that block shall cease to apply to that village or part, as the case may be.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

(4) Where, by a notification under sub-section (1) two or more Blocks are amalgamated in to a single block, the [Administrator]¹ may make such incidental and consequential orders as may be necessary for effecting such amalgamation.

6. (1) Every Anchal Samiti shall consist of—

- (i) One representative elected in the prescribed manner, by the members of each Gram Panchayat falling within its jurisdiction :

Composition of Anchal Samiti.

Provided that where the number of villages in any block exceeds twenty-five, the Deputy Commissioner may, by notification, divide such Block, in the prescribed manner, into not more than twenty-five constituencies, each consisting of one or more villages, and the members of Gram Panchayats included in each constituency shall elect, in the prescribed manner, one representative to the Anchal Samiti :

Provided further that, if at any time there is no Gram Panchayat in any village or, as the case may be, in any of the villages included in a constituency, or the members of the Gram Panchayat or Panchayats in a village or constituency, as the case may be fail to elect their representative, the Deputy Commissioner may nominate a person ordinarily resident in that village or constituency, as the case may be, to be a member of the Anchal Samiti representing that village or constituency ;

- (ii) one representative elected, in the prescribed manner, by the Chairman of the co-operative societies situated within the Block from amongst themselves, Ex-Officio ;

Provided that where there is only one co-operative society in a Block, the Chairman of that society shall be a member of the Anchal Samiti;

- (iii) not more than five persons nominated by the Deputy Commissioner from the members of the tribes which have not secured representation in the Anchal Samiti under clause (i) or clause (ii);

1. Substituted for 'Governor' by NEA (Reorg) (AP) ALO,1972.

(iv) the Sub-divisional Officer of the Sub-division in which the Block is situated, Ex-Officio :

Provided that if the area of a Block extends to two or more sub-divisions, the Sub-Divisional Officer of any one of the sub-divisions specified by the Deputy Commissioner in this behalf shall be a member of the Anchal Samiti constituted for that Block.

2. The Deputy Commissioner may appoint such officers as ex-officio members of an Anchal Samiti as may be deemed necessary;

Provided that the officers so appointed shall have the right to attend the meetings of the Anchal Samiti and take part in the proceedings thereof but shall not be entitled to vote.

7. A person shall be disqualified for being chosen as, and for being a member of an Anchal Samiti, if he,—

Disqualifications for membership.

(a) is not a citizen of India ; or

(b) is not twenty-five years of age ; or

(c) has been dismissed from the service of Government or an Anchal Samiti or any other local authority for misconduct unless a period of five years has elapsed from such dismissal ; or

(d) holds any office of profit under the Government or an Anchal Samiti or any other local authority ; (omitted)¹.

["Explanation—For the purpose of this clause, a person shall not be deemed to hold an office of profit under the Government by reason only that appointed by the Admn. as a Counsellor under section 18 of the North-East Frontier Agency Administration Supplementary Regulation, 1971, or"².

1. Word 'or' omitted by the NEFA Panchayat Raj (Amendment) Regulation, 1972 (2 of 1972).

2. Explanation inserted by ditto.

(e) has directly or indirectly any share or monetary interest in any work done by, or to, the Anchal Samiti or in any contract or employment with, under, or by or on behalf of the Anchal Samiti ; or

(f) is an undischarged insolvent ; or

(g) is of unsound mind and stands so declared by a competent court ; or

(h) has been convicted by a criminal court of any offence involving moral turpitude and sentenced to imprisonment for not less than six months and five years have not elapsed since his release:

Provided that the disqualifications specified in clauses (d) and (e) shall not apply to an ex-officio member.

8. (1) The Sub-divisional Officer who is a member of an Anchal Samiti shall be its President. President/
Vice-President.

(2) At the first meeting of an Anchal Samiti, the members shall elect from among themselves, a Vice-President in the manner prescribed.

9. (1) Subject to the provisions of this section, the members of an Anchal Samiti shall hold office for a term of three years : Term of
Office of
and
vacancies

Provided that the [Administrator]¹ may, by order in writing and for reasons to be recorded there-in extend the said term by a period or periods not exceeding [two years]² in the aggregate, and every such order shall be notified in the [Arunachal Pradesh]³ Gazette. among
members of
Anchal
Samiti.

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1. Substituted for 'Governor' by the NEA (Reorgn) (AP) ALO, 1972.
 2. Substituted for the word 'one year' by NEFA Panchayat Raj (Amendment) Act, 1980 (4 of 1980).
 3. Substituted for 'Official Gazette' by NEA (Reorgn) (AP) ALO, 1974.

(2) The term of office of the members of an Anchal Samiti shall be deemed to commence on the date of the first meeting of the Anchal Samiti which shall be held on a date fixed by the Deputy Commissioner.

(3) The term of office of outgoing members shall be deemed to extend to and expire with the date preceding the date of the first meeting of the newly constituted Anchal Samiti.

(4) The term of office of an ex-officio member shall continue so long as he holds the office by virtue of which he is such a member.

(5) The Vice-President of an Anchal Samiti shall hold such office so long as he is a member of the Anchal Samiti.

(6) A member, other than an ex-officio member) shall be deemed to have vacated his seat if he is absent without excuse, sufficient in the opinion of the Anchal Samiti, from three consecutive ordinary meetings of the Anchal Samiti.

(7) An outgoing member shall be eligible for re-nomination or re-election.

10. (1) The Vice-President of an Anchal Samiti or any other member thereof, not being an ex-officio member may resign his office by giving notice in writing to that effect to its President and such resignation shall take effect from the date of its receipt by the President. Resignation of office and filling up of casual vacancies.

(2) A casual vacancy in the office of the Vice-President or any member shall be filled by election or nomination in accordance with the provisions of this Regulation or the rules made thereunder:

Provided that a member elected or nominated under this sub-section shall hold office for the remainder of the term of the member in whose place he is elected or nominated.

11. (1) Every member of an Anchal Samiti shall before taking his seat make and subscribe before such officer as the [Administrator]¹ may specify in this behalf, an oath or affirmation in the form set out in the First Schedule. Oath of Office.

(2) A member who has not complied with the requirements of sub-section (1), shall not vote or take part in the proceedings of any meeting of the Anchal Samiti nor shall he be included as a member of any committee constituted by the Anchal Samiti.

12. (1) The [Administrator]¹ shall appoint an Executive Officer for every Anchal Samiti. Officers and employees of Anchal Samiti.

(2) The Executive Officer shall act as the Secretary of the Anchal Samiti and shall, subject to the control of the President, carry out the resolutions and directions of the Anchal Samiti and discharge such other functions as may be prescribed.

(3) Subject to such rules as may be made in this behalf, the Anchal Samiti may appoint such other officers and employees and in such number as may from time to time be necessary.

13. (1) A motion of no confidence may be moved by any member of an Anchal Samiti against its Vice-President after giving at least seven days' notice in writing to the President of the Anchal Samiti, of his intention to move such a motion. Motion of no confidence.

(2) If the motion is carried by a majority of not less than two-thirds of the total number of members of the Anchal Samiti, the Vice-President shall cease to hold office.

(3) Notwithstanding anything contained in this Regulation, the Vice-President of an Anchal Samiti shall not preside at a meeting in which a motion of no confidence against him is under discussion, but he shall have the right to speak or otherwise take part in the proceedings of such meeting.

1. Substituted for 'Governor' by NEA (Reorgan) (AP) ALO, 1972.

14. The [Administrator]¹ may, by order remove from office the Vice-President or any other member of an Anchal Samiti, after giving him an opportunity of making a representation, if he—

Power of Administrator to remove Vice-President or member of Anchal Samiti.

- (a) incurs any of the disqualifications specified in section 7, or
- (b) refuses to act or becomes incapable of acting, or
- (c) is, in the the opinion of the [Administrator]¹ guilty of misconduct in the discharge of his duties, or
- (d) is in the opinion of the [Administrator]¹ undesirable in the public interest to be continued in office, or
- (e) has caused financial loss, waste or misappropriation of any money, or property belonging to the Anchal Samiti by neglect or misconduct in the performance of his duties ;

and the Vice-President or member so removed shall not be illegible for re-election or re-nomination to the vacancy so created.

15. (1) The time and place of meetings of an Anchal Samiti and the procedure at such meetings (including the quorum there at) shall be such as may be prescribed,

Meetings of Anchal Samiti.

(2) A member of an Anchal Samiti may, at any meeting, move any resolution and put questions to the President or the Vice-President on matters connected with the administration of the Anchal Samiti in the manner prescribed.

(3) No resolution of an Anchal Samiti shall be modified, amended, varied or cancelled by the Anchal Samiti within a period of three months from the date of passing thereof except by a resolution supported by two-thirds of the total number of members of the Anchal Samiti.

16. (1) Subject to such rules as may be made in this behalf, an Anchal Samiti may appoint from among its members as many committees as it thinks fit to assist it in the discharge of any specified functions and may delegate to such committees such of its powers as may be deemed necessary.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

(2) The President and Vice-President of an Anchal Samiti shall be the Chairman and Vice-Chairman respectively of every committee appointed under sub-section (1) and the Executive Officer of the Anchal Samiti shall be an ex-officio member of every such committee.

(3) An Anchal Samiti may temporarily associate with any committee persons not being members of the Anchal Samiti, who have special experience and knowledge of any subject dealt with by a committee and any such persons shall have the right to take part in the discussions of the committee but shall not have the right to vote, and shall not be a member for any other purpose.

17. No act or proceeding of an Anchal Samiti or of any committee thereof shall be deemed to be invalid by reason only of the existence of any vacancy in, or defect in the constitution of, the Anchal Samiti or committee or of any informality in its proceedings. Proceedings not to be invalid.

18. The President of an Anchal Samiti may convene a general meeting of all the members of the Gram Panchayats falling within its jurisdiction to review the action taken by the Anchal Samiti during the preceding year and to present the working plan of the Anchal Samiti for the succeeding year. General meeting.

