

# **The Chittagong Hill Tracts Regulation, 1900 (Regulation I of 1900)**

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# <sup>1</sup>The Chittagong Hill Tracts Regulation, 1900

(Regulation I of 1900)

[17 January 1900]

A regulation to declare the law applicable in, and provide for the administration of, the Chittagong Hill Tracts in <sup>2</sup>[Bangladesh];

*(Received the assent of the Governor-General on the 6<sup>th</sup> Jan., 1900; published in the Gazette of India on the 13<sup>th</sup> idem; and in the Calcutta Gazette on the 17<sup>th</sup> idem)*

WHEREAS it is expedient to declare the law applicable in, and provide for the administration of, the Chittagong Hill Tracts in <sup>2</sup>[Bangladesh],

It is hereby enacted as follows:

## CHAPTER – I PRELIMINARY

### Short title, extent and commencement

1. (1) This Regulation may be called the Chittagong Hill Tracts Regulation, 1900.
- (2) It extends to the Chittagong Hill Tracts; and
- (3) It shall come into force on such <sup>3</sup>date as the <sup>4</sup>[Government] may, by notification in the <sup>5</sup>[Official Gazette], appoint.

### Definitions-

- <sup>6</sup>[2. In this Regulation -
- (a) The expression “Chittagong Hill Tracts” means the area known by that name as existing on the first day of January 1936; and
  - <sup>7</sup>[(b) “Commissioner” and “Additional Commissioner” mean respectively the Commissioner and the Additional Commissioner of the Chittagong Division] <sup>8</sup>;
  - (c) ‘District Judge’ means the District Judge appointment by the Government in consultation with the Supreme Court of Bangladesh;
  - (d) ‘Joint District Judge’ means the Joint District Judge appointment by the Government in consultation with the Supreme Court of Bangladesh.”]

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<sup>1</sup> Local Extent -This Regulation extends only to the Chittagong Hill Tracts - see s. 1(2).

<sup>2</sup> The word “East Pakistan” was replaced by the word “Bangladesh” by P.O. No. 48 of 1972 (“Bengal” was replaced by the word “East Pakistan” by A.O. 1949).

<sup>3</sup> The 1<sup>st</sup> May 1900, see Calcutta Gazette, 1900, pt. I, p. 350.

<sup>4</sup> The words “Provincial Government” were replaced by the words “Government” by P.O. No. 48 of 1972.

<sup>5</sup> Substituted by A. O. , 1937, for “Calcutta Gazette”.

<sup>6</sup> Substituted by Ben. Reg. I of 1939, sec 2, for the original section 2.

<sup>7</sup> Clause (b) was substituted by E.P. Reg. I of 1961, s. 3, for clause (b).

<sup>8</sup> The fullstop (.) was replaced by semi-colon (;) and than clause (c) and (d) were inserted by the Chittagong Hill Tracts (Amendment) Act, 2003 (Act XXXVIII of 2003.)



## CHAPTER – II LAWS

### Chittagong Hill Tracts; how to be administered--

3. Subject to the provisions of this Regulation, the administration of the Chittagong Hill Tracts shall be carried on in accordance with the rules for the time being in force under section 18.
4. Enactments applicable in Chittagong Hill Tracts -
  - (1) The enactments specified in the Schedule, to the extent and with the modifications therein set forth and so far as they are not inconsistent with this Regulation or the Rules for the time being in force thereunder, are hereby declared to be in force in the Chittagong Hill Tracts.
  - (2) No other enactment heretofore or hereafter passed shall be deemed to apply in the Chittagong Hill Tracts:

Provided that the <sup>9</sup>[Government] may, <sup>10</sup>[\*\*] by notification in the <sup>11</sup>[Official Gazette]

- (a) declare that any other enactment shall apply in the said Tracts, either wholly or to the extent or with the modifications which may be set forth in the notification; or
- (b) declare that any enactment which is specified in the schedule, or which has been declared to apply by a notification under clause (a) of this sub-section, shall cease to apply in the said Tracts:

<sup>12</sup>[Provided further that no such declaration shall be made after the commencement of Part III of the Govt. of India Act, 1935.]

## CHAPTER – III

### APPOINTMENT AND POWERS OF CERTAIN OFFICERS

#### Appointment of Deputy Commissioner and Subordinate Officers

5. The <sup>13</sup>[Government] may, by notification in the <sup>14</sup>[Official Gazette] –
  - (a) appoint any person to be the <sup>15</sup>[Deputy Commissioner] of the Chittagong Hill Tracts; and
  - (b) appoint so many <sup>16</sup>[Deputy Magistrates and Deputy Collectors] and other officers as it thinks fit to assist in the administration of the said Tracts.

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<sup>9</sup> The words "Provincial Government" were replaced by the words "Government" by P.O. No. 48 of 1972.

<sup>10</sup> The words " with the previous sanction of the Governor-General- in-Council" were omitted by Act XXXVIII of 1920

<sup>11</sup> Substituted by A. O. , 1937, for " *Calcutta Gazette*".

<sup>12</sup> The proviso was inserted by A.O. , 1937, Sch. XI.

<sup>13</sup> The words "Provincial Government" were replaced by the words "Government" by P.O. No. 48 of 1972.

<sup>14</sup> Substituted by A. O. , 1937, for " *Calcutta Gazette*".

<sup>15</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg IV of 1920), for " Superintendent".

### **Investment of Deputy Magistrate and Deputy Collector or Sub-Deputy Magistrate and Sub-Deputy Collector with powers of Deputy Commissioner**

6. The <sup>17</sup>[Government] may, by notification in the <sup>18</sup>[Official Gazette], invest any <sup>19</sup>[Deputy Magistrate and Deputy Collector, or Sub-Deputy Magistrate and Sub-Deputy Collector] with all or any of the powers of the <sup>20</sup>[Deputy Commissioner] under this Regulation or the rules for the time being in force thereunder, and define the local limits of his jurisdiction.

### **Chittagong Hill Tracts to be three Districts under three Deputy Commissioners**

7. The Chittagong Hill Tracts shall constitute <sup>21</sup>[three districts] for the purposes of criminal <sup>22</sup>[\*\*] jurisdiction and for revenue and general purposes, the <sup>23</sup>[Deputy Commissioner] shall be the District Magistrate, and subject to any orders passed by the <sup>24</sup>[Government] under section 6, the general administration of the said Tracts, in criminal, <sup>25</sup>[\*\*] revenue and all other matters, shall be vested in the <sup>26</sup>[Deputy Commissioner].

### **Three Hill Districts of Chittagong Hill Tracts to be Separate Sessions Divisions under Separate Sessions Judges**

8. <sup>27</sup>(1) The Rangamati, Khagrachory and Bandarban districts of the Chittagong Hill Tracts shall constitute three separate sessions divisions and the concerned District Judge shall be the Sessions Judge of the respective sessions divisions and the Joint District Judge shall be the Assistant Sessions Judge.  
  
<sup>(2)</sup> <sup>28</sup> [The Sessions Judge] may take cognizance of any offence as a court of original jurisdiction, without the accused being committed to him by a Magistrate for trial, and when so taking cognizance, shall follow the procedure prescribed by the Code of Criminal Procedure, 1898 (Act V of 1898), for the trial of <sup>29</sup>[\*\*] cases by Magistrates.

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<sup>16</sup> Substituted *ibid.*, for "Assistant Superintendent".

<sup>17</sup> The words "Provincial Government" were replaced by the words "Government" by P.O. No. 48 of 1972.

<sup>18</sup> Substituted by A. O. , 1937, for "*Calcutta Gazette*".

<sup>19</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg IV of 1920), for "Assistant Superintendents".

<sup>20</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg IV of 1920), for " Superintendent".

<sup>21</sup> The words "a district" were replaced by the words "three districts" by the Chittagong Hill Tracts (Amendment) Act, 2003 (Act XXXVIII of 2003).

<sup>22</sup> The words "and civil" were omitted by the words "three districts" by the Chittagong Hill Tracts (Amendment) Act, 2003 (Act XXXVIII of 2003).

<sup>23</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg IV of 1920), for " Superintendent"

<sup>24</sup> The words "Provincial Government" were replaced by the words "Government" by P.O. No. 48 of 1972.

<sup>25</sup> The word "civil" was omitted by the Chittagong Hill Tracts (Amendment) Act, 2003 (Act XXXVIII of 2003).

<sup>26</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg IV of 1920), for " Superintendent".

<sup>27</sup> The power of Sessions Judge and Additional Sessions Judge hitherto vested, respectively, upon the Divisional Commissioner, Chittagong and Additional Commissioner, Chittagong have been vested upon the newly-created posts of *Sessions Judge* (also exercising the powers of a District Judge while exercising civil jurisdiction) and *Assistant Sessions Judge* (also exercising the powers of a Joint District Judge while exercising civil jurisdiction) of each of the three hill districts, respectively, by the Chittagong Hill Tracts (Amendment) Act, 2003 ( Act XXXVIII of 2003).

<sup>28</sup> The words "As Sessions Judge the Commissioner" were replaced by the word "The Sessions Judge" by the Chittagong Hill Tracts (Amendment) Act, 2003 (Act XXXVIII of 2003).

<sup>29</sup> The word "warrant and -" was omitted by the Chittagong Hill Tracts (Amendment) Act, 2003 (Act XXXVIII of 2003).

