

ACT No. III OF 1869.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 19th February 1869).

An Act for the maintenance of the Rural Police in the North-Western Provinces.

WHEREAS it is expedient to make further provision for the maintenance of the Rural Police in the North-Western Provinces of the presidency of Fort William and to define the law relating to the appointment and duties of village watchmen in those provinces; It is hereby enacted as follows:—

Preamble.

I.—PRELIMINARY.

Short title.

1. This Act may be called "The Rural Police (North-Western Provinces) Act."

Repeal of Acts.

2. Act No. II of 1865 (*to provide for the maintenance of the Rural Police in the territories under the government of the Lieutenant Governor of the North-Western Provinces and elsewhere*) and Act No. II of 1866 (*to amend Act No. II of 1865*), are hereby repealed.

Extent of Act.

3. This Act extends to every District in which Act No. II of 1865 was in force immediately before the passing hereof.

II.—TAXES.

Taxes leviable under this Act.

4. Three kinds of taxes shall be leviable under this Act (that is to say), 1^o, a House Tax; 2^o, an Estate Tax; and 3^o, a Tax on Muáfídárs, Sub-proprietors and Nazránádárs.

1^o.—The

1.^o—*The House Tax.*

5. The proprietor of every Muáfi, Nazrána or other estate situate in any District to which this Act applies shall have power to assess and collect in each year from the occupant of every house on such estate, a sum not exceeding one rupee.

Power to assess
house-tax.

The Collector of the District shall have power to determine what shall, for the purposes of this section, be held to be a house.

6. All sums assessed under section five shall be payable in advance for the revenue year next after the assessment, at the time when the first instalment of rents is ordinarily payable in that year for lands comprised in or adjacent to such estate.

Time of paying
house-tax.

7. All sums so assessed shall be recoverable as if they were rent of land :

Recovery of hous-
tax.

Provided that no person shall be liable to be ejected from any house in his occupation for non-payment of any such sum.

8. Any person assessed under section five, and unable to pay the amount of the assessment, may present a petition on unstamped paper to the Collector of the District, and such Collector may, if he thinks fit, remit wholly or in part the said assessment.

Petition against as-
sessment.

All complaints of illegal collection under section five shall be cognizable by the Collectors of Land Revenue; and the provisions contained in Act No. X of 1859 (*to amend the Law relating to the recovery of rent in the presidency of Bengal*), section twenty-three, as to institution, trial and appeal, shall apply to complaints under this section.

Complaints of illegal
collection.

2.^o—*The Estate Tax.*

9. If, in any year, any such proprietor fails altogether to assess the sum mentioned in section five, or assesses under section five a sum which, in the opinion of the Collector of the District wherein the proprietor's estate is situate, is inadequate, it shall be lawful for such Collector to assess upon such estate a sum payable yearly by the proprietor thereof for the time being, and not exceeding in any year

Power to Collector
to assess estate of pro-
prietor failing to make
sufficient assessment.

year the amount which might have been assessed in the same year under the same section on the occupants of the houses in such estate, less ten per centum.

10. It shall be lawful for the Collector, or for any officer making a settlement of land-revenue, to assess upon any Muáfi, Nazráná, or other estate situate in any District to which this Act applies, a sum to be paid yearly by the proprietor thereof for the time being not exceeding the aggregate amount of the sums payable in respect of such estate or by the occupants of the houses thereon under sections five and nine, less ten per centum.

Such assessment shall be in addition to the municipal cess or percentage (if any) levied for the maintenance of rural police on the land-revenue payable in respect of such estate.

11. The sum assessable under section ten may from time to time, with the sanction of the Local Government, be altered by the Collector or officer aforesaid.

3°.—*The Tax on Muáfídarás, Sub-proprietors, and Nazránádarás.*

12. Besides the assessments made under section ten, it shall be lawful for the Collector or for any such officer as aforesaid, to levy in the case of any Muáfi or Nazráná estate upon the Muáfídarás, or (where a sub-settlement has been made) on the Sub-proprietors, or on the Nazránádarás, a municipal cess on the estimated jama at the same rate as the estate would have been charged with, had it not been held under a Muáfi or Nazráná title.