19. Every member of an Anchal Samiti who is not in the service of the Government shall be entitled to receive from the Anchal Samiti travelling and daily allowances for attending its meetings or the meeting of any of its committees at such rates as may be prescribed. Travelling and daily allowances of members of Anchal Samiti.

POWERS AND FUNCTIONS

20. (1) It shall be the duty of every Anchal Samiti so far as its fund and the resources at its disposal may allow, to make reasonable provision within its jurisdiction in regard to the matters specified in the Second Schedule. Functions of Anchal Samiti.

Provided that it may assign to any Gram Panchayat falling within its jurisdiction all or any of its functions relating to matters specified in part I of the said Schedule.

(2) An Anchal Samiti may also make provision for carrying out within the area under its jurisdiction, any other work or measure which is likely to promote the health, safety, education, comfort, convenience or social or economic well-being of the residents of the area.

21. (1) The Anchal Samiti, in respect of all roads, streets, bridges, culverts and other properties placed by the [Administrator]¹ under sub-section (1) of section 47 under its direction, management and control, may do all things necessary for the maintenance and repair thereof and in particular, may—

Control of Anchal-Samiti on certain properties.

(a) widen, open, enlarge or otherwise improve any such road, street, bridge or culvert and plant and preserve trees on the sides of such roads.

(b) deepen or otherwise improve any water-course and other property mentioned in clause (c) of sub-section (1) of section 47, and

(c) cut any hedge or branch of any tree projecting on any such public road or street.

(2) The Anchal Samiti shall also have control of all roads, streets, waterways, bridges and culverts which are situated within its jurisdiction, not being private property or not being the property for the time being under the control of the Government; and may do all things necessary for the improvement, maintenance and repair thereof, and in particular, may—

(a) lay out and make new roads, and

(b) construct new bridges and culverts

22. (1) Subject to such rules as may be made in this behalf, and to such conditions as may be agreed upon, an Anchal Samiti may take over the execution, maintenance or repair of any work or the management of any institution within its jurisdiction on behalf of the Government or any local authority.

Transfer of any work or management of any institution to, or from an Anchal Samiti.

(2) Subject to such rules as may be made in this behalf, and to such conditions as may be agreed upon, an Anchal Samiti may, with the consent of a local authority or any person, make over to such authority or person, the execution, maintenance or repair of any work or the management of any institution within its jurisdiction.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

23. (1) The [Administrator]¹ may, with the consent of an Anchal Samity, by notification, direct that any public charitable dispensary or hospital falling within its jurisdiction shall be placed under the control and administration of the Anchal Samiti. Public charitable dispensaries and hospitals.

(2) on the publication of the notification referred to in sub-section (1), the Anchal Samiti shall, subject to such rules as may be made in this behalf, be charged with the control and administration of the dispensary or hospital and the construction, repair and maintenance of all buildings connected therewith.

24. Subject to such rules as may be made on this behalf, an Anchal Samiti may,—
Establishment and maintenance of dispensaries, hospitals etc.

(a) establish and maintain within its jurisdiction, dispensaries, hospitals, asylums and places for the reception of the sick or destitute or contribute towards the cost of establishment and maintenance of such institutions;

(b) provide for the employment of medical practitioners and for payment of allowances to such practitioners for services rendered;

(c) provide medicines or medical assistance for persons resident within its jurisdiction or take such measures as may appear to it to be necessary during the prevalence of any disease;

1. Substituted for 'Governor' by NEA (Reorgan) (AP) ALO, 1972.

(d) with the previous sanction of the [Administrator]¹ contribute such annual or other sums as may be agreed upon, towards the establishment or maintenance of any dispensary, hospital, asylum or place for the reception of the sick or destitute which is situated outside its jurisdiction, but is or may be, ordinarily used by persons resident within its jurisdiction.

25. (1) If an Anchal Samiti is of opinion that it is necessary so to do for the promotion of public health or for the prevention of danger to life or property, it may, by a notice in writing and within such period as may be specified therein, direct the owner or occupier of any building or land,—

Improvem-
ent of san-
itation.

- (i) to remove huts or privies wholly or partly; or
- (ii) to remove, alter or construct private drains; or
- (iii) to remove, alter or construct any public drain; or
- (iv) to fill up, clean or deepen any water-course, well, pool, ditch, tank, pond or any place containing, or used for the collection of, drainage or filth to drain out stagnant water which appears to be injurious to health or offensive to the neighbourhood or to take such action as may be deemed necessary; or
- (v) to clear any land of thick vegetation, undergrowth or jungle.

(2) If any work required to be done under sub-section (1) is not executed within the period specified in the notice, the Anchal Samiti may itself cause such work to be executed or done and the cost incurred thereon may be recovered from the owner or occupier in the prescribed manner.

(3) Any person who wilfully disobeys any direction issued under sub-section (1) shall be liable to a fine which may extend to ten rupees.

(4) If the Anchal Samiti considers that the owner or occupier or any other person has suffered loss as a result of any action taken under this section, not being due to his fault, it may award such compensation as it may deem adequate from its own funds.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

26. On the outbreak of an epidemic or an infectious disease, an Anchal Samiti shall have power to take all or any of the following measures for controlling and preventing the spread of the epidemic or disease in the area within its jurisdiction, namely:—

Power to do certain acts in the event of an epidemic.

- (i) restriction of the movement of infected person or goods within its jurisdiction ;
- (ii) provision for vaccination or inoculation, as the case may be ;
- (iii) seizure of any polluted food-stuff ;
- (iv) disinfection of wells, tanks or other sources of water supply ; and
- (v) doing of such other acts as may be necessary.

27. (1) If the Anchal Samiti is of opinion that the cleansing or disinfecting of a building or any part thereof, or any article therein, which is likely to retain infection, will tend to prevent or check the spread of any disease, it may, by notice, require the occupier, or where there is no occupier, the owner thereof, to cleanse or disinfect the same in the manner and within the time specified in the notice.

Disinfection of buildings and articles.

(2) If —

(a) within the time specified as aforesaid, the person on whom the notice is served fails to have the building or part thereof or the article cleansed or disinfected ; or

(b) such person gives his consent, the Anchal Samiti may at his cost cause the building or part thereof or the article to be cleansed and disinfected.

Provided that the Anchal Samiti may, in its discretion, pay the whole or any part of such cost.

28. If any person suffering from any infectious or contagious disease is found, within the jurisdiction of any such Anchal Samiti as may be specified by the [Administrator]†,

Removal of patients suffering from infectious or contagious diseases to hospital.

(a) without proper lodging or accommodation; or

1. Substituted for 'Governor' by NEA (Re-org) (AP) ALO, 1972.

(b) living in a sarai or other public place, the Anchal Samiti or any person authorised by it in this behalf may, on the advice of a medical officer not below in rank to that of an Assistant Surgeon, Grade-I, remove the said person to any hospital or place at which persons suffering from such diseases are received for medical treatment and may take all reasonable measures to effect such removal.

29. (1) An Anchal Samiti may by order, with a view to preventing the spread of any infectious or contagious disease, close any market or shop within its jurisdiction for such period as may be specified in the said order and may also forbid any person from entering such market or shop.

Power to close markets.

(2) An order under sub-section (1) shall be published in such manner and at such places as the Anchal Samiti may direct and notice thereof shall also be served on the owner or occupier of the market or shop, as the case may be.

(3) The owner or occupier of the market or shop may, after complying with the provisions of the order, appeal against it to the Deputy Commissioner and the decision of the Deputy Commissioner thereon shall be final.

(4) When an order has been published under sub-section (2) and has not been set aside by the Deputy Commissioner under sub-section (3), the owner or occupier of a market or shop who fails to close such market or shop shall be liable to a fine which may extend to five hundred rupees and any person who enters such market or shop in contravention of the provisions of the order shall be liable to a fine which may extend to fifty rupees.

30. (1) An Anchal Samiti may, by order direct that no place other than markets established by, or under the control or administration of, the Anchal Samiti shall be used as a market except in accordance with the terms and conditions of a licence granted by it.

Licensing of market.

(2) The Anchal Samiti may grant a licence under the provisions of this section subject to such conditions as it may think fit as to supervision and inspection, sanction and water supply, weights and measures to be used, rents and fees to be charged and such other matters as may be specified in the bye-laws to be framed for the purpose.

(3) The Anchal Samiti may at any time suspend, cancel or modify a licence granted under sub-section (2) for contravention of any of the conditions thereof.

(4) Any person aggrieved by an order of the Anchal Samiti under sub-section (3) may appeal against such order to the Deputy Commissioner who may, after giving such person an opportunity to represent his case, modify, annul or confirm the order.

(5) The Anchal Samiti or any officer authorised by it may close any place used as a market without a licence or the licence for which has been suspended or cancelled.

31. (1) An Anchal Samiti may take such action as may be necessary for proper and sufficient supply of water to any area within its jurisdiction and for this purpose may construct, repair and maintain water works, wells or tanks. Water supply.

(2) The Anchal Samiti may, by order, set apart convenient tanks, springs, wells or part of rivers, streams, channels or water courses, for the supply of water for drinking or for culinary purposes.

32. An Anchal Samiti shall take such action as may be necessary for the enforcement of vaccination in the area within its jurisdiction. Compulsory vaccination.

33. Subject to such conditions as may be prescribed, an Anchal Samiti may make annul or other contributions to any Gram Panchayat falling within its jurisdiction to whom any of its powers or functions are assigned under section 20. Power to make contributions to Gram Panchayats

34. An Anchal Samiti may by itself or in association with any Gram Panchayat or any other Anchal Samiti take such steps as may be necessary to scare away monkeys, squirrels, elephants, birds, locusts or other pests in order to save crops from being damaged. Power to protect crops.