### **Three Hill Districts to be Separate Civil Jurisdictions under Separate Districts Judges**

- <sup>30</sup>[(3) The Rangamati, Khagrachory and Bandarban districts of the Chittagong Hill Tracts shall constitute three separate civil jurisdictions under three District Judges.
- (4) The Joint District Judge as a court of original jurisdiction, shall try all civil cases in accordance with the existing laws, customs and usages of the districts concerned, except the cases arising out of the family laws and other customary laws of the tribes of the districts of Rangamati, Khagrachori and Bandarban respectively which shall be triable by the Mauza Headmen and Circle Chiefs.
- (5) An appeal against the order, judgment and decree of the Joint District Judge shall lie to the District Judge.]

### **High Court Division**

9. The <sup>31</sup>[High Court Division] shall exercise the powers of a <sup>32</sup>[High Court Division] for all purposes of the Code of Criminal Procedure, 1898 (Act V of 1898).

### **Power to Withdraw Cases**

- <sup>33</sup>[10 The Deputy Commissioner may withdraw any criminal or civil case pending before any officer or Court in the Chittagong Hill Tracts, and may either try it himself or refer it for trial to some other officer or court.]

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<sup>30</sup> Sub-section 3, 4 and 5 were inserted by the Chittagong Hill Tracts (Amendment) Act, 2003 (Act XXXVIII of 2003).

<sup>31</sup> The words "High Court Division" be construed as reference to "High Court Division" by P.O. No. 48 of 1972.

<sup>32</sup> Ibid;

<sup>33</sup> Repealed by section 5 of the Chittagong Hill Tracts (Amendment) Act, 2003 (Act XXXVIII of 2003).

## CHAPTER IV

### ARMS, AMMUNITION, DRUGS AND LIQUOR

#### Possession of Fire-arms and Ammunition and Manufacture of Gunpowder

11. (1) The <sup>34</sup>[Deputy Commissioner] may fix the number of firearms and the quantity and description of ammunition which may be possessed by the inhabitants of any village, and may grant permission, either to such inhabitants collectively or to any of them individually, to possess such firearms and ammunition as he may think fit.
- (2) All fire-arms for the possession of which permission is given under sub-section (1), shall be marked and entered in a register.
- (3) Any permission granted under sub-section (1) to possess firearms and ammunition may be withdrawn by the <sup>35</sup>[Deputy Commissioner] and thereupon all firearms and ammunitions referred to in such permission shall be delivered to the <sup>36</sup>[Deputy Commissioner] or one of his subordinates.
- (4) The <sup>37</sup>[Deputy Commissioner] may grant permission to any person to manufacture gunpowder, and may withdraw such permission.
- (5) Whoever, without the permission of the <sup>38</sup>[Deputy Commissioner] possesses or exports from the Chittagong Hill Tracts any fire-arms or ammunition or manufactures any gunpowder, shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.
- (6) The <sup>39</sup>[Deputy Commissioner] may, with the previous sanction of the <sup>40</sup>[Government] by order in writing, direct that sub-sections (1), (2), (4), and (5), or any of them shall not apply in any village specified in the order.

#### Daos, spears and bows and arrows

12. (1) The <sup>41</sup>[Deputy Commissioner] may, with the previous sanction of the Commissioner, by order in writing, prohibit all or any of the inhabitants of any village from carrying *daos*, spears, bows and arrows, or any of those weapons, in any tract to be defined in order, if he is of opinion that such prohibition is necessary, to the peace of such tract.
- (2) Every order made under sub-section (1) shall specify the length of time during which it shall remain in force.

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<sup>34</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg IV of 1920), for "Superintendent".

<sup>35</sup> Ibid;

<sup>36</sup> Ibid;

<sup>37</sup> Ibid;

<sup>38</sup> Ibid;

<sup>39</sup> Ibid;

<sup>40</sup> The words "Central Government" were replaced by the word "Government" by P.O. No. 48 of 1972.

<sup>41</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg IV of 1920), for "Superintendent";

- (3) Whoever disobeys an order made under sub-section (1) shall be punishable with imprisonment for a term, which may extend to six months, or with fine, or with both.

### **Intoxicating Drugs**

13. (1) Whoever, except under and in accordance with a license granted by the <sup>42</sup>[Deputy Commissioner], imports, exports, manufactures, possesses or sells opium, *ganja* or *charas*, or any preparation thereof, or cultivates any plant from which opium, *ganja* or *charas*, can be produced, shall be punishable with imprisonment for a term which may extend to <sup>43</sup>[two years in the case of a person who has not been previous convicted of an offence under this section or to five years in the case of a person, who has been so convicted, or with fine, or with both and shall also be punishable with whipping in lieu of, or in addition to any of the above punishments].

<sup>44</sup>[(2) Notwithstanding anything contained in sub-section (1) any person may without a license granted by the Deputy Commissioner -

- (a) Possess, for domestic use, one *tola* of *charas*, or of any preparation thereof or three *tolas* of *ganja*, or of any preparation thereof; and
- (b) If such person is registered under the provision of the rules made under this Regulation as a habitual consumer of opium, possesses such amount of opium or of any preparation thereof not exceeding five *tolas* in weight as he may be allowed to have in his possession at one time under the said rules.]

<sup>45</sup>[(3) Nothing in Sub-sections (1) and (2) shall apply to or in respect of “prepared opium” as defined in the <sup>46</sup>[\*\*] Opium Smoking Act, 1932.]

### **Foreign Spirit and Fermented Liquor**

14. (1) Whoever, except under and in accordance with a license granted by the <sup>47</sup>[Deputy Commissioner], imports or sells foreign spirit or fermented liquor, shall be punishable with imprisonment for a term which may extend to three months, with fine, or with both.

(2) Nothing in this section applies -

- (a) to the import by any person, for his private use and consumption, and not for sale, of any foreign spirit or fermented liquor on which duty has been paid; or
- (b) to the sale of any such spirit or liquor legally procured by any person for his private use and consumption and sold by him, or any auction on his behalf, or on behalf of his representatives in interest, upon his quitting station or after his decease.

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<sup>42</sup> Ibid;

<sup>43</sup> Substituted by Ben. Reg. I of 1937, s. 2(a) for the words “six months or with fine, or with both”.

<sup>44</sup> Substitute by Ben. Reg. I of 1937, for the original sub-section(2).

<sup>45</sup> Sub-section (3) was added by E. B. Reg. I of 1954

<sup>46</sup> The word “Bengal” be read as omitted, by P.O. 48 of 1972.

<sup>47</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg IV of 1920), for “Superintendent”.

**Explanation-** For the purposes of this section, the expression “Foreign Spirit or Fermented Liquor” means any spirit or fermented liquor not manufactured or produced in the Chittagong Hill Tracts.

### **Locally made Spirit and Fermented Liquor**

15. Whoever, except under and in accordance with a license granted by the <sup>48</sup>[Deputy Commissioner], exports or sells spirit or fermented liquor manufactured or produced in the Chittagong Hill Tracts, shall be punishable with imprisonment for a term which may extend to three months or with fine, or with both.

## **CHAPTER - V**

### **MISCELLANEOUS**

#### **Police**

16. The Chittagong Hill Tracts shall be deemed to be a general police district with the meaning of the Police Act, 1861 (Act V of 1861) and <sup>49</sup>[the \*\* Police Act, 1869] and the <sup>50</sup>[Inspector-General of Police], <sup>51</sup>[Bangladesh] shall exercise therein all the powers and authority conferred on an Inspector-General of Police.

#### **Control and Revision**

17. (1) All officers in the Chittagong Hill Tracts shall be subordinate to the <sup>52</sup>[Deputy Commissioner], who may revise any order made by any such officer, including <sup>53</sup>[a Deputy Magistrate and Deputy Collector or a Sub-Deputy Magistrate and Sub-Deputy Collector] invested with any of the powers of the <sup>54</sup>[Deputy Commissioner] under section 6.
- (2) The Commissioner may revise any order made under this Regulation by the <sup>55</sup>[Deputy Commissioner] or by any other officer in the Chittagong Hill Tracts.
- (3) The <sup>56</sup>[Government] may revise any order made under this Regulation.

#### **Power to make rules**

18. (1) The <sup>57</sup>[Government] may make rules for carrying into effect the objects and purposes of this Regulation.

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<sup>48</sup> Ibid;

<sup>49</sup> Substituted by Ben. Act, XVI of 1946, s. 2, and the First schedule, for “Bengal Act VII of 1896 (an Act to amend the constitution of the police force in Bengal).”

<sup>50</sup> Substituted by E.B. Reg. I of 1948, s. 2, for the word “Commissiонер”.

<sup>51</sup> The words “East Pakistan” were replaced by the word “Bangladesh” by P.O. No. 48 of 1972.

<sup>52</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg. IV of 1920), for “Superintendent”.

<sup>53</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg. IV of 1920), for the words “ an Assistant Superintendent”.

<sup>54</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1920 (Reg. IV of 1920), for “Superintendent”.

<sup>55</sup> Ibid;

<sup>56</sup> The words “Local Government” were replaced by the words “Government” by P.O. No. 48 of 1972.

<sup>57</sup> The words “Local Government” were replaced by the words “Government” by P.O. No. 48 of 1972.

- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may-
- (a) Provide for the administration of civil justice in the Chittagong Hill Tracts;
  - (b) Prohibit, restrict or regulate the appearance of legal practitioners in cases arising in the said Tracts;
  - (c) Provide for the registration of documents in the said Tracts;
  - (d) Regulate or restrict the transfer of land in the said tracts;
  - <sup>58</sup>[(dd) provide for the control of money-lenders and the regulation and control of money-lending in the said Tracts];
  - (e) Provide for the sub-division of the said Tracts into circles, <sup>59</sup>[and those circles] into *mauzas*;
  - (f) Provide for the collection of the rent and the administration for the revenue generally in the said circles,<sup>60</sup>[\*\*] and *mauzas* through the chiefs <sup>61</sup>[\*\*] and headman;
  - (g) Define the powers and jurisdiction of the chiefs, <sup>62</sup>[\*\*] and headmen, and regulate the exercise by them of such powers and jurisdiction;
  - (h) Regulate the appointment and dismissal of <sup>63</sup>[\*\*] and headmen;
  - (i) Provide for the remuneration of chiefs, <sup>64</sup>[\*\*], headmen and village officers generally by the assignment of lands for the purpose or otherwise as may be thought desirable;
  - (j) Prohibit, restrict or regulate the migration of cultivating *rayats* from one circle to another;
  - (k) Regulate the requisition by Government of land required for public purposes;
  - <sup>65</sup>[(kk) provide for compulsory vaccination in the said Tracts];
  - (l) Provide for the levy of taxes in the said Tracts; <sup>66</sup>[
  - (ll) provide for the registration of the persons who are habitual consumers of opium in the said Tracts; and]
  - (m) regulate the procedure to be observed by officers acting under this Regulation or the rules for the time being force thereunder;

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<sup>58</sup> Sub-clause (dd) was inserted by Ben. Reg. II of 1942.

<sup>59</sup> Substituted by the Chittagong Hill Tracts (Amendment) Regulation, 1925 (Reg IV of 1925), s, 2(a).

<sup>60</sup> The word "taluks" was omitted by the Chittagong Hill Tracts (Amendment) Regulation, 1925 (Reg IV of 1925), s, 2(b).

<sup>61</sup> The word "Diwans" was omitted by the Chittagong Hill Tracts (Amendment) Regulation, 1925 (Reg IV of 1925), s, 2(b).

<sup>62</sup> Ibid;

<sup>63</sup> Ibid;

<sup>64</sup> Ibid;

<sup>65</sup> Clause (kk) was inserted by Ben. Reg. I of 1945 section 2

<sup>66</sup> The word "and" was omitted and clause (ll) was inserted by s. 3 of the *Chittagong Hill Tracts (Amendment) Regulation 1937 (Bengal Regulation No. 1 of 1937)*

(3) All rules made by the <sup>67</sup>[Government] under this section shall be published in the <sup>68</sup>[Official Gazette] and on such publication, shall have effect as if enacted by this Regulation.

<sup>69</sup>[(4) The powers conferred by this section on the <sup>70</sup>(Government) shall be powers of the <sup>71</sup>(Government) as respects rules for the regulation of the following matters, namely: -

- (a) the possession of fire-arms and ammunition and the manufacture of gunpowder;
- (b) the cultivation, manufacture and sale for export of opium; and
- (c) the import or export across customs frontiers, as defined by the <sup>72</sup>(Government), of any intoxicating drug or foreign spirit or fermented liquor.]

#### **Bar to Jurisdiction of Civil and Criminal Courts**

19. Except as provided in this Regulation or in any other enactment for the time being in force, a decision passed, act done or order made under this Regulation or the rules thereunder, shall not be called in question in any Civil or Criminal Court.

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<sup>67</sup> The words "Local Government" were replaced by the words "Government" by P.O. No. 48 of 1972.

<sup>68</sup> Substituted by A. O. , 1937, for "Calcutta Gazette".

<sup>69</sup> Sub-sec (4) was inserted by A. O. , 1937, Sch. XI.

<sup>70</sup> The words "Central Government" were replaced by the words "Government" by P.O. No. 48 of 1972

<sup>71</sup> Ibid;

<sup>72</sup> The words "Central Government" were replaced by the words "Government" by P.O. No. 48 of 1972;



**[Repeal of certain enactments] {Rep. by the Amending Act, 1903 (Act I of 1903)}**

20. Act XXII of 1860 (an Act to remove certain tracts on the eastern border of the Chittagong District from the jurisdiction of the tribunals established under the General Regulation and Acts), Bengal Act IV of 1863 (an Act to amend Act XXII of 1860) and so much of the second schedule to the Scheduled Districts Act, 1874 (Act XIV of 1874), and of the Repealing and Amending Act, 1891 (Act XII of 1891), as relates to either of the enactments aforesaid, are hereby repealed.

(See Section 4)

**ENACTMENTS DECLARED IN FORCE IN THE CHITTAGONG HILL TRACTS**

<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1818	I	The Bengal State Prisoners Regulation, 1818	So much as may from time to time, be in force in the district of Chittagong.		
1843	V	The Indian Slavery Act, 1843	Ditto		Act of the Governor-General-in-Council
1850	XVIII	The Judicial Officers Protection Act, 1850	Ditto		Act of the Governor-General-in-Council
1850	XXXIV	The State Prisoners Act, 1850	Ditto		Act of the Governor-General-in-Council
1857	XI	The State Offences Act, 1857	Ditto		Act of the Governor-General-in-Council
1858	III	The State Prisoners Act, 1858	Ditto		Act of the Governor-General-in-Council
1860	XLV	The Penal Code, 1860	Ditto		Act of the Governor-General-in-Council
1861	V	The Police Act, 1861	Ditto		Act of the Governor-General-in-Council
1867	II	The Bengal Public Gambling Act, 1867	Shall apply in certain mauzas within the police stations of Kotwali, Barkal, Mahalchari and Dighinala in the Chittagong Hill Tracts.	Notification No. 18385-E, dated the 5 <sup>th</sup> Nov, 1928.	Bengal Act
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1867	XXII	The Sarais Act, 1867	Whole	The Chittagong Hill Tracts Sarias Regulation, 1951 (East Bengal Regulation No. I of 1951). 22 <sup>nd</sup> January, 1951	Act of the Governor General in Council

1869	VII	The Police Act, 1869	So much as may from time to time be in force in the district of Chittagong.		Act of the Governor-General-in-Council
1870	VII	The Court Fees Act, 1870	As modified in its application to Bengal and in so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with any rules made thereunder for the time being in force. Provided that no such rule shall increase the rate of any fee payable under the Court Fees Act.		Act of the Governor-General-in-Council
1871	I	The Cattle Trespass Act, 1871	Whole	Notification No. 399P dt. the 7 <sup>th</sup> June 1905.	Act of the Governor-General-in-Council
1872	I	The Evidence Act, 1872	So much as may from time to time, be in force in the district of Chittagong		Act of the Governor-General-in-Council
1872	XV	The Christian Marriage Act, 1872	Whole	Notification No. 10851-E.A. dt. the 7 <sup>th</sup> October 1926.	Act of the Governor-General-in-Council

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Autho rity sanctioning the extension.	Type of Law
1873		The Bengal Births and Deaths Registration Act, 1873	Whole	The Chittagong Hill Tracts Laws Regulation, 1946 (B.Reg. 1 of 1946), 21 <sup>st</sup> March, 1946	Act of the Governor-General-in-Council
1876	I	The <sup>73</sup> Mohammedan Marriages and Divorce Registration Act, 1876	Shall be deemed to have applied to the said Tracts with effect from 21/06/1949	From 21 <sup>st</sup> June, 1949.	Bengal Act
1877	XV	The Indian Limitation Act, 1877	So much as may from time to time, be in force in the district of Chittagong	In so far not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder vide Notification No. 5839 dt. 14.4.1916.	Act of the Governor-General-in-Council
1878	VII	<sup>74</sup> The Indian Forest Act, 1878	So much as may from time to time, be in force in the district of Chittagong		Act of the Governor-General-in-Council
1879	VI	The Elephants Preservation Act, 1879	So much as may from time to time, be in force in the district of Chittagong		Act of the Governor-General-in-Council
1880	XII	The Kazis Act, 1880	Shall be deemed to have applied to the said Tracts with effect from 21/06/1949	From 21 <sup>st</sup> June, 1949.	Bengal Act
1880	II	The Private Fisheries Protection Act, 1880	Whole	The Chittagong Hill Tracts Laws Regulation 1942 (Bengal Regu. No. I of 1942).	Bengal Act
Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Autho rity sanctioning the extension.	Type of Law
1881	III	The Chittagong Hill Tracts Frontier Police Regulation, 1881			Regulation made under Government of India Act, 1870 (33 vict., c 3)
1882	XII	The Indian Salt Act, 1882	The Salt Act 1882 as in force in the Dist. of Chittagong of the Bengal Regulation No.	The Chittagong Hill Tracts Laws (No. II)	Act of the Governor-General-in-

<sup>73</sup> The word 'Bengal' was omitted by P.O 48 of the 1972;

<sup>74</sup> The entries relating to the Indian Forest Act, 1878 were omitted by Bengal Regulation V of the 1942, s. 4;