13. The Local Government may from time to time prescribe, by notification in the official Gazette, by what instalments and at what times the assessments payable under sections ten and twelve shall be paid, and all sums assessed under either of those sections shall be recoverable as if they were arrears of revenue.

III.—APPLICATION OF TAXES.

14. Subject to the orders of the Local Government, all taxes levied under this Act in any District shall, in the first instance, be applied to the maintenance of the village police in such District, and for the purpose of this section, 'maintenance' shall be deemed

to include their wages, the price of all necessaries and accoutrements supplied to them, rewards and other incidental expenses.

The surplus (if any) may be applied by the Local Government, at its discretion, to the sanitary improvement of the District, or to any other useful purpose therein.

IV.—ACCOUNTS OF TAXES.

15. Accounts of the taxes levied under this Act and of the application thereof shall be kept by such persons and in such form, and shall be furnished at such times and to such officers as the Local Government shall, by rules to be published in the official Gazette, from time to time, prescribe.

16. Such accounts shall be open to public inspection at all reasonable times without the payment of any fee.

17. Any proprietor failing to comply with any rule made under section fifteen, shall be liable, on conviction before a Magistrate, to a fine not exceeding one hundred rupees, and every such fine shall when recovered be applied for the purposes of this Act in the District where it is imposed.

V.—VILLAGE WATCHMEN.

18. Every person authorized to nominate a person to the office of village watchman shall, within fifteen days after the occurrence of a vacancy in the office, nominate a proper person to the vacant post, and communicate the nomination to the Magistrate of the District.

The person so nominated shall, after due enquiry into his age, character and ability, be appointed or rejected by such Magistrate at his discretion, or by some officer authorized by him in that behalf.

19. In default of such nomination within the said fifteen days, the Magistrate of the District shall appoint such person as he thinks fit to the vacancy.

If the nomination has been made within the said fifteen days, but the nominee is rejected, the person authorized to nominate a person to the office of village

village watchman shall, within fifteen days from the date of such rejection, nominate another person to the vacant post; and in default of such nomination, or if such nomination has been made but the nominee is rejected, the Magistrate of the District shall appoint such person as he thinks fit to the vacancy.

20. Any village watchman appointed under this Act shall be liable to perform within the limits of his village, and in addition to his other duties, all or any of the duties imposed on Police Officers by Act No. V of 1861 (*for the regulation of Police*); and for any neglect or disobedience in his official capacity, he shall be liable to the penalties which he would have incurred had he been a Police officer subject to the provisions of that Act and guilty of neglect or disobedience as the case might be.

VI.—MISCELLANEOUS.

21. The Local Government may, from time to time, make rules, consistent with this Act, for the guidance of officers in all matters connected with its enforcement.

All such rules shall be published in the local official Gazette.

22. The Lieutenant Governor of the North-Western Provinces and the Lieutenant Governor of the Panjáb may respectively, by notification in the local Gazette, extend this Act to any part of the territories for the time being under their respective governments; and the Governor General of India in Council may, by notification in the *Gazette of India*, extend this Act to any province for the time being under the immediate administration of the Government of India:

Provided that this Act shall have no operation in any village to which Act No. XX of 1856 (*to make better provision for the appointment and maintenance of Police Chaukidárs in cities, towns, stations, suburbs and bázárs in the Presidency of Fort William in Bengal*), or Act No. VI of 1868 (*to make better provision for the appointment of Municipal Committees in the North-Western Provinces, and for other purposes*), or any other special municipal law shall have been extended, so long as such Act or law continues in force in such village.

23. From the date of any such extension of this Act, so much of any rule having the force of law in operation in the territories to which the extension is made as is inconsistent with any provision of this Act, shall cease to have effect therein.