35. A member of an Anchal Samiti and officer or other employee of the Anchal Samiti authorised by it Power of entry of

in this behalf may enter into or upon any house, building or land with or without assistants or workmen to make any inspection or execute any work required under any of the provisions of this Regulation. Anchal Samiti Officers.

Provided that :—

(a) no such entry shall be made between sunset and sunrise, and

(b) no entry into a dwelling house may be made, except with the consent of the occupier thereof and without giving the said occupier least twenty-four hours' previous notice of the intention to make such entry signed by the President or the Vice-President of the Anchal Samiti; and due regard shall always be had to the social and religious customs and usages of the occupants of the house (s) entered.

36. An Anchal Samiti may, within its jurisdiction :— Other powers of Anchal Samiti.

(a) establish and maintain bungalows and serais for the use of travellers and charge therefor such fees as it thinks fit; and

(b) offer rewards at such scales as may be approved by [Administrator]¹ for the destruction of unclaimed or diseased dogs and animals.

FINANCE, PROPERTY AND ACCOUNTS

37. (1) There shall be an Anchal Samiti fund for each Anchal Samiti and the same shall be utilised for discharging its function under this Regulation. Anchal Samiti Fund.

(2) The following shall be credited to and form part of the Anchal Samiti fund, namely :—

(i) the proceeds of any tax, fees, licence fees, cess and sur-charge levied under this Regulation;

(ii) the collection charges referred to in section 46;

(iii) any grants and contributions made by the [Administrator]¹ any local authority or other persons;

(iv) all sums received by way of loan or gift.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

(v) the income from, or the sale proceeds of, any property of the Anchal Samiti ;

(vi) the sale proceeds of all dust, dirt, dung or refuse collected by the employees of the Anchal Samiti ;

(vii) all sums received in aid of, or for expenditure on any institution or service, maintained, managed or financed by the Anchal Samiti ;

(viii) any other sums paid to the Anchal Samiti.

(3) The amount in the Anchal Samiti fund shall be kept in such custody as may be prescribed.

38. Subject to such rules as may be made in this behalf, and subject to the provisions of any law for the time being in force relating to the raising of loans by local authorities, an Anchal Samiti may raise loans for discharging its functions under this Regulation and for the repayment of such loans from a Sinking fund.

Raising of loans and formation of Sinking fund.

39. The Anchal Samiti fund shall be applied for payments in the following order, namely :—

Application of Anchal Samiti fund.

(a) payment of interest on loans raised under section 38, and payments into the Sinking fund, if formed ;

(b) payment of the salaries, allowances and other remuneration of the officers and other employees of the Anchal Samiti ;

(c) Payment of expenses incurred by the Anchal Samiti in the discharge of its functions under this Regulation ;

(d) payment of such other administrative expenses of the Anchal Samiti as may be prescribed.

40. (1) Subject to approval by the [Administrator]¹ and subjects to such rules as may be prescribed, an Anchal Samiti may levy—

(a) a tax on brick or concrete buildings ;

Power of taxation.

(b) a tax on supply of drinking water, sale of fire-wood and the thatch, conservancy, lighting and slaughter houses ;

¹ Substituted for 'Governor' by NEA, (Reorgn) (AP) ALO, 1972.

- (c) a tax on cultivable land lying fallow for two consecutive years ;
- (d) a tax on fisheries allotted to the Anchal Samiti ;
- (e) a fee on the registration of cattle within in jurisdiction ;
- (f) a licence fee in respect of —
 - (i) tea stalls, hotels, sweet-meet shops, restaurants, bakeries and confectioneries ;
 - (ii) collection of hides and bones ;
 - (iii) cinema halls, circuses, professional variety shows and fairs ;
 - (iv) brick and tile kilns ;
 - (v) oil and rice mills ;
 - (vi) ^{hr} and bamboo stalls ;
 - (vii) ^o carts, carriages, cycles and boats ;
 - (viii) saw mills and timber depots ;
- (g) a cess for the supply of water for irrigation ;
- (h) a surcharge on duty for the transfer of immovable property ;

(2) The taxes, fees and surcharge shall be imposed, assessed and realised at such times and in such manner as may be prescribed.

41. (1) When any tax or fee or other sum due to an Anchal Samiti has become payable, the Anchal Samiti shall, with the least practicable delay, cause to be sent to the person liable for the payment thereof, a demand notice in the prescribed form for the amount due from him and require him to pay the amount within a date to be specified in such notice.

Recovery of taxes and other duties.

(2) Every notice of demand under sub-section (1) shall be served in such manner as may be prescribed.

(3) If the sum for which a notice of demand has been served is not paid within the date specified therein, the Anchal Samiti may recover the same in the prescribed manner.

42. Any person aggrieved by the assessment, levy of imposition of any tax, fee or surcharge may appeal to the Deputy Commissioner within thirty days of the date of the order imposing such tax, fee or surcharge, and the decision of the Deputy Commissioner thereon shall be final. Appeal against levy of tax etc.

Provided that an appeal may be admitted after expiration of the period specified in this section, if the appellant satisfies the Deputy Commissioner that he had sufficient cause for not preferring the appeal within that period.

43. No objection shall be taken to any assessment made under this Regulation, nor shall the liability of any persons so assessed be questioned otherwise than in accordance with the provisions of this Regulation or the rules made thereunder. Objections to assessment.

44. The [Administrator]¹ may, by notification, suspend the levy or imposition of any tax, fee or surcharge and may at any time in like manner rescind such suspension. Suspension of levy of tax etc.

45. (1) If, in the opinion of the [Administrator]¹ the regular income of an Anchal Samiti falls below what is required for the proper discharge of its functions under this Regulation he may require the said Anchal Samiti to take steps, to increase its income to such extent and within such period as may be specified by him. Power of Administrator to increase taxation.

(2) If the Anchal Samiti fails to take adequate steps to increase its income to the extent required within the period specified, the [Administrator]¹ may direct the Anchal Samiti to levy any of the taxes or fees specified in section 40, or increase the rate at which any such tax or fee is levied.

(3) If an Anchal Samiti fails to levy tax or fee or enhance the rate of any tax or fee as required under sub-section (2), the [Administrator]¹ may, by notification, levy, or increase the rate of such tax or fee.

46. An Anchal Samiti may, in the prescribed manner, collect any class of tax or revenue or fee or due payable to the Government in respect of the area falling within its jurisdiction, being allowed a prescribed percentage of collection charges. Collection of tax or revenue due to Government.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

47. (1) The [Administrator]¹ may, if he deems fit, place all or any of the following properties situated within the jurisdiction of the Anchal Samiti, under the direction, management and control of the Anchal Samiti, namely :—

Properties placed under the direction, management and control of Anchal Samiti.

(a) open sites, waste, vacant and grazing lands, not being private property, and river beds ;

(b) public roads and streets ;

(c) public channels, water-courses, wells, ponds, tanks (except irrigation tanks under the control of the Government) public springs, reservoirs, cisterns, fountains aqueducts and any adjacent land (not being private property) appertaining thereto ;

(d) public sewers, drains and drainage works, tunnels and culverts and things appertaining thereto and other conservancy works ;

(e) Sewage, rubbish and offensive matter deposited on streets or collected by the Anchal Samiti from streets, latrines, urinals, sewers, cesspool and other places ; and

(f) public lamps, lamp posts and apparatus connected therewith or appertaining thereto.

(2) All markets and fairs or such portion thereof as are held upon public land shall be managed and regulated by the Anchal Samiti and shall receive to the credit of the Anchal Samiti fund all dues levied or imposed in respect thereof.

48.(1) Every Anchal Samiti and every Gram Panchayat receiving contributions from an Anchal Samiti under section 33 shall maintain accounts of its receipts and expenditure on such form, as may be prescribed.

Accounts & Audit.

(2) The accounts of every Anchal Samiti and the Gram Panchayat referred to in sub-section (1) shall be audited annually in such manner as may be prescribed.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

49.(1) An Anchal Samiti shall prepare annually on Preparation or before such date and in such form as may be prescribed, a budget estimate of its income and expenditure estimate of for the next financial year and may also prepare a Anchal supplementary budget estimate at any time during a Samiti. financial year.

(2) The annual or supplementary budget estimate of an Anchal Samiti shall be submitted to the Deputy Commissioner and after being approved by him shall be binding on the Anchal Samiti.

(3) No expenditure shall be incurred by an Anchal Samiti unless it is included in the budget estimates which have been approved by the Deputy Commissioner under sub-section (2).

50.(1) Every Anchal Samiti shall submit annually to Administration the Deputy Commissioner by such date as may be prescribed, a report on the administration of Anchal Samiti report. during the previous year.

(2) The report shall be prepared by the Executive Officer and after it is approved by the Anchal Samiti shall be forwarded to the Deputy Commissioner with a copy of the Anchal Samiti thereon.

CHAPTER : III

Zilla Parishads

51.(1) The [Administrator]¹ may, by notification, constitute a Zilla Parishad for each district with effect from such date as may be specified therein.

Constitution and composition of Zilla Parishad.

(2) Every Zilla Parishad shall consist of —

(i) the Vice-Presidents of all the Anchal Samitis in the district, Ex-Officio ;

(ii) one representative of every Anchal-Samiti in the district, to be elected by its members from amongst themselves in the prescribed manner;

(iii) not more than six persons to be nominated by the [Administrator]² from out of the tribes which have not secured representation in the Zilla Parishad:

Provided that no person shall be nominated or after having been nominated, remain a member of a Zilla Parishad, if he suffers from any of the disqualifications specified in clauses (a) to (h) of section 7 ;

(iv) The Deputy Commissioner, in charge of the district, Ex-Officio.

52.(1) A person who is a member of a Zilla-Parishad by virtue of clause (i) or clause (ii) of sub-section (2) of section 51, shall cease to be such member on his ceasing to be a Vice-President or a member as the case may be, of the Anchal Samiti.

Terms of office of members of Zilla Parishad.