			III of 1942 and the provisions of Section 5 of the Indian Finance (supplementary and Extending) Act 1931 in so far as those provisions relate to the duty on salt, shall apply to the Chittagong Hill Tracts.	Regulation 1942 (Bengal Regulation No. III of 1942).	Council
1884	IV	The Explosives Act, 1884	Whole	Notification No. 16276 Ex dated 1 <sup>st</sup> September 1927.	Act of the Governor-General-in-Council
1886	VI	The Births, Deaths and Marriages Registration Act, 1886	Whole	Notification No. 13083 E.A. dt. the 13 <sup>th</sup> August 1927.	Act of the Governor-General-in-Council
1889	II	The Private Fisheries Protection Act, 1889	Whole	The Chittagong Hill Tracts Laws Regulation 1942 (Bengal Regulation No. I of 1942)	Bengal Act
1889	IV	The Merchandise Marks Act, 1889	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation 1900 or with any rules made thereunder for the time being in force.	The Chittagong Hill Tracts Laws (No. V) Regulation 1942 (Bengal Regulation No. VI of 1942)	Act of the Governor-General-in-Council
1894	IX	The Prisons Act, 1894	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Notification No. 12837 E.A. dated the 3 <sup>rd</sup> December, 1934.	Act of the Governor-General-in-Council
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1897	X	The General Clauses Act, 1897	So far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules framed hereunder.		Act of the Governor-General-in-Council
1898	V	The Code of Criminal Procedure, 1898	So much as may from time to time, be in force in the district of Chittagong.	Nothing in the Code shall apply to cases tried by the chiefs, diwans or headman in exercise of the powers conferred upon them by rules made under section 18 of this Regulation.	Act of the Governor-General-in-Council
1898	VI	The Post Office Act, 1898	So much as may from time to time, be in force in the district of Chittagong.	(1) The proviso to Sub-section (1) of section 7 and the First Schedule shall be omitted.	Act of the Governor-General-in-Council

				<p>(2) For subsection (2) of section 7 the following shall be substituted:</p> <p>“(2) Unless and until notification as aforesaid is issued, the rates chargeable for the time being in the rest of British India shall be the rates chargeable in the Chittagong Hill Tracts.”</p>	
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Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Autho rity sanctioning the extension.	Type of Law
1899	I	<sup>75</sup> The Bengal General Clauses Act, 1899	So much as may from time to time, be in force in the district of Chittagong.		Act of the Governor-General-in-Council
1900	III	The Prisoners Act, 1900	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with any rules for the time being in force thereunder.	Notification No. 7598-P dt. the 28 <sup>th</sup> April, 1917.	Act of the Governor-General-in-Council
1903	II	The Indian Post Office (Amendment) Act, 1903	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with any rules for the time being in force thereunder.	Notification No. 5339 P dt. 14 <sup>th</sup> April 1916.	Act of the Governor-General-in-Council
1903	VII	The Indian Works of Defence Act, 1903	Whole	Notification No. 1308 P. D. dt. the 24 <sup>th</sup> October, 1904.	Act of the Governor-General-in-Council
1903	XV	The Indian Extradition Act, 1903	Whole	Ditto	Act of the Governor-General-in-Council
1906	III	The Coinage Act, 1906	Whole	The Chittagong Hill Tracts Regulation 1940 (Bengal Regulation No. I of 1940)	Act of the Governor-General-in-Council
1908	IX	The Limitation Act, 1908	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Notification No. 5839 P dt. the 14 <sup>th</sup> April, 1916	Act of the Governor-General-in-Council

<sup>75</sup> Bengal Act I of the 1899 is repealed in Chittagong Hill Tracts by s. 2 of the Eastern Bengal and Assam General Clauses Act, 1909 (E.B. and A. Act I of 1909);

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1908	VI	The Explosive Substances Act, 1908	Whole	The Chittagong Hill Tracts Laws Regulation, 1943 (Bengal Regulation I of 1943).	Act of the Governor-General-in-Council
1909	IV	The Whipping Act, 1909	In so far not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Ditto	Act of the Governor-General-in-Council
1910	III	The Penal Code (Amendment) Act, 1910	In so far not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Ditto	Act of the Governor-General-in-Council
1911	VIII	The Indian Army Act, 1911	Whole	The Chittagong Hill Tracts Law Regulation 1941 (Bengal Regulation No. II of 1941).	Act of the Governor-General-in-Council
1912	II	The Co-Operative Societies Act, 1912	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Notification No. 5839 P dt. the 14 <sup>th</sup> April, 1916.	Act of the Governor-General-in-Council
1912	VIII	The Wild Birds and Animals Protection Act, 1912	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Notification No. 7598 P dated the 28 <sup>th</sup> April, 1917.	Act of the Governor-General-in-Council
1913	I	The Extraction (Amendment) Act, 1913	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Notification No. 5839 P dt. the 14 <sup>th</sup> April, 1916.	Act of the Governor-General-in-Council
1913	VIII	The Indian Criminal Law (Amendment) Act, 1913	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Notification No. 5839 P dated 14 <sup>th</sup> April 1916.	Act of the Governor-General-in-Council
Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1913	III	The <sup>76</sup> Public Demands Recovery Act, 1919	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Notification No. 5839 P dated the 14 <sup>th</sup> April, 1916.	Bengal Act

<sup>76</sup> The word "Bengal" was omitted by Act VII of 1973 as amended by Act LIII of 1974(w.e.f the 26<sup>th</sup> March, 1971)



1914	VI	The <sup>77</sup> Medical Act, 1914	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Notification No. 5839 P dated the 14 <sup>th</sup> April, 1916	Bengal Act
1914	XIV	The Repealing and Amending Act, 1914	In so far as it relates to Acts in force in Chittagong Hill Tracts.	Notification No. 5839 P dated 14 <sup>th</sup> April 1916	Act of the Governor-General-in-Council
1914	X	The Post Office and Tele-graph (Amendment) Act, 1914 (Except Section 2)	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or the rules for the time being in force thereunder.	Notification No. 5839 P dated 14 <sup>th</sup> April 1916	Act of the Governor-General-in-Council
1917	I	The Steam Vessels Act, 1917	Whole	Notification No. 91 Mne., Dated the 16 <sup>th</sup> July, 1926.	Act of the Governor-General-in-Council
1919	XII	The Poisons Act, 1919	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with any rules for the time being in force thereunder.	Notification No. 16963-B.A. dated the 9 <sup>th</sup> December 1936.	Act of the Governor-General-in-Council
1920	II	The Eastern Frontier Rifles (Bengal Battalion) Act, 1920	Whole	The Chittagong Hill Tracts Laws (No. II) Regulation, 1940 (Bengal Regulation No. II of 1940).	Bengal Act
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1920	X	The Securities Act, 1920	In so far as it is inconsistent with the Chittagong Hill Tracts Regulation, 1900 or with any rules made thereunder for the time being in force.	The Chittagong Hill Tracts Laws (No. III) Regulation 1942 (Bengal Regulation No. IV of 1942.	Act of the Governor-General-in-Council
1920	XXXIV	The Passport Act, 1920	Shall apply to Chittagong Hill Tracts.	520/1(70) dt. 15/1/59.	Act of the Governor-General-in-Council
1922	XI	The Income-Tax Act, 1922	Shall apply to all persons in the Chittagong Hill Tracts except the indigenous hillmen.	The Chittagong Hill Tracts Laws Regulation, 1937 (Bengal Regulation No. II of 1937).	Act of the Governor-General-in-Council
		The Income-			Act of the

<sup>77</sup> Ibid;

1923	XV	Tax (Amendment) Act, 1923	Ditto	Ditto	Governor-General-in-Council
1923	XX	The Merchant Shipping Act, 1923	Whole	The Chittagong Hill Tracts Laws (No. V) Regulation 1943 (Bengal Regulation No. VI of 1943).	Act of the Governor-General-in-Council
1924	XI	The Income-Tax (Amendment) Act, 1924	Shall apply to all persons in the Chittagong Hill Tracts except the indigenous hillmen.	The Chittagong Hill Tracts Laws Regulation, 1937 (Bengal Regulation No. II of 1937).	Act of the Governor-General-in-Council
1925	III	The Highways Act, 1925	Whole	Notification No. 857 T-R dt. the 14 <sup>th</sup> Oct. 1932.	Bengal Act

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1925	IV	The Soldiers (Litigation) Act, 1925	Whole	The Chittagong Hill Tracts Laws (No. III) Regulation 1942 (Bengal Regulation III of 1943)	Act of the Governor-General-in-Council
1927	X	The Repealing and Amending Act, 1927	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with the rules for the time being in force thereunder and in so far as it relates to enactment in force in the said Tracts	Notification No. 6116 EA dt. the 13 <sup>th</sup> March, 1937.	Act of the Governor-General-in-Council
1927	XVI	The Forest Act, 1927	The Act shall apply to the Hill Tracts and shall be deemed to have applied to the said tracts with effect from the twenty-first day of Sept. 1927.  2. Any Notification purporting to have been issued or any rule or order purporting to have been made or any other action purporting to have been taken under the said Act before the commencement of the Bengal Regulation No. V of 1942 shall be deemed to be as valid as if it had been issued, made or taken under the said Act as applied to the said tracts by the Regulation referred to above.	The Chittagong Hill Tracts Laws (No. IV) Regulation 1942 (Bengal Reg. No. V of 1942 Sec. 2-3)	Act of the Governor-General-in-Council
1931	.....	The Indian Finance (Supplementary & Extending) Act, 1931	The Indian Salt Act 1882 as in force in the Dist. of Ch of the Bengal Regulation No. III of 1942 and the provisions of Section 5 of the Indian Finance (supplementary and Extending) Act 1931 in so far as those provisions relate to the duty on salt, shall apply to the Chittagong Hill Tracts.	The Chittagong Hill Tracts Laws (No. II) Regulation 1942 (Bengal Regulation No. III of 1942).	Act of the Governor-General-in-Council
Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1932	V	The Elephants Preservation (Bengal Amendment) Act, 1932	Whole	The Chittagong Hill Tracts Laws Regulation, 1942 (Bengal Regu. No. I of 1942).	Bengal Act
1932	VIII	The Bengal		The Chittagong Hill Tracts Laws	Bengal Act

		Rhinoceros Preservation Act, 1932	Whole	Regulation, 1942 (Bengal Regu. No. I of 1942)	
1932	XIV	The Air Force Act, 1932	Whole	The Chittagong Hill Tracts Laws (No. II) Regu. 1943 (Bengal Regu. No. II of 1943)	Act of the Governor-General-in-Council
1933	XXIV	The Indian Tea Control Act, 1933	Whole	Notification No. 17103 EA dated the 11 <sup>th</sup> December 1936.	Act of the Governor-General-in-Council
1934	II	The Reserve Bank of India Act, 1934	Whole	The Chittagong Hill Tracts Regulation 1940 (Bengal Regulation No. I of 1940).	Act of the Governor-General-in-Council
1934	XVI	The Matches (Excise Duty) Act, 1934	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with any rules for the time being in force thereunder.	Notification No. 3582 EA dated the 1 <sup>st</sup> March 1937.	Act of the Governor-General-in-Council
1937	XV	The Indian Army (Amendment) Act, 1937	Whole	Notification No. 71 T-S., dated the 9 <sup>th</sup> May, 1941.	Act of the Governor-General-in-Council
1937	XX	The Repealing and Amending Act, 1937	In so far as they affect any enactment at present in force in the Chittagong Hill Tracts.	Notification No. 386 S dated the 25 <sup>th</sup> March, 1943.	Act of the Governor-General-in-Council

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1938	I	The Repealing Act, 1938			Act of the Governor-General-in-Council
1938	VIII	The Indian Tea Control Act, 1938	Whole	Notification 20802 E.A. dated the 27 <sup>th</sup> September 1938.	Act of the Governor-General-in-Council
1938	VIII	The Indian Tea Control Act, 1938	Whole	Notification No. 11709 E. A. dt. the 9 <sup>th</sup> Nov., 1939	Act of the Governor-General-in-Council
1938	I	The Chittagong Hill Tracts Loans Regulation, 1938	2 <sup>nd</sup> February, 1939		Governor of Bengal
1939	.....	The Indian Finance Act, 1939	(a) In so far as it affect the Indian Post Office Act, 1898 (VI of 1898), and is not inconsistent with the Chittagong Hill Tracts Regulation 1900 (I of 1900) or the rules for the time being in force thereunder; and  (b) In so far as it affects the Indian Income Tax Act, 1922 (XI of 1922) subject to the exception that it shall not apply to the indigenous Hill-men in the said Tracts.	Notification No. 5932 E.A. dt. 20 <sup>th</sup> May 1939.	Act of the Governor-General-in-Council
1939	VII	The Income Tax (Amendment) Act, 1939	Shall not apply to the indigenous Hill-men in the Chittagong Hill Tracts.	Notification No. 8774 E.A. dt. 10-8-39.	Act of the Governor-General-in-Council
1939	VIII	The Dissolution of Muslim. Marriages Act, 1939	Whole	Notification No. 7359 E.A. dt. 3-7-1939.	Act of the Governor-General-in-Council
Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1939	XVI	The Registration of Foreigners Act, 1939	Whole	Notification No. 7007 E.A. dt. 22-6-1939.	Act of the Governor-General-in-Council
1939	XXII	The Criminal Law Amendment	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation 1900 (I of 1900) and the rules made thereunder	Notification No. 6927 E.A. dt. 20-6-1939.	Act of the Governor-General-in-Council

		Act, 1939	for the time being in force.		
1939	XXIV	The Indian Census Act, 1939	Whole	Notification No. 167 T-R dt. the 11 <sup>th</sup> Oct, 1939.	Act of the Governor-General-in-Council
1939	XXXIV	The Repealing and Amending Act, 1939	In so far as it affects any enactment at present in force in the Chittagong Hill Tracts.	Notification No. 1139 E.A. dated the 2 <sup>nd</sup> Non., 1939.	Act of the Governor-General-in-Council
1939	XXXV	The Defence of India Act, 1939	Shall apply, subject to following exceptions and modifications, namely:  (i) For Sub-section 3 of section I of the said Act the following sub-section shall be substituted:  “(3) This Section and Chapter II and IV shall come into force on the 17 <sup>th</sup> Feb., 1940.”  (ii) Chapter III of the said Act shall be deleted.  (iii) In Clause (f) of sub-section (I) of section 19 of the said Act for the words “High Court” the word “Governor” shall be substituted.	Notification No. 1940 E.A. dated the 17 <sup>th</sup> Feb., 1940.	Act of the Governor-General-in-Council
1939	XXXVI	The Indian Air Force Volunteer Reserve (Discipline) Act, 1939	Whole	Notification No. 820 E.A. dt. 23 <sup>rd</sup> Jan. 1940.	Act of the Governor-General-in-Council
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1939	I	The Foreigners Ordinance, 1939	Whole	Notification No. 4674 P dt. the 2 <sup>nd</sup> Sept., 1939.	Ordinance of the Governor-General
1939	II	The Registration Ordinance, 1939	Whole	Notification No. 4966 P dt. the 8 <sup>th</sup> Sept., 1939.	Ordinance of the Governor-General
1939	IV	The Transfer of Aircraft and Vessels Restriction Ordinance, 1939	Whole	Notification No. 75 T-R dt. the 21 <sup>st</sup> Sept., 1939.	Ordinance of the Governor-General
1939	V	The Defence of India Ordinance, 1939	Whole	Notification No. 4710 dt. the 4 <sup>th</sup> Sept., 1939.	Ordinance of the Governor-General
1939	VII	The Indian Air Force Volunteer Reserve (Discipline)	Whole	Notification No. 67 T-R dt. the 18 <sup>th</sup> Sept. 1939.	Ordinance of the Governor-General

		Ordinance, 1939			
1939	VIII	The Defence of India (Amendment) Ordinance, 1939	Whole	Notification No. 83 T-R dt. the 21 <sup>st</sup> Sept., 1939.	Ordinance of the Governor-General
1939		The <sup>78</sup> Dentists Act, 1939	Whole	Notification No. 158-T.R. dt. the 9 <sup>th</sup> Oct., 1939.	Act of the Governor-General-in-Council
1939		The Bengal General Clauses (Amendment) Act, 1939	Whole	Notification No. 3332-E.A. dt. the 18 <sup>th</sup> March, 1940.	Act of the Governor-General-in-Council
1939		The Eastern Frontier Rifles (Bengal Battalion Amendment) Act, 1939	Whole	Notification No. 296 dated the 26 <sup>th</sup> Oct., 1940.	Act of the Governor-General-in-Council
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Modification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1939		The Bengal Public Demands Recovery (Amendment) Act, 1939	Whole	Notification No. 3017-E.A. dt. 11 <sup>th</sup> March, 1940.	Act of the Governor-General-in-Council
1939		The Bengal Finance (Amendment) Act, 1939	Whole	Notification No. 48 dt. the 1 <sup>st</sup> May, 1940.	Act of the Governor-General-in-Council
1940	I	The Registration (Emergency Powers) Act, 1940	Whole	Notification No. 3008 E.A. dt. the 11 <sup>th</sup> March, 1940.	Act of the Governor-General-in-Council
1940	II	The Foreigners Act, 1940	Whole	Notification No. 2950 E.A. dt. the 9 <sup>th</sup> March, 1940.	Act of the Governor-General-in-Council
1940	II	The Indian Finance Act, 1940	Section 3 shall not apply to the indigenous hillmen in Chittagong Hill Tracts.	Notification No. 348 dt. the 24 <sup>th</sup> Dec. 1940.	Act of the Governor-General-in-Council
1940	IV	The Offences on Ships and Aircraft Act, 1940	Whole	Notification No. 2952 E.A. dt. the 9 <sup>th</sup> March, 1940.	Act of the Governor-General-in-Council
1940	VI	The Indian Coinage (Amendment) Act, 1940	Whole	Notification No. 214 dated the 30 <sup>th</sup> August 1940.	Act of the Governor-General-in-Council
1940	IX	The Reserve Bank of India (Amendment) Act, 1940	Whole	Notification No. 218 dated the 30 <sup>th</sup> August 1940.	Act of the Governor-General-in-Council

<sup>78</sup> The word "Bengal" was omitted by P.O 48 of 1972;