(2) The term of office of a person nominated under clause (iii) of sub-section (2) of section 51 shall be three years [which may, from time to time be extended, by the Administrator, by an order published in the Official Gazette for a period not exceeding two years in the aggregate]²:

Provided that a member nominated to fill a casual vacancy shall hold office for the remainder of the term of the member in whose place he is nominated.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

2. Inserted by the NEFA Panchayat Raj Regulation (Amendment) Act, 1980 (4 of 1980).

53.(1) The Deputy Commissioner shall be the President of the Zilla Parishad.

President and Vice-President of Zilla Parishad.

(2) As soon as may be after a Zilla-Parishad is constituted, the Zilla Parishad shall elect in the prescribed manner from amongst its members a Vice-President who shall, subject to the other provisions of this Regulation, hold office for a period of three years, [which may, from time to time be extended, by the Administrator, by an order published in the Official Gazette, for a period not exceeding two years in the aggregate]¹.

(3) If a casual vacancy occurs in the office of the Vice-President of the Zilla-Parishad, the persons elected in the manner specified in sub-section (2) to fill such vacancy shall hold office for the remainder of the term of the Vice-President in whose place he is elected.

54. The Vice-President, or any member other than an Ex-Officio member, of a Zilla Parishad may resign his office by intimating in writing his intention to do so to the President of the Zilla Parishad and such resignation shall take effect from the date of its receipt by the President.

Resignation of Vice-President or member of Zilla Parishad.

55.(1) The Zilla Parishad shall advise the [Administrator]² on all matters concerning the activities of the Gram Panchayats and Anchal Samitis situated within the district.

Function.

(2) In particular, it shall be the duty of the Zilla Parishad—

(a) to make recommendations to the [Administrator]² in respect of—

(i) the budget estimates of the Anchal-Samitis ;

(ii) the distribution and allocation of funds and grants to the Anchal Samitis ;

(iii) the co-ordination and consolidation of the plan proposed by the Anchal Samitis and drawing up of the district plan.

1. Inserted by the NEFA Panchayat Raj Regulation (Amendment) Act 1980 (4 of 1980)

2. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

(iv) the co-ordination of the work of the Gram Panchayats and Anchal Samitis; and

(v) land settlement and raising of revenues for the Anchal Samitis;

(b) to review the working of the Anchal Samitis from time to time;

(c) to advise on such other matters as may be referred to it by the [Administrator]¹.

56.(1) The Zilla Parishad shall meet as often as may be necessary and shall observe, subject to the provisions of sub-sections (2) and (3), such rules of procedure in regard to the transaction of business at its meetings as may be prescribed: Meetings

Provided that not more than six months shall elapse between one meeting of the Zilla-Parishad and another.

(2) The President of the Zilla Parishad or in his absence, the Vice-President, or in the absence of both, any member nominated by the President in that behalf shall preside at any meeting of the Zilla Parishad.

(3) All questions at a meeting of the Zilla-Parishad shall be decided by a majority of the votes of the members present and voting and in the case of equality of votes, the President of the Zilla Parishad or in his absence, the person presiding shall have a second or casting vote.

1. Substituted for 'Governor' by the NEA (Reorgn) (AP) ALO, 1972.

CHAPTER : IV (OMITTED)¹ 1971

CHAPTER : V

Control of Gram Panchayats and Anchal Samitis :

60. The [Administrator]² and such officers as are empowered by him in this behalf, shall have the powers of inspection, supervision and control over the performance of the functions of Gram Panchayats and Anchal Samitis and without prejudice to the generality of the foregoing powers, may—

Powers of inspection, supervision and control of Administrator etc.

(a) enter and inspect any immovable property in the occupation or control of, or any work in progress under the direction of, a Gram-Panchayat or an Anchal Samiti ;

(b) call for and inspect any document which is in the possession or control of a Gram-Panchayat or an Anchal Samiti ;

(c) require by an order in writing, a Gram Panchayat or an Anchal Samiti to furnish such reports, statements, accounts, or proceedings as are necessary ;

(d) give such advice in writing in respect of the functions and proceedings of a Gram Panchayat or an Anchal Samiti as they think fit ;

(e) institute an inquiry in respect of any matter relating to a Gram Panchayat or an Anchal Samiti and rectify any of its acts or omissions.

61. With the previous sanction of the President of the Anchal Samiti, a member of an Anchal Samiti may inspect—

Inspection of construction work etc. by members of Anchal Samiti.

(a) any work or institution constructed or maintained in whole or in part at the expense of the Anchal Samiti ; or

(b) any register, books, accounts, or other documents belonging to, or in the possession, of the Anchal Samiti.

1. Chapter IV omitted by section 21 of NEFA (Admn) Supplementary Regulation, 1971 (4 of 1971)

2. Substituted for 'Governor' by the NEA (Reorgn) (AP) ALO, 1972.

62. (1) The [Administrator]¹ may appoint an officer of Government to be inspector of local works for one or more sub-divisions. Inspector of local works.

(2) The Inspector of local works shall—

(a) advise with regard to the construction or repairs of any property under the control and administration of any Gram Panchayat or Anchal Samiti and may for this purpose enter and inspect any immovable property and every such Gram Panchayat or Anchal Samiti shall furnish such statements, estimates and reports as he may require; and

(b) perform such other functions and exercise such other powers as may be prescribed.

(3) A report of every inspection made under this section shall be prepared and a copy thereof shall be forwarded to the Gram-Panchayat or Anchal Samiti concerned.

(4) Every Gram Panchayat or Anchal Samiti shall in all matters of technical details be guided by the report of the inspector of local works.

63. (1) If at any time it appears to the Deputy Commissioner or any officer authorised by him in this behalf that an Anchal Samiti or any member, officer or employee thereof has made wilful or persistent default in the performance of any duty imposed under this Regulation, the Deputy Commissioner or the officer may, by order in writing, fix a period for the performance of that duty, and if the duty is not performed within the period so fixed, the Deputy Commissioner or the officer may by order appoint any person to perform the said duty and direct that the expenses of the performance of the duty shall be paid by the defaulting Anchal Samiti within such period as he may think fit. Default in performance of duty by Anchal Samiti, member, officer, etc.

(2) The Deputy Commissioner or the officer exercising the power under sub-section (1) shall call for the explanation of the Anchal Samiti concerned for any default under sub-section (1) and shall forthwith report to the [Administrator]¹ who may, after giving notice to the Anchal Samiti Officer or employee and after making such inquiry as he deems fit, rescind, modify or confirm the order.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

64. (1) If, in the opinion of the Deputy Commissioner or any officer authorised by him in this behalf, the execution of any order or resolution of an Anchal Samiti or the doing of an act which is about to be done or is being done by or on behalf of an Anchal Samiti is causing or is likely to cause injury or annoyance to the public or to lead to a breach of the peace or is unlawful, he may, by order in writing, suspend the execution of that order or resolution or prohibit the doing of that act.

Suspension of execution of order or resolution of Anchal Samiti.

(2) When the Deputy Commissioner or the Officer makes an order under sub-section (1), he shall forthwith send to the Anchal Samiti affected there by a copy of the order together with a statement of the reasons for making it.

(3) The Deputy Commissioner or the Officer shall also forthwith submit to the [Administrator]¹ a report of the circumstances in which the order was made under this section and the [Administrator]¹ may, after giving notice to the Anchal Samiti and making such inquiry as he deems fit, rescind, modify or confirm the order.

65. (1) The Deputy Commissioner may, at any time, call for the records of an Anchal Samiti relating to taxes or fees levied within its area and may make suggestions for alteration, addition or modification of, any tax or fee so levied or the rate thereof.

Power of Deputy Commissioner to call for records relating to tax or fee and make suggestions.

(2) On receipt of a suggestion under sub-section (1), the Anchal Samiti shall reconsider the matter in a meeting and a copy of the resolution adopted shall be sent to the Deputy Commissioner.

66. (1) If, in the opinion of the [Administrator]¹ an Anchal Samiti:—

Resolution of an Anchal Samiti.

(a) exceeds or abuses its powers, or

(b) is incompetent to perform, or makes wilful and persistent default in the discharge of the functions imposed on it by or under this Regulation or any other law for the time being in force, or

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

(c) persistently disobeys, the order of the Deputy Commissioner or the officer under sub-section (1) of section 63,

The [Administrator]¹ may, by order in writing, dissolve the Anchal Samiti and direct that it shall be reconstituted in the manner provided in this Regulation.

(2) No order under sub-section (1) shall be passed by the [Administrator]¹ without giving to the Anchal Samiti a reasonable opportunity to render an explanation.

(3) When an Anchal Samiti is dissolved under sub-section(1),—

(a) all the members of the Anchal Samiti shall, from the date specified in the order, vacate their office as members ;

(b) all the functions of the Anchal Samiti shall, during the period of dissolution, be discharged by such person or persons as the [Administrator]¹ may appoint in this behalf.

67. If any dispute arises between two or more Anchal Samitis between an Anchal Samiti and a Gram Panchayat or between two or more Gram Panchayats, it shall be referred to the [Administrator]¹ and his decision thereon shall be final. Disputes between local authorities.

1. Substituted for 'Góvornor' by NEA (Reorgn) (AP) ALO, 1972.

68. Notwithstanding anything contained in this chapter the [Administrator]¹ may call for and examine the record relating to any order passed by any officer or Anchal Samiti for the purpose of satisfying himself as to the legality or propriety of the order passed and may revise or modify the order as he may deem fit.

Administrator's power to call for proceedings.

CHAPTER Miscellaneous

69. (1) No suit or prosecution shall lie against any member, officer, employee or agent of a Gram Panchayat or an Anchal Samiti, in respect of anything done or intended to be done in good faith under this Regulation or any rule or bye-law made thereunder.

Bar of action against Anchal Samiti, etc and previous notice before institution.