1940	XII	The Income Tax Law Amendment Act, 1940	Shall not apply to the indigenous Hill-men in Chittagong Hill Tracts.	Notification No. 124 dated the 15 <sup>th</sup> June 1940.	Act of the Governor-General-in-Council
1940	XIII	The Reserve Bank of India (Second Amendment) Act, 1940	Whole	Notification No. 218 dated the 30 <sup>th</sup> August 1940.	Act of the Governor-General-in-Council
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1940	XVI	The Indian Finance Act, 1940	Section 2-5 shall not apply to the Chittagong Hill Tracts and Section 7 shall not apply to the indigenous Hill-men.	Notification No. 79 dated the 20 <sup>th</sup> may 1940.	Act of the Governor-General-in-Council
1940	XIX	The Defense of India (Amendment) Act, 1940	Whole	Notification No. 71 dated the 11 <sup>th</sup> May 1940.	Act of the Governor-General-in-Council
1940	XXVIII	The Indian Works of Defense (Amendment) Act, 1940	Whole	Notification No. 410 dated the 3 <sup>rd</sup> Feb. 1941.	Act of the Governor-General-in-Council
1940	XXXII	The Repealing and Amending Act, 1940	In so far as it affects the Indian Tea Control Act, 1933 (XXIV of 1933).	Notification No. 408 dated the 2 <sup>nd</sup> May 1941.	Act of the Governor-General-in-Council
1940	XXXV	The Code of Criminal Procedure (Amendment) Act, 1940	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with any rules for the time being in force thereunder.	Notification No. 858 dt. the 21 <sup>st</sup> June 1941.	Act of the Governor-General-in-Council
1940	XL	The Income Tax (Amendment) Act, 1940	Shall apply subject to the following modifications and exceptions, namely: -  (i) that is sub-section (2) of section of the said Act for the word "April" the word "October" shall be substituted.  (ii) that clause (b) of sub-section (I) of section 10 of the said Act shall be omitted.  (iii) that sub-section (2) of section 10 of the said Act shall be omitted; and  (iv) that none of the provisions of the said Act shall apply to the indigenous Hill-men in the said tracts.	Notification No. 461 dt. the 20 <sup>th</sup> March 1941.	Act of the Governor-General-in-Council
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Authority sanctioning</b>	<b>Type of Law</b>



				<b>the extension.</b>	
1940	IV	The Currency Ordinance, 1940	Whole	Notification No. 217 dated the 30 <sup>th</sup> Aug., 1940.	Ordinance of the Governor-General
1940	VI	The Indian Coinage (Amendment) Ordinance, 1940	Whole	Notification No. 216 dated the 30 <sup>th</sup> August, 1940.	Ordinance of the Governor-General
1940	VII	The Indian Tea Control (Amendment) Ordinance, 1940	Whole	Notification No. 215 dated the 30 <sup>th</sup> August, 1940.	Ordinance of the Governor-General
1940	VIII	The Civic Guards Ordinance, 1940	Whole	Notification No. 258 dt. the 24 <sup>th</sup> Sept., 1940.	Ordinance of the Governor-General
1940	V	The Trade Marks Act, 1940	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with any rules for the time being in force thereunder and subject to the following modifications namely: -  (1) That in sub-section (3) of Section I of the said Act for the words "On such date as the Central Govt. may by notification in the Official Gazette appoint in this behalf" and words and figures "On the 1 <sup>st</sup> Day of Nov., 1942" may be substituted;	Notification No. 15 S dt. 11 <sup>th</sup> Sept., 1942 as amended by Notification No. 190 S dt. 30 <sup>th</sup> Sept., 1942.	Ordinance of the Governor-General
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Autho rity sanctioning the extension.</b>	<b>Type of Law</b>
			(2) that the sub-section (1) of section 20 in the provision to section 32 in section 33 and in sub-section (1) of sec. 68 of the said Act for the words "commencement of this Act" the words and figures "1 <sup>st</sup> day of Nov., 1942" shall be substituted;  (3) that in clause (b) of sub-section (1) of sec. 27 of the said		

			Act for the words “in force at or granted after the commencement of this section” the words and figures “in force on or granted after the 1 <sup>st</sup> day of Nov., 1942” shall be substituted; and  (4) that in section 83 of the said Act for the words “commencement of this section” the words and figures 1 <sup>st</sup> Day of November, 1942” shall be substituted.		
1940	IX	The War Risks (Goods) Insurance Ordinance, 1940	Shall apply subject to following modifications, namely: -  (1) In sub-section (1) of section 7 of the said Ordinance, for the words “such date as may be specified in this behalf by the Central Government by Notification in the official Gazette” the words and figures “the 30 <sup>th</sup> day of June, 1941 shall be substituted.  (2) In sub-section (1) of section 8 of the said Ordinance for the words and brackets “date on which war Risks (Goods) Insurance Scheme is put into operation” the words and figures “30 <sup>th</sup> day of June 1941” shall be substituted.	Notification No. 53 S dt. the 26 <sup>th</sup> May, 1941.	Ordinance of the Governor-General
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1940	X	The Indian Forces (Transfer) Ordinance, 1940	Whole	Notification NO. 71 T-S, dt. the 9 <sup>th</sup> May, 1941.	Ordinance of the Governor-General
1940	XII	The Indian Coinage (Second Amendment) Ordinance, 1940	Whole	Notification No 305 dt. the 6 <sup>th</sup> Nov., 1940.	Ordinance of the Governor-General
1940	XIV	The Indian Coinage (Third Amendment) Ordinance, 1940	Whole	Notification No. 388, dt. the 20 <sup>th</sup> Jan., 1941.	Ordinance of the Governor-General
1941	XIV	The Code of Criminal Procedure (Amendment) Act, 1941	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation 1900 (I of 1900) or with any rules for the time being in force thereunder.	Notification No. 2658 dt. the 24 <sup>th</sup> Dec. 1941.	Ordinance of the Governor-General
1941	XV	The Code of Criminal Procedure (Second	Ditto	Notification No. 2663 dt. the 24 <sup>th</sup> Dec. 1941.	Act of the Governor-General-in-

		Amendment) Act, 1941			Council
1941	XX	The Profession Tax Limitation Act, 1941	Whole	Notification No. 331 S dt. the 23 <sup>rd</sup> Feb. 1942.	Ordinance of the Governor- General
1941	XXIII	The Income Tax (Amendment) Act, 1941	None of the provisions of the said shall apply to the indigenous Hill-men in Chittagong Hill Tracts.	Notification No. 236 s dt. the 29 <sup>th</sup> Nov. 1941.	Ordinance of the Governor- General
1941	XXVII	The Trade Marks (Amendment) Act, 1941	Shall apply with effect from the 1 <sup>st</sup> day of Nov., 1942 and in so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with any rules for the time being in force thereunder.	Notification No. 16 S dt. 11 <sup>th</sup> Sept., 1942 amended by notification No. 191 S dt. 30 <sup>th</sup> Sept., 1942.	Ordinance of the Governor- General

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1941	VII	The Indian Finance Act, 1941	<p>Shall be deemed to have applied to the Hill Tracts with effect from 1<sup>st</sup> April, 1941 subject to the following exceptions, namely: -</p> <p>(i) Section 2, 4, 5 and 8 of the said Act shall not apply to the said tracts; and</p> <p>(ii) Section 7 of the said Act shall not apply to the indigenous Hill-men in the said tracts.</p> <p>Provided that the exception in respect of section 2 shall be in force until the 18<sup>th</sup> March, 1942 and the provisions of the said section shall thereafter, apply to the said tracts.</p>	Notification No. 39 S dt. the 2 <sup>nd</sup> May, 1941 as amended the notification No. 17 S dt. the 14 <sup>th</sup> April, 1942.	Ordinance of the Governor-General
1941	III	The Reserve Bank of India (Amendment) Ordinance, 1941	Whole	Notification No. 439 dt. the 3 <sup>rd</sup> February, 1941.	Ordinance of the Governor-General
1941	V	The State Prisoners (Detention of Lunatics) Ordinance, 1941	Whole	Notification No. 427 T-S dt. the 25 <sup>th</sup> July, 1941.	Ordinance of the Governor-General
1941	X	The Active Service Ordinance, 1941	<p>Shall apply subject to the following modifications, namely: -</p> <p>That the section 3 of the said Ordinance for the words "commencement of this Ordinance" the words "application of this Ordinance to the Chittagong Hill Tracts" shall be substituted.</p>	Notification No. 5781 S dt. the 19 <sup>th</sup> January, 1942.	Ordinance of the Governor-General
Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1941	XI	The Essential Services (Maintenance) Ordinance, 1941	Whole	Notification No. 316 S dt. the 10 <sup>th</sup> Feb., 1942.	Ordinance of the Governor-General
1941	XII	The War Risks (Goods) Insurance (Amendment) Ordinance, 1941	Whole	Notification No. 5780 S. dt. the 19 <sup>th</sup> January, 1942.	Ordinance of the Governor-General

1941	VII	The War Injuries Ordinance, 1941	Shall apply subject to the following modifications, namely:- that in clause (3) of section 2 of Ordinance No. VII of 1941, for the words "commencement of this Ordinance" the words "application of this Ordinance to the Chittagong Hill Tracts" shall be substituted.		Ordinance of the Governor-General
1941		The Eastern Frontier Rifles (Bengal Battalion Amendment) Act, 1941	Shall apply subject to the following modifications, namely: - that in the proviso added by section (2) of the said Act, the words "application to the Chittagong Hill Tracts" shall be substituted.	Notification No. 200 S dt. 17 <sup>th</sup> October, 1941.	Act of the Governor-General in Council
1942	VIII	The Penal Code (Amendment) Act, 1942	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation 1900 (I of 1900) or the rules for the time being in force thereunder	Notification No. 15 S dated the 13 <sup>th</sup> April, 1942.	Act of the Governor-General in Council
1942	IX	The Reserve Bank of India (Temporary) (Amendment) Ordinance, 1942	Whole	Notification No. 368 S., dt. the 17 <sup>th</sup> March, 1942.	Ordinance of the Governor-General-in-Council

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1942	IV	The Indian Coinage (Amendment) Ordinance, 1942	Shall apply subject to the following modifications, namely: -  That the sub-section (2) of Section 13 of the Indian Coinage Act, 1906 as substituted by Section 4 of Ordinance No. IV of 1942 for the words, brackets and figure "commencement of the Indian Coinage (Amendment) Ordinance, 1942" the words, brackets and figure "Application of the Indian Coinage (Amendment) Ordinance 1942, to the Chittagong Hill Tracts" shall be substituted.	Notification No. 358 S, dt. the 17 <sup>th</sup> March, 1942.	Ordinance of the Governor-General
1942	XX	The Collective Finance Ordinance, 1942	In so far as it is not inconsistent with the Chittagong Hill Tracts Regu. 1900 (I of 1900) or with any rules for the time being in force thereunder and subject to the following modifications, namely: - 1) that section 2 of the said Ordinance shall be omitted; and  2) that in sub-section (1) of section 3 of the said Ordinance after the words "of any area" the words "in the Chittagong Hill Tracts" shall be inserted.	Noification No. 113 S. dt. the 20 <sup>th</sup> July, 1942.	Ordinance of the Governor-General
1942	XLIII	The Collective Finance (Amendment) Ordinance, 1942	Whole	Notification No. 200 S dated the 12 <sup>th</sup> October, 1942.	Ordinance of the Governor-General

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1942	XLIX	The Collective Fines (Second Amendment) Ordinance, 1942	In so far as they are not inconsistent with the CHT Regulation, 1900 (I of 1900) or with any rules for the time being in force thereunder.	Notification No 266 S dt. the 31 <sup>st</sup> December, 1942.	Ordinance of the Governor-General
1942	LXIII	The Collective Fines (Third Amendment) Ordinance, 1942			Ordinance of the Governor-General
1942	III	The Penalties (Enhancement) Ordinance, 1942	Shall apply subject to the following modifications, namely: - that in section 2 of the Ordinance III of 1942 for the words "throughout the Province or in any specified area in the Province" the words "throughout the CHT or in any specified area therein" shall be substituted.	Notification No. 25 S dt. the 15 <sup>th</sup> April, 1942.	Ordinance of the Governor-General
1942	XXV	The Repealing and Amending Act, 1942	In so far as it affects any enactment at present in force in CHT.	Notification No. 399 S dt. 31 <sup>st</sup> March, 1943.	Act of the Governor-General in Council
1942	XII	The Indian Finance Act, 1942	Shall be deemed to have applied to the Chittagong Hill Tracts with effect from the 1 <sup>st</sup> April, 1942 subject to the following exception namely: - (i) Section 3, 4, 5, 6, 9, 10 of the said Act shall not apply to the said Tracts; and (ii) Section 9 of, and schedule II to the said Act shall not apply to the indigenous hillmen in the said tracts.	Notification No. 63-S dated the 18 <sup>th</sup> May, 1942.	Act of the Governor-General-in-Council
1942	VII	The Penalties (Enhancement) (Second Amendment) Ordinance, 1942	Whole	Notification No. 25 S dt. the 15 <sup>th</sup> April, 1942	Ordinance of the Governor-General

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Autho rity sanctioning the extension.	Type of Law
1942	XXIX	The Penalties (Enhancement) Second Amendment Ordinance, 1942	Whole	Notification No. 164 S. dt. 12 <sup>th</sup> Sept. 1942.	Ordinance of the Governor-General
1942	XLVI	The Penalties (Enhancement) Third Amendment Ordinance, 1942.	Whole	Notification No. 189 S dt. 1 <sup>st</sup> October, 1942.	Ordinance of the Governor-General
1942	XVIII	The Indian Army (Amendment) Ordinance, 1942	Whole	Notification No. 155 S. dt. the 24 <sup>th</sup> August 1943.	Ordinance of the Governor-General
1942	XXXI	The Indian Army Act (Application) Ordinance, 1942	Whole	Notification No. 155 S. dt. the 24 <sup>th</sup> August 1943.	Ordinance of the Governor-General
1942	LVIII	The Army and Air Force (Enrolment) Ordinance, 1942	So much of the Ordinance as relates to the amendment of the Indian Army Act 1911 (VIII of 1911)		Ordinance of the Governor-General
1942	LX	The Income Tax & Excess Profit Tax (Emergency) Ordinance, 1942	So much as pertains to the collection of Income Tax shall apply to the Chittagong Hill Tracts subject to the exception that none of the said provisions of the said Ordinance shall apply to the indigenous hill-men in the said tracts.	Notification No. 272 S dt. the 7 <sup>th</sup> Jan., 1943.	Ordinance of the Governor-General
1942	LIX	The Legal Tender (Inscribed Notes) Ordinance, 1942	Whole	Notification No. 245 S dt. the 1 <sup>st</sup> Dec., 1942.	Ordinance of the Governor-General
1942	I	The War Injuries (Amendment) Ordinance, 1942	Whole		Ordinance of the Governor-General
Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Autho rity sanctioning the extension.	Type of Law
1942	XXXIX	The War Injuries (Second Amendment) Ordinance, 1942.	Whole		Ordinance of the Governor-General
1942	XIV	The War Risks (Goods) Insurance	Whole		Ordinance of the Governor-



		(Amendment) Ordinance, 1942			General
1942	XIX	The War Risks (Goods) Insurance (Second Amendment) Ordinance, 1942	Whole	Notification No. 165 S dt. the 14 <sup>th</sup> Sept., 1942.	Ordinance of the Governor- General
1942	XXXVI	The War Risks (Goods) Insurance (Third Amendment) Ordinance, 1942.	Whole	Notification No. 165 S dt. the 14 <sup>th</sup> Sept., 1942.	Ordinance of the Governor- General
1942	XIV	The War Risks (Goods) Insurance (Amendment) Ordinance, 1942	Whole	Notification No. 165 S., dt. the 14 <sup>th</sup> Sept., 1942.	Ordinance of the Governor- General
1942	XIX	The War Risks (Goods) Insurance (Second Amendment) Ordinance, 1942			Ordinance of the Governor- General
1942	XLVII	The Indian Tea Control (Amendment) Ordinance, 1942	Whole	Notification No. 307 S dt. the 15 <sup>th</sup> Feb., 1943.	Ordinance of the Governor- General

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1942	X	The Civil Pioneer Force Ordinance, 1942	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation, 1900 or any rules made thereunder for the time being in force.	Notification No. 32 S dt. the 25 <sup>th</sup> April, 1942.	Ordinance of the Governor-General
1942	LXV	The Civil Pioneer Force (Amendment) Ordinance, 1942	Whole	Notification No. 278 S dt. 16 <sup>th</sup> January, 1943.	Ordinance of the Governor-General
1942	XXXVI	The War Risks (Goods) Insurance (Third Amendment) Ordinance, 1942	Whole		Ordinance of the Governor-General
1943	XII	The Reserve Bank of India (Governor's Power and Functions) Ordinance, 1943	Whole	Notification No. 387 S., dt. 25 <sup>th</sup> March, 1943	Ordinance of the Governor-General
1943	VII	The Civil Pioneer Force (Amendment) Ordinance, 1943	Whole	Notification No. 321 S dt. 26 <sup>th</sup> Feb., 1943.	Ordinance of the Governor General

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1943	IV	The Income Tax Proceedings Validity Ordinance, 1943	Shall apply subject to the following modifications, namely:- (i) that in section 2 of the said Ordinance for the words "commencement of this Ordinance" occurring for the first time the words "application of this Ordinance to the Chittagong Hill Tracts" and for the words "commencement of this Ordinance" occurring for the second time, the words "application of this Ordinance to the said tracts" shall be substituted; and (ii) that the provisions of the said Ordinance shall not apply to the indigenous Hillmen in the said tracts.		Ordinance of the Governor General
1943	XII	The Indian Tea Control (Amendment) Act, 1943	Whole. Shall be deemed to have applied to the Chittagong Hill Tracts with effect immediately before the expiration of the 31 <sup>st</sup> day of March, 1943.	Notification No. 75 S dt. the 17 <sup>th</sup> May, 1943.	Act of the Governor-General-in-Council
1943	XLI	The Sugar (Temporary Excise Duty) Ordinance, 1943	Shall apply subject to the following modification, namely: - 1. That in section 3 of the said Ordinance- (a) For the words "before the commencement of this Ordinance" the words "before application of this Ordinance to the Chittagong Hill Tracts" shall be substituted; and (b) For the words "at the commencement of this Ordinance" the words "at the date of application of this Ordinance to the said tracts" shall be substituted.		Ordinance of the Governor-General
Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1943	V	The Collective Fines (Amendment) Ordinance, 1943	Whole	Notification No. 301 S dt. the 11 <sup>th</sup> Feb., 1943.	Ordinance of the Governor-General
1943	XV	The Trade	Shall apply in so far as it is not	Notification No.	Act of the