(2) No suit or other legal proceeding shall be instituted against any Gram Panchayat or Anchal Samiti or any member, officer, employee or agent thereof, for anything done or purporting to be done under this Regulation or any rule or bye-law made thereunder, until the expiration of two months next after notice in writing has been left or delivered at the office of the Gram Panchayat or Anchal Samiti, as the case may be, and also at the residence of the member, officer, employee, or agent thereof against whom such suit or proceeding is intended to be instituted, and the notice shall state the cause of action, the nature of the relief sought the amount of compensation claimed and the name and place of abode of the person who intends to institute the suit or proceedings.

(3) Every suit or proceeding referred to in sub-section (2) shall be instituted within six months after the date on which the cause of action arose.

70. (1) Every member of an Anchal Samiti shall be personally liable for the loss, waste or misapplication of any money or other property of the Anchal Samiti to which he has been a party or which has been caused or facilitated by his misconduct or wilful neglect or duty as a member amounting to fraud.

Liability of members, for loss, waste or misapplication.

(2) If, after giving the member concerned a reasonable opportunity for showing cause to the contrary, the Deputy Commissioner or any officer authorised by him in this behalf, is satisfied, after such inquiry as he

1. Substituted for 'Governor' by NEA (Reorgan) (AP) ALO, 1972.

deems fit, that the loss, waste or misapplication of any money or other property of the Anchal Samiti is a direct consequence of the misconduct or wilful neglect on the part of such member, he shall, by order in writing, direct such member to pay to the Anchal Samiti before a fixed date the amount required to reimburse it for such loss, waste or misapplication :

Provided that no such order shall be made for bonafide or technical irregularities or mistakes of a member.

(3) If the amount is not so paid, the Deputy Commissioner or the officer authorised by him in that behalf shall recover it in the prescribed manner.

(4) An order of the Deputy Commissioner or the officer under sub-section (2) shall be subject to an appeal to the [Administrator]¹ if made within thirty days of the date of the order.

71. A member of an Anchal Samiti or any officer thereof having any duty to perform in connection with any sale or contract under this Regulation shall not directly or indirectly bid for, or acquire any interest in, any property sold at such sale or accept a contract work. Members etc. refrain from taking part at sales.

72. Who ever—

(i) obstructs an Anchal Samiti or any member, employee or agent thereof, or prevents or attempts to prevent any such member, employee or agent from doing anything which he is empowered or required to do under the provisions of this Regulation or any rule or bye-law made thereunder, or Penalty for obstructing Anchal Samitis or officers from doing anything under this Regulation etc.

(ii) without lawful authority removes or destroys, defaces or otherwise obliterates any notice, materials, lamp-post, direction post, stand post or any other property exhibited or erected by the Anchal Samiti or under its authority, shall be punishable with fine which may extend to fifty rupees.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

73. Whoever encroaches upon any land, road, site public drain, sewer, aqueduct, water course or other property placed under the control of an Anchal Samiti under section 47, by making any excavation or by erecting any wall, fence, rail, post, projection or other obstruction or by depositing any movable property, shall for every such offence, be punishable with fine which may extend to fifty rupees, and in the case of a continuing encroachment, with an additional fine which may extend to ten rupees for every day after the first during which he has persisted in the encroachment.

Penalty for encroachment of road etc.

74. If a medical practitioner who is aware of the existence of any infectious or contagious disease in any place other than a public hospital or dispensary fails to intimate forthwith the existence of such a disease to such officers as the Anchal Samiti may specify, or gives false information about the existence of such a disease, he shall be punishable with fine which may extend to fifty rupees.

Intimation to be given of infectious diseases.

75. (1) The Anchal Samiti may, either before or after the institution of criminal proceeding under this Regulation compound any offence against this Regulation or any rule of bye-law made thereunder on payment of such sum in cash to the Anchal Samiti fund as may be agreed upon.

Power to compound cases.

(2) Where an offence has been compounded, the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence so compounded.

76. Whoever contravenes any of the provisions of this Regulation or any rule made thereunder shall, if no other penalty is provided elsewhere in this Regulation, for such contravention, be punishable with fine which may extend to two hundred rupees and, in the case of a continuing contravention with an additional fine which may extend to ten rupees for every day after the first during which he has persisted in the contravention.

Penalty for contravention of Regulation.

77. (1) [The Administrator]¹ may, by notification and subject to such restrictions and conditions as may be specified therein, authorise any officer subordinate to him to exercise in respect of Anchal Samitis, any of the powers which may be exercised by the [Administrator]¹ under this Regulation or rules framed thereunder, except the power to make rules under section 83.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

(2) [The Administrator]¹ may also, by notification, authorise any officer subordinate to him to perform all or any of the functions of the Deputy Commissioner under this Regulation or rules, framed thereunder.

(3) The Deputy Commissioner may delegate all or any of his power under this Regulation or rules framed thereunder, to any officer subordinate to him.

78. The Anchal Samiti shall, so far as practicable, act in co-operation with, and shall assist, every Govt. officer who works for the welfare of the rural population within its area.

Co-operation with Govt. Officers.

79. Every police officer shall give immediate information to the Anchal Samiti of an offence coming to his knowledge which has been committed against this Regulation or any rule or bye-law made thereunder within its jurisdiction, and shall assist the members and employees of the Anchal Samiti in the exercise of their lawful authority.

Powers and duties of police in respect of offences & assistance to Anchal Samiti etc.

80. Every member, officer or other employee of an Anchal Samiti shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Members of Anchal Samiti to be public servants.

81. Every Anchal Samiti shall, on application made to it by any person interested, allow inspections of its records and grant certified copies thereof on payment of the prescribed fee.

Inspection & copies of records.

82. If any difficulty arises in giving effect to the provisions of this Regulation, the [Administrator]¹ may, by order published in the [Arunachal Pradesh]² Gazette, make such provision, not inconsistent with the provisions of this Regulation, which appears to him to be necessary or expedient for the purpose of removing the difficulty.

Removal of difficulties.

83. (1). [The Administrator]¹ may, after previous publication, make rules to carry out the purposes of this Regulation.

Power to make rules.

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1. Substituted for 'Governor' by NEA (Rerogn) (AP) ALO, 1972.
 2. Substituted for 'NEFA' by the NEA (Rcorgn) (AP) ALO, 1972.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

- (i) the manner of election of members and the Vice-President of an Anchal Samiti ;
- (ii) the manner of divisions of a Block into constituencies for the purpose of election of members to an Anchal Samiti under clause (i) of sub-section (1) of section 6 ;
- (iii) the functions to be discharged by the Executive Officer of an Anchal Samiti ;
- (iv) the appointment of the officers and employees of Anchal Samitis ;
- (v) the conduct of meetings of Anchal Samitis and the transaction of business thereat ;
- (vi) the appointment of committees of Anchal Samitis and their functions ;
- (vii) the travelling and other allowances to be paid to the members of the Anchal Samiti or any other persons for attending meetings of the Anchal Samiti or any of its committees ;
- (viii) the establishment, control, administration and maintenance of dispensaries, hospitals, asylums and places for the reception of the sick or destitute within the jurisdiction of the Anchal Samiti ;
- (ix) the custody and investment of the Anchal Samiti fund ;
- (x) the raising of loans by the Anchal Samitis on the conditions subject to which an Anchal Samiti may make annual or other contributions to Gram Panchayats ,
- (xi) the imposition and assessment of taxes, fees and surcharge and the realisation thereof ;
- (xii) the form of demand notices and the manner of their services ;
- (xiii) the manner of filing appeals under this Regulation and hearing of such appeals ;

- (xiv) the collection by Anchal Samitis of any tax fee or other due on behalf of Government and payment of collection charges therefor ;
- (xv) the form of accounts to be maintained by the Anchal Samitis and the Gram Panchayats receiving contributions from an Anchal Samiti and the manner of audit or such accounts ;
- (xvi) the form of annual budget estimates of Anchal Samitis and the date before which they are to be prepared ;
- (xvii) the manner in which any moneys due to the Anchal Samiti may be recovered ;
- (xviii) the manner of election of members and the Vice-President of a Zilla Parishad ;
- (xix) the conduct of meetings of Zilla Parishads and the procedure to be followed thereat ;
- (xx) the allowances to be paid to the members of the Zilla Parishad [Omitted]¹ for attending meetings ;
- (xxi) [Omitted]²
- (xxii) [Omitted]³
- (xxiii) the powers and functions of Inspectors of local works ;
- (xxiv) the fees to be levied by Anchal-Samitis for supply of copies of documents and the procedure to be followed in furnishing such copies ;
- (xxv) any other matter which has to be or may be prescribed :—

1. In sub-clause (xx) of sub-section (2) of section 83 words "An Agency Council" omitted by NEA (Admn) Suppl. Regulation 4 of 71.

2. 2 (Two) and 3 (Three) omitted by ditto.

Proviso-(Omitted)¹

84. (1) Subject to the provisions of this Regulation and the rules made thereunder, an Anchal Samiti may frame bye-laws—

Power to make bye-laws.

- (a) to regulate the appointment, functions, powers, duties and conditions of services of its officers and employees ;
- (b) to prohibit or regulate the discharge of water from any drain or premises on a public street or into a river, pond, tank, well or any other place;
- (c) to regulate sanitation, conservancy and drainage in the area within its jurisdiction ;
- (d) to prohibit or regulate the use of roads, public streets or other public places ;
- (e) to regulate the terms and conditions subject to which a licence may be granted for the running of markets by private persons, the fees to be charged therefor and other incidental matters ;
- (f) to regulate the manner in which tanks, ponds, cesspools, pasture lands, play-grounds, manure pits, land for disposal of dead bodies and bathing places may be maintained and used ; and
- (g) to regulate any of its functions under this Regulation.

(2) Any bye-law made under sub-section (1) may provide that a contravention thereof shall be punishable with fine which may extend to twenty-five rupees and in the case of a continuing contravention, with an additional fine which may extend to five rupees for each day during which the contravention continues.

(3) The power to make bye-laws conferred under sub-section (1) is conferred subject to the condition of the bye-law being made after previous publication and any bye-law so made shall not take effect until it has been approved by the [Administrator]² and published in the Official Gazette.

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1. Proviso to section 83 omitted by NEFA (Admn) Supplementary Regulation, 1971 (4 of 1971)
 2. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

: THE FIRST SCHEDULE :

form of Oath of Officer

(See Section 11.)

I a member of the Anchal Samiti do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, and that I will duly and faithfully to the best of my ability, knowledge and judgement perform the duties of my office without fear or favour or affection or ill will.

: THE SECOND SCHEDULE :

Matters within the jurisdiction of Anchal Samitis.

(See Section 20)

PART I

1. In the sphere of sanitation and health :—

- (1) cleaning and lighting of streets ;
- (2) sanitation and conservancy of the area within the jurisdiction of the Gram Panchayat and the prevention of public nuisance therein ;
- (3) opening and regulation of burial and cremation grounds for the dead bodies of human beings and regulating places for disposal of dead animals and of other offensive matter ;
- (4) supply of water for drinking and domestic use;
- (5) cleaning of public roads, drains, bounds, tanks, wells and other public places or works ;
- (6) layout and maintenance of play grounds for village children and of public gardens ;
- (7) disposal of unclaimed corpses and unclaimed cattle;
- (8) construction and maintenance of public latrine;

- (9) taking of measures to prevent the outbreak, spread or recurrence of any infectious disease ;
- (10) removal of rubbish heaps, jungle growth, the filling of disused wells, insanitary ponds, pools, ditches, prevention of water logging in irrigated areas and improvements in sanitary conditions ;
- (11) providing medical relief ;
- (12) reclaiming unhealthy localities ;
- (13) maternity and child welfare ;
- (14) encouragement of vaccination in human beings and animals.

II. In the sphere of public works :—

- (1) control, regulation and development of grazing grounds village common, and other community property ;
- (2) controlling and maintaining buildings, institutions and property belonging to or placed under the control of the Anchal Samitis or which may be transferred to it for management ;
- (3) planting of trees along the roads and public places and maintenance thereof ;
- (4) establishment maintenance and management of cattle ponds and to perform such functions as may be transferred to it by notification under section 31 of the Cattle Trespass Act, 1871 (1 of 1871) ;
- (5) destruction of stray and ownerless dogs ;
- (6) removal of obstructions in public places and sites which are not private property ;
- (7) construction, maintenance and repair of buildings, water ways, public roads, drains, embankments, bunds and bridges ;
- (8) control, maintenance and regulation of fairs, minor hats or minor bazars and cart stands ;
- (9) construction and maintenance of dharmasalas ;

- (10) construction and maintenance of houses for the staff of the Anchal Samiti ;
- (11) Provision and maintenance of camping grounds ;
- (12) extension of village sites and the regulation of buildings ;
- (13) management of Community lands ;
- (14) excavation, cleaning and maintenance of ponds for supply of water to animals ;
- (15) construction and maintenance of minor irrigation works ;
- (16) construction and maintenance of warehouses ;
- (17) land management.

III. In the sphere of education and culture :—

- (1) maintenance of public radio sets for the benefit of rural population ;
- (2) establishment and maintenance of library, reading room, club or other places of recreation and games ;
- (3) popularisation of village sports, organisation and celebration of national and public festivals ;
- (4) spread of Education up to Middle English and Middle Vernacular standards ;
- (5) establishment and maintenance of youth clubs and other places of recreation ;
- (6) establishment and maintenance of theatres for promotion of art and culture.

IV. In the sphere of self-defence and village defence :—

- (1) watch and ward of the village and of the crops therein that the cost of watch and ward shall be levied and recovered from persons resident in the village ;
- (2) rendering assistance in extinguishing fires and the protection of life and property in the event of fire ;

V. In the sphere of Administration :—

1. maintenance of records relating to agricultural produce, census of village industries, population census cattle census, spinning wheels, weaving machine census, census of unemployed persons or persons having no economic holding or such other statistics as may be necessary ;
2. registration of births, deaths, marriage and maintenance of registers for the purpose ;
3. distribution of such reliefs as may be granted by Government or other agencies ;
4. supplying local information to the Government or any other statutory authority ;
5. numbering of premises ;
6. drawing up of programmes for increasing the output of agricultural and non-agricultural produce in the village ;
7. preparation of a statement showing the requirements of the supplies and finance needed for carrying out rural development schemes ;
8. control of cattle stands, threshing floors, grazing grounds and community waste land ;
9. reporting to proper authorities complaints which are not removable by Anchal Samitis ;
10. preparation of plans for the development of the village ;
11. establishment, maintenance and regulation of fairs, pilgrimages and festivals.

VI. In the sphere of the welfare of the people :—

1. propagation of ideas connected with improved housing, encouraging people to undertake improved housing, installation of smokeless chullas and ventilators ;
2. organisation of welfare activities among women and children and among illiterate sections of the community ;
3. Welfare of the backward classes ;
4. organising voluntary labour for community works and works for the uplift of the village.

VII. In the sphere of agriculture and preservation of forests:—

1. construction and maintenance of places for the storage of cow-dung, oil cakes and other manure and regulating its collection, removal and disposal;
2. tethering and grazing of cattle and encouraging stallfeeding of cattle and growing feeder for the purpose ;
3. improvement of agriculture ;
4. establishment of granaries ;
5. provision of agricultural finance with the assistance of Government co-operative and agricultural branches ;
6. bringing under cultivation waste and fallow lands placed by the [Administrator]¹ with the Anchal Samiti ;
7. ensuring minimum standards of cultivation in the village with a view to increasing agricultural production ;
8. ensuring conservation of manurial resources, preparation of compost and selling of manures ;
9. establishment and maintenance of nurseries for improved seeds and provision of implements and stores ;
10. production and use of improved seeds ;
11. promotion of Co-operative farming ;
12. crop experiments and crop protection ;

VIII. In the sphere of breeding and protecting cattle.

Improvement of cattle and cattle breeding and general care of livestock.

IX. In the sphere of village industries :—

promotion, improvement and encouragement of cottage and village industries.

1. Substituted for 'Governor' by NEA (Reorgn) (AP) ALO, 1972.

PART--II

- i. In the sphere of sanitation and health :—
 1. Public health and sanitation including curative and preventive measures in respect of an epidemic ;
 2. medical relief including establishment and maintenance of hospitals and dispensaries ;
 3. taking anti-malarial and anti-kala azar measures ;
- II. In the sphere of public works :—
 1. maintenance and regulation of the use of public buildings, grazing lands, forest lands, including lands assigned under section 28 of the Indian-Forest Act, 1927 (15 to 1927), tanks and wells placed under the control of the Anchal Samiti ;
 2. Control of major hats ;
 3. establishment and maintenance of works or provision of employment in times of scarcity.
- III. In the sphere of self defence and village defence :—
 1. Regulation of offensive and dangerous trades or practices.
- IV. In the sphere of Education and culture :—

Spread of Education above the Middle English and Middle Vernacular standards.
- V. In the sphere of Administration :—
 1. collection of statistics and maintenance of records ;
 2. general power over Gram Panchayats in respect of functions assigned to them ;
 3. to act as agent of the Government or development works within the area where funds for specific purposes are provided ;

4. acting as channel through which assistance given by the [Administrator]¹ for any purpose reaches the village.

VI. In the sphere of the Welfare of people :—

Relief distress caused by floods, drought, earthquake and scarcity conditions and other calamities ;

VII. In the sphere of agriculture and preservation of forests :—

1. development of agriculture and horticulture ;
2. measures for encouraging soil conservation, land reclamation and the plantation ;
3. Improvement of cattle and poultry including popularisation of the use of veterinary service, cattle inoculation facilities, castration on scientific lines and establishment of artificial insemination centres.

VIII. Any other function that may be assigned to it by the (Administrator)¹.

1. Substituted for 'Governor' by NEA (Reorgan) (AP) ALO, 1972.

THE NORTH EAST FRONTIER AGENCY PREVENTIVE
DETENTION REGULATION, 1970

(No. I of 1970.)

Promulgated by the President in the Twenty-first Year
of the Republic of India.

A Regulation to provide for preventive detention in
certain cases and for matters connected therewith.

In exercise of the powers conferred by article
240 of the Constitution read with sub-paragraph (2) of
paragraph 18 of the Sixth Schedule to the Constitution,
the President is pleased to promulgate the following
Regulation made by him :—

1. (1) This Regulation may be called the North-East
Frontier Agency Preventive Detention Regulation,
1970. Short title
and com-
mencement.

(2) It extends to the whole of the [Union Terr-
itory of Arunachal Pradesh]¹.

(3) It shall come into force at once.

2. In this Regulation, unless the context otherwise
requires, Definition.

(i) "Additional Deputy Commissioner" means
any Additional Deputy Commissioner of a District
of the [Union Territory of Arunachal Pradesh]¹ ;

(ia) ["Administrator" means the Administrator of the
Union Territory of Arunachal Pradesh appointed by the
President under article 239 of the Constitution]².

(ii) "Deputy Commissioner" means the Deputy
Commissioner of a District of the [Union Territory of
Arunachal Pradesh]¹ ;

Published in the Gazette of India, Extra-ordinary
Part II, Section I dated 30th March, 1970.

1. Substituted for 'NEFA' by NEA (Reorg) (AP) ALO, 1972.

2. Inserted by NEA (Reorg) (AP) ALO, 1972.

(iii) "detention order" means an order made under section 3 ;

(iv) [Omitted]¹

(v) [Omitted]²

3. (1) The [Administrator]³ may—

(a) if satisfied with respect to any person that with a view to preventing him from acting in any manner prejudicial to :—

Power to make orders detaining certain persons.

(i) the defence of India, the relations of India with foreign powers, or the security of India, or

(ii) the security of the State or the maintenance of public order, or

(iii) the maintenance of supplies and services essential to the community, or

(b) if satisfied with respect to any person who is a foreigner within the meaning of the Foreigners Act, 1946, that with a view to regulating his continued presence in India or with a view to making arrangements for his expulsion from India, it is necessary so to do make an order directing that such person be detained. 31 of 1946.

(2) Any of the following officers, namely :—

(a) Deputy Commissioners, or

(b) Additional Deputy Commissioners, may, if satisfied as provided in sub-clauses (ii) and (iii) of clause (a) of sub-section (1), exercise the power conferred by the said sub-section.

1 & 2. — Omitted by NEA (Reorg) (AP) ALO, 1972.

3. Substituted for 'Governor' by Ditto.

(3) When any order is made under this section by an officer mentioned in sub-section (2), he shall forthwith report the fact to the [Administrator]¹ together with the ground on which the order has been made and such other particulars as in his opinion have a bearing on the matter, and no such order shall remain in force for more than twelve days after the making thereof unless in the meantime it has been approved by the [Administrator]¹.

4. (1) No detention order shall be made under this regulation in respect of a person outside the territorial limits of the [Union Territory of Arunachal Pradesh]².

Detention orders to be made in respect of persons in the U.T. of A.P.

(2) Subject to sub-section (1) no detention order made by an officer mentioned in sub-section (2) of section 3 shall be invalid or inoperative merely by reason—

(a) that the person to be detained thereunder is outside the limits of the territorial jurisdiction of the officer making the order, or

(b) that the place of detention of such person is outside the said limits.

5. A detention order may be executed in the manner provided for the execution of warrants of arrest under the Code of Criminal Procedure, 1898.

Execution of detention orders. V of 1898.

6. Every person in respect of whom a detention order has been made shall be liable—

Power to regulate place and conditions of detention.

(a) to be detained in such place and under such conditions, including conditions as to maintenance, discipline and punishment for breaches of discipline, as the [Administrator]¹ may, by general or special order, specify ; and

[(b) to be removed from one place of detention to another place of detention, whether within the Union Territory of Arunachal Pradesh or outside that Union Territory by order of the Administrator.

1. Substituted for 'Governor' by NEA (Reorg) (AP) ALO, 1972.

2. Substituted for 'NEFA' by Dittó—

Provided that no order shall be made by the Administrator under clause (b) for the removal of a person from the Union Territory of Arunachal Pradesh to any State except with the consent of the Government of that State or as the case may be, the Administrator of that Union Territory]¹.

7. (1) If the [Administrator]² or an officer mentioned in sub-section (2) of section 3, as the case may be, has reason to believe that a person in respect of whom a detention order has been made has absconded or is concealing himself so that the order cannot be executed, the [Administrator]² or officer may—

Powers in relation to absconding persons.

(a) make a report in writing of the fact to a Magistrate of the first class having jurisdiction in the place where the said person ordinarily resides; and the upon the provisions of sections 87,88 of the Code of Criminal Procedure 1898, shall apply in respect of the said person and his property as if the order directing that he be detained were a warrant issued by the Magistrate; 5 of 1898.

(b) by order notified in the [Arunachal Pradesh]³ Gazette direct the said person to appear before such officer, at such place and within such period as may be specified in the order, and if the said person fails to comply with such direction he shall, unless he proves that it was not possible for him to comply therewith and that he had, within the period specified in the order, informed the officer mentioned in the order of the reason which rendered compliance therewith impossible and of his whereabouts, be punishable with imprisonment for a term which may extend to one year or with fine or with both.

(2) Notwithstanding anything contained in the Code of Criminal Procedure 1898, or any other law for the time being in force every offence punishable under clause (b) of sub-section (1) shall be cognizable. 5 of 1898.

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1. Substituted for the original clause (b) and the proviso thereto by NEA (Reorg) (AP) ALO, 1972.
 2. Substituted for 'Governor' by NEA (Reorg) (AP) ALO, 1972.
 3. Substituted for 'Official' by NEA (Reorg) (AP) ALO, 1974.

8. (1) When a person is detained in pursuance of a detention order, the authority making the order shall, as soon as may be, but not later than five days from the date of detention, communicate to him the grounds on which the order has been made, and shall afford him the earliest opportunity of making a representation against the order to the [Administrator]¹. Grounds of order of detention to be disclosed to persons affected by the order.

(2) Nothing in sub-section (1) shall require the authority to disclose facts which it considers to be against the public interest to disclose.

9. (1) The [Administrator]¹ shall, whenever necessary, constitute one or more Advisory Boards for the purposes of this Regulation. Constitution of Advisory Boards.

(2) Every such Board shall consist of three persons who are, or have been or are qualified to be appointed as, Judges of a high court, and such persons shall be appointed by the [Administrator]¹.

(3) The [Administrator]¹ shall appoint one of the members of the Advisory Board who is or has been a Judge of a High Court to be its Chairman.

10. In every case where a detention order has been made under this Regulation, the [Administrator]¹ shall, within thirty days from the date of detention under the order, place before the Advisory Board the grounds on which the order has been made and the representation, if any, made by the person affected by the order and in case where the order has been made by an officer, also the report by such officer under sub-section (3) of section 3. Reference made under this Regulation, the [Administrator]¹ shall, within thirty days from the date of detention under the order, place before the Advisory Board the grounds on which the order has been made and the representation, if any, made by the person affected by the order and in case where the order has been made by an officer, also the report by such officer under sub-section (3) of section 3.

11. (1) The Advisory Board shall after considering the materials placed before it and, after calling for such further information as it may deem necessary, from the [Administrator]¹ or from any person called for the purpose through the [Administrator]¹ or from the person concerned, and if in any particular case it considers it essential so to do or if the person concerned desires to be heard, after hearing in person, submit its report to the [Administrator]¹ within ten weeks from the date of detention. Procedure of Advisory Boards.

(2) The report of the Advisory Board shall specify in a separate part thereof the opinion of the Advisory Board as to whether or not there is sufficient cause for the detention of the person concerned.

1. Substituted for 'Governor' by NEA (Reorg) (AP) ALO, 1972.

(3) When there is a difference of opinion among the members of the advisory Board, the opinion of the majority of such members shall be deemed to be the opinion of the Board.

(4) Nothing in this section shall entitle any person against whom a detention order has been made to appear by any legal practitioner in any matter connected with the reference to the Advisory Board, and the proceedings of the Advisory Board and its report, excepting that part of the report in which the opinion of the Advisory Board is specified shall be confidential.

12. (1) In any case where the Advisory Board has reported that there is in its opinion sufficient cause for the detention of a person, the [Administrator]¹ may confirm the detention order and continue the detention of the person concerned for such period, not being beyond a period of twelve months from the date of detention, as he thinks fit.

Action upon the report of Advisory Board and the maximum period of detention.

(2) In any case where the Advisory Board has reported that there is in its opinion no sufficient cause for the detention of the person concerned the [Administrator]¹ shall revoke the detention order and cause the person to be released forthwith.

13. (1) Without prejudice to the provisions of section 21 of the General Clauses Act, 1897, a detention order may at any time be revoked or modified, notwithstanding that the order has been made by an officer mentioned in sub-section (2) of section 3, by the [Administrator]¹.

Revocation of detention order.
10 of 1897.

(2) The revocation or expiry of a detention order shall not bar the making of a fresh detention order under section 3 against the same person in any case where fresh facts have arisen after the date of revocation or expiry on which the [Administrator]¹ or an officer, as the case may be, is satisfied that such an order should be made.

1. Substituted for 'Governor' by NEA (Reorg) (AP) ALO, 1972.

14. (1) The [Administrator]¹ may at any time direct that any person detained in pursuance of a detention order may be released for any specified period either without conditions or upon such conditions specified in the direction as that person accepts, and may at any time cancel his release.

Temporary release of persons detained.

(2) In directing the release of any person under sub-section (1) the [Administrator]¹ may require him to enter into a bond with or without sureties for the due observance of the conditions specified in the direction.

(3) Any person released under sub-section (1) shall surrender himself at the time and place, and to the authority, specified in the order directing his release or cancelling his release, as the case may be.

(4) If any person fails without sufficient cause to surrender himself in the manner specified in sub-section (3), he shall be punishable with imprisonment for a term which may extend to two years or with fine or with both.

(5) If any person released under sub-section (1) fails to fulfil any of the conditions imposed upon him under the said sub-section or in the bond entered into by him, the bond shall be declared to be forfeited and person bound there by shall be liable to the penalty thereof.

15. No suit, prosecution or other legal proceeding shall lie against any person for any thing in good faith done or intended to be done in pursuance of this Regulation.

Protection of action taken under the regulation.

16. The provisions of section 5 and 7 shall have effect as if the Code of Criminal Procedure, 1898, applies to the [Union Territory of Arunachal Pradesh]².

Certain provisions of the Regulation have as if Act 5 of 1898 is in force.

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1. Substituted for 'Governor' by NEA (Reorg) (AP) ALO, 1972.
 2. Substituted for 'NEFA' by NEA (Reorg) (AP) ALO, 1972.

THE NORTH EAST FRONTIER AGENCY
PANCHAYAT RAJ (AMENDMENT) REGULATION, 1970

(No 4. of 1970)

Promulgated by the President in the Twenty-first Year of the Republic of India.

A Regulation to amend the North-East Frontier-Agency Panchayat Raj Regulation, 1967.

In exercise of the powers conferred by article 240 of the Constitution, read with sub-paragraph (2) of paragraph 18 of the Sixth Schedule to the Constitution, the President is pleased to promulgate the following Regulation made by him :—

1. (1) This Regulation may be called the North-East Frontier Agency Panchayat Raj (Amendment) Regulation, 1970. Short title and commencement.

(2) It shall come into force at once.

2. In section 2 of the North East Frontier Agency Panchayat Raj Regulation, 1967, for clause (xi), the following clause shall be substituted, namely :— Amendment of section 2 (3 of 1967).

“(xi) ‘Sub-Divisional Officer’ means the Additional Deputy Commissioner or the Assistant Commissioner in charge of a sub-division and includes an Extra-Assistant Commissioner or such other Officer as may be authorised by the [Administrator]¹ to discharge the functions of the Sub-Divisional-Officer under this Regulation in respect of an Anchal Samiti.”

1. Substituted for ‘Governor’ by NEA (Reorgn) (AP) ALO, 1972.

THE NORTH-EAST FRONTIER AGENCY
PANCHAYAT RAJ (AMENDMENT) REGULATION, 1972.

(No. 2 of 1972)

Promulgated by the President in the Twenty-third Year
of the Republic of India.

A Regulation further to amend the North-East Frontier
Agency Panchayat Raj Regulation, 1967.

In exercise of the powers conferred by article
240 of the Constitution, the President is pleased to
promulgate the following Regulation made by him :—

1. (1) This Regulation may be called the North-East Frontier Agency Panchayat Raj (Amendment) Regulation, 1972. Short title & commencement.
- (2) It shall come into force at once.

2. In Section 7 of the North-East Frontier-Agency Panchayat Raj Regulation, 1967 in clause (d), the word 'or' occurring at the end shall be omitted and after that clause, the following explanation shall be inserted namely :— 3 of 1967. Amend-ment of section 7.

“Explanation— For the purposes of this clause, a person shall not be deemed to hold an office of profit under the Government by reason only that he is appointed by the Administrator as a Counsellor under section 18 of the North-East Frontier Agency (Admn.) Supplementary Regulation, 1971 ; or”

4 of 1971.

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Note:—Published in the Gazette of India (Extra-Ordinary)
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July 3, 1972.

APPENDICES

APPENDICES

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NOTIFICATIONS EXTENDING
THE BENGAL EASTERN FRONTIER REGULATION
1873 (V OF 1873).

(i) In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to extend the Bengal Eastern Frontier Regulation, 1873 (V of 1873), to the Western Section of the North East Frontier Tract as defined by the Government of India in their Foreign and Political Department Notification No. 979E.B. dated the 25th September 1914. Balipara Frontier Tract.

(ii) In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), the Governor in Council is pleased to extend the Bengal Eastern Frontier (Amendment) Regulation, 1925 (V of 1925), to the Balipara Frontier Tract. Balipara Frontier Tract.

(iii) In exercise of the powers conferred Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), the Governor in Council pleased to extend the Bengal Eastern Frontier Regulation, 1873 (V of 1873), as amended by the Bengal Eastern Frontier (Amendment) Regulation, 1925 (V of 1925), to the Sadiya and to the Lakhimpur Frontier Tracts, the delimitation of which has been defined in this Government's Notifications No. 5691 A.P., dated the 6th November 1926, and No. 2847 A.P., dated the 26th April 1928, respectively. The Sadiya and the Lakhimpur Frontier Tracts.

(Note.—See Assam Gazettes of 17th October 1817, Part II, Page 1515 ; 2nd September 1925, Part II, Page 1026 and 9th May 1928, Part II, Page 755)

NOTIFICATIONS EXTENDING

THE ASSAM LAND AND REVENUE REGULATION, 1886
AND THE ASSAM FOREST REGULATION, 1891.

(iv) In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to extend the undermentioned enactments to the Central and Eastern Sections of the North-East Frontier Tract, namely :-

Notification No. 4955P, dated the 18th August 1916. Sadiya Frontier tract.

- (1) The Indian Penal Code 1860 (XIV of 1860)
- (2) The Indian Police Act, 1861 (V of 1861)
- (3) The Indian Arms Act, 1878 (XI of 1878)
- (4) The Assam Land and Revenue Regulation, 1886 (I of 1886), with the exception of Sections 3 to 159.
- (5) The Assam Forest Regulation, 1891 (VII of 1891)
- (6) The Whipping Act, 1909 (IV of 1909)

(v) In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to extend the undermentioned enactments to the Lakhimpur Frontier Tract, namely :-

Notification No. 4958P, dated the 18th August 1916. Lakhimpur Frontier Tract.

- (1) The Indian Penal Code, 1860 (XIV of 1860)
- (2) The Indian Police Act, 1861 (V of 1861)
- (3) The Assam Land and Revenue Regulation, 1886 (I of 1886), with the exception of Sections 3 to 159.
- (4) The Assam Forest Regulation, 1891 (VII of 1891)

(See Assam Gazette of 30th August 1916, Part II, Page 1335).

(vi) In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 No. 4960P. [XIV of 1874], and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to extend the under mentioned enactments to the Western Section of the North-East Frontier Tract, namely :—

Western
Section,
North-
East Fron-
tier Tract.

- [1] The Indian Penal Code, 1860 [XIV of 1860]
- [2] The Indian Police Act, 1861 [V of 1861],
- [3] The Indian Arms Act 1878 [XI of 1878].
- [4] The Assam Land and Revenue Regulation, 1886 [I of 1886], with the exception of sections 3 to 159.
- [5] The Assam Forest Regulation 1891 [VII of 1891]
- [6] The Whipping Act, 1909 [IV of 1909].

[See Assam Gazette of 30th August 1916, Part II,
Pages 1335-36]

(vii) In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 Certain
 Notification No. (XIV of 1874) the Governor in Sadiya tract in the
 293A.P., dated the Council is pleased to extend the Sadiya
 24th January 1925. undermentioned enactments to the Frontier
 tract transferred to the Sadiya Fron- Tract.
 tier Tract by Notification No. 7280 A.P., dated the
 8th December 1921, namely :—

- (1) The Indian Penal Code, 1860 (XIV of 1860).
- (2) The Indian Police Act, 1861 (V of 1861).
- (3) The Indian Christian Marriage Act, 1872 (XV of 1872).
- (4) The Indian Arms Act, 1878 (XI of 1878).
- (5) The Agriculturists' Loans Act, 1884 (XII of 1884).
- (6) The Assam Land and Revenue Regulation, 1886 (I of 1886), with the exception of sections 3 to 159.
- (7) The Assam Forest Regulation, 1891 (VII of 1891).
- (8) The Whipping Act, 1909 (IV of 1909).
- (9) The Assam Rifles Act, 1920 (Assam Act I of 1920).

(See Assam Gazette of 28th January 1925, Part II, Page 171).

(viii) In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874) the Governor in Council is pleased to extend the undermentioned enactments to the tract transferred to the Balipara Frontier Tract by Notification No. 7281 A.P., dated the 8th December 1921, namely :—

Certain tract in the Balipara Frontier Tract.

- (1) The Indian Penal Code, 1860 (XIV of 1860).
- (2) Indian Police Act, 1861 (V of 1861).
- (3) * * * * *
- (4) The Indian Arms Act, 1878 (XI of 1878).
- (5) The Agriculturists' Loans Act, 1884 (XII of 1884).
- (6) The Assam Land and Revenue Regulation, 1886 (I of 1886), with the exception of sections 3 to 159.
- (7) The Assam Forest Regulation, 1891 (VII of 1891).
- (8) The Whipping Act, 1909 (IV of 1909).
- (9) The Assam Rifles Act, 1920 (Assam Act I of 1920).

(See Assam Gazette of 28th January 1925, Part II, Page 172).

**NOTIFICATIONS EXTENDING CERTAIN PROVISION
OF THE CHIN HILLS REGULATION, 1896 (V OF 1896).**

(IX) In exercise of the powers conferred by Sections 5 and 5A of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to extend sections 22, 23, 38(2) and 40 of the Chin Hills Regulation, 1896 (Regulation V of 1896), in the restricted and modified form set out below, to the Central and Eastern Sections, North-East Frontier Tract, the Western Section, North-East Frontier Tract, and the Lakhimpur Frontier Tract :—

Central,
Eastern
and Western
Sections, North-East
Frontier
Tract and
the Lakhimpur
Frontier Tract. -

1. Where the Political Officer or the Deputy Commissioner of any area specified above is satisfied that the presence of any person not being a native of such area is injurious to the peace or good administration of the area he may for reasons to be recorded in writing, order such person to leave the area within a given time.

2. Whoever, not being a native of any such area, disobeys an order under clause 1 may, on conviction by a Magistrate, be punished with imprisonment for a term which may extend to six months or with a fine which may extend to Rs. 1,000, or with both.

3. The Local Administration may revise any order passed under clause 1.

4. No order made under clause 1 shall be called in question in any Civil or Criminal Court.

(See Assam Gazette of 30th August 1916, Part II, Page 1336)

(x) In exercise of the powers conferred by Sections 5 and 5A of the Scheduled Districts Act, 1874 (Act XIV of 1874) the Government of Assam hereby extend Section 35 of the Chin Hills Regulation, 1896 (Regulation V of 1896), in the following modified form to the area specified in the Schedule annexed hereto :-

“Taxes shall be levied on residents, permanent or temporary, houses, class, and villages at such rates and in such manner and subject to such exemptions as the local Government may prescribe.”

Explanation— “Tax” in this Section includes land revenue, as well as any cess, toll, rate, duty or fee.

SCHEDULE OF AREAS

1. The Lushai Hills District.
2. The Garo Hills District.
3. The Naga Hills District.
4. The Khasi and Jaintia Hills District (British portions only)
5. The Sadiya Frontier Tract.
6. The Balipara Frontier Tract.
7. The Lakhimpur Frontier Tract.
8. The North Cachar Hills (in the Cachar District)
9. The Mikir Hills Tracts (in the Nowgong and Sib-sagar Districts)

W.A. Cosgrave,
Chief Secretary to the
Government of Assam.

Note : 1 Published in Assam Gazette March 15, 1933
Part II page 327

Note : 2 Section 35 made applicable under this Notification is since omitted by Section 60 of the NEFA Abolition of Poll Tax and Levy of House Tax Regulation, 1969 (S. of 1959)

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Date 20-07-98