		Marks (Amendment) Act, 1943	inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with any rules for the time being in force thereunder.	71 S dt. 13 <sup>th</sup> March 1943.	Governor-General-in-Council
1943	XLI	The Sugar (Temporary Excise Duty) Ordinance, 1943	<p>Shall apply subject to the following modification, namely: -</p> <p>1. That in section 3 of the said Ordinance-</p> <p>(a) for the words “ before the commencement of this Ordinance” the words “before application of this Ordinance to the Chittagong Hill Tracts” shall be substituted; and</p> <p>(b) For the words “at the commencement of this Ordinance” the words “at the date of application of this Ordinance to the said tracts” shall be substituted.</p> <p>2. That section 4 of the said Ordinance-</p> <p>(a) For the words “of the commencement of this Ordinance” the words “of the application of this Ordinance to Chittagong Hill Tracts” shall be substituted; and</p>	Notification No. 230 S. dt. the 30 <sup>th</sup> Nov., 1943.	Ordinance of the Governor-General
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Modification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
			<p>(b) For the words “on the date of the commencement of this Ordinance” the words “on the date of application of this Ordinance to the said tracts” shall be substituted.</p> <p>3. That in section 5 of the said Ordinance-</p> <p>(a) in sub-section (2) for the words and figures “1<sup>st</sup> day of December, 1943” the words and figures “1<sup>st</sup> day of Jan., 1944” shall be substituted; and</p> <p>(b) in sub-section (3) for the words and figures “1<sup>st</sup> day of December 1943” “1<sup>st</sup> day of January 1944” “1<sup>st</sup> day of February 1944” the words and figures “1<sup>st</sup> day of January 1944” and “1<sup>st</sup> day of Feb.,</p>		

			<p>1944” and “1<sup>st</sup> day of March 1944” shall be substituted respectively.</p> <p>4. That in section 6 of the said Ordinance for the words and figures “2<sup>nd</sup> day of February 1944” the words and figures “2<sup>nd</sup> day of March 1944” shall be substituted.</p> <p>5. That in from A of the schedule to the said Ordinance for the words “November” the words “December” shall be substituted.</p> <p>6. That in from B of the schedule to the said Ordinance for the words and figures “1<sup>st</sup> day of December 1943” the words and figures “1<sup>st</sup> day of January 1944” shall be substituted.</p>		
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1943	III	The Penalties (Enhancement) Amendment Ordinance, 1943	Whole	Notification No. 373 S dt. the 10 <sup>th</sup> March, 1943.	Ordinance of the Governor-General
1943	VI	The Penal Code (Amendment) Act, 1943	Whole	Notification No. 62 dated the 1 <sup>st</sup> May 1943.	Act of the Governor-General-in-Council
1943	X	The Tobacco (Excise Duty) Act, 1943	Whole	Notification No. 54 S dt. the 24 <sup>th</sup> April, 1943.	Act of the Governor-General-in-Council
1943	XXIV	The Discipline of Seamen Ordinance, 1943	Whole	Notification No. 255 S dated the 28 <sup>th</sup> December, 1943.	Ordinance of the Governor-General
1943	XXII	The Special Police Establishment (War Deptt.) Ordinance, 1943	Whole	Notification No. 222 S. dt. the 22 <sup>nd</sup> Nov., 1943.	Ordinance of the Governor-General
1943	XXXIII	The Military Stores (Unlawful possession) Ordinance, 1943	Whole	Notification No. 202 S dt. the 4 <sup>th</sup> Nov., 1943.	Ordinance of the Governor-General
1943	XXXIV	The Subversive Activities		Notification No. 210 S., dt. the	Ordinance of the

		Ordinance, 1943	Whole	15 <sup>th</sup> Nov., 1943.	Governor-General
1943	XXXVI	The Prisoners of War (Forfeiture of Emoluments) Ordinance, 1943	Whole	Notification No. 210 S., dt. the 15 <sup>th</sup> Nov., 1943.	Ordinance of the Governor-General

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Modification/Authority sanctioning the extension.	Type of Law
1943	XXXVIII	The Civil Pioneer Force (Third Amendment) Ordinance, 1943	Whole	Notification No. 219 S., dt. the 22 <sup>nd</sup> Nov., 1943.	Ordinance of the Governor-General
1943	XIX	The Special Criminal Courts (Repeal) Ordinance, 1943	Shall apply in so far as it is not inconsistent with the Chittagong Hill Tracts Regulation I of 1900 or with any rules for the time being in force thereunder and subject to the following modifications, namely:- that in sub-section (2) of section 3 and section 4 of the said Ordinance the words "commencement of this Ordinance" the words "application of this Ordinance to the Chittagong Hill Tracts" shall be substituted.	Notification No. 101 S., dated 26 <sup>th</sup> June, 1943.	Ordinance of the Governor-General
1943	XIV	The Defence of India (Amendment) Ordinance, 1943	Whole	Notification No. 76 S. dated the 21 <sup>st</sup> May 1943.	Ordinance of the Governor-General
1943	XX	The Reserve Bank of Indian (Limitation of Dividend) Ordinance. 1943	Whole	Notification No. 118-S dt. the 19 <sup>th</sup> July, 1943.	Ordinance of the Governor-General
1943	XXI	The Petrol Centres Ordinance, 1943	Whole	Notification No. 124-S dt. 24 <sup>th</sup> July, 1943.	Ordinance of the Governor-General

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Autho rity sanctioning the extension.	Type of Law
1943	I	The Enemy Agents Ordinance, 1943	Shall apply subject to the following modification, namely: - That in Sub-Section (I) of section 4 of the said Ordinance for the words, brackets and figures “commencement of this Ordinance” the words “application of this Ordinance to the Chittagong Hill Tracts” shall be substituted.	Notification No. 309 S dt. the 16 <sup>th</sup> Feb., 1943.	Ordinance of the Governor-General
1943	XV	The Enemy Agents (Amendment) Ordinance, 1943	Shall apply subject to the following modification, namely: - That in sub-section (2) of section 9, as inserted by the said Ordinance, for the words, brackets and figures “commencement of the Enemy Agents (Amendment) Ordinance, 1943 (XV of 1943)” the words, brackets and figures “application of the Enemy Agents (Amendment) Ordinance 1943 (XV of 1943) to the said tracts” shall be substituted.	Notification No. 80 S dt. the 31 <sup>st</sup> May, 1943.	Ordinance of the Governor-General
1943	XIV	The Indian Army and Air Force (Military Prisons and Detention Barracks) Act, 1943	So much of the Act as relates to the Amending of the Indian Army Act 1911 (VIII of 1911)	Notification No. 155 S dt. the 24 <sup>th</sup> Aug. 1943.	Act of the Governor-General-in-Council



Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Autho rity sanctioning the extension.	Type of Law
1943	VIII	The War Risks (Goods) Insurances (Amendment) Ordinance, 1943	Shall apply subject to the following modification, namely:- that in sub-section (3) of section 11 of the War Risks (Goods) Insurances Ordinance, 1940 (IX of 1940), as added by section 7 of Ordinance No. VIII of 1943, for the words and figures "1 <sup>st</sup> Day of October, 1940" and words and figures "29 <sup>th</sup> day of May 1941" shall be substituted.	Notification No. 374 S. dt. the 12 <sup>th</sup> March, 1943.	Ordinance of the Governor-General
1943	XXIX	The Criminal Law Amendment Ordinance, 1943	Shall apply subject to the following modifications viz., that in sub-section (1) of section 5 of the Ordinance for the words "commencement of this Ordinance" the words "date of application of this Ordinance to the Chittagong Hill Tracts" shall be substituted.	Notification No. 232 S., dt. the 1 <sup>st</sup> Dec., 1943.	Ordinance of the Governor-General
1943	XXXIX	The Criminal Law (Amendment) Ordinance, 1943	Whole	Notification No. 6 S., dated the 10 <sup>th</sup> April, 1944	Ordinance of the Governor-General
1943	XL	The Criminal Law (Second Amendment) Ordinance, 1943			
1944	VI	The Criminal Law (Amendment) Ordinance, 1944			
1944	II	The Central Excise and Salt Act and the Finance Act (Chittagong Hill Tracts) Regulation, 1944	Whole	10 August 1944	Governor-of East Bengal

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1944	XXIII	The Discipline of Seamen (Amendment) Ordinance, 1944	Whole	Notification No. 358 dated the 27 <sup>th</sup> June, 1944.	Ordinance of the Governor-General
1944	XXIX	The War Risk (Goods) Insurance (Amendment) Ordinance, 1944	Whole	Notification No. 112-S dated the 12 <sup>th</sup> August, 1944.	Ordinance of the Governor-General
1944	XXX	The Army (Provision for Dependents) Ordinance, 1944	<p>Shall apply subject to the following modifications, namely: -</p> <p>1. that in sub-section (2) of sub-section 2 of the said Ordinance for the words “commencement of this Ordinance” the words “date of application of this Ordinance to CHT” shall be substituted; and</p> <p>2. that in sub-section (2) of section 52 B of the Indian Army Act 1911 (VIII of 1911) as inserted by section 3 of the said Ordinance for the words “commencement of the Army (Provision for Dependent) Ordinance 1944 (XXX of 1944)” the words “date of application of the Army (Provision for Dependent) Ordinance, 1944 (XXX of 1944) to the Chittagong Hill Tracts” shall be substituted.</p>	Notification No. 111-S dated the 12 <sup>th</sup> August, 1944.	Ordinance of the Governor-General

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1944	V	The Indian Army (Amendment) Ordinance, 1944	Whole	Notification No. 346 S. dated the 24 <sup>th</sup> March, 1944.	Ordinance of the Governor-General
1944	I	The Central Excise and Salt Act, 1944	The Central Excise and Salt Act, 1944 with the exception of sub-section (3) of section I of that Act shall apply to the Chittagong Hill Tracts and shall be deemed to have applied to the said tracts with effect from the 1 <sup>st</sup> day of April, 1944.	Notification No. 53 S dt the 26 <sup>th</sup> May, 1941	Act of the Governor-General
1944	...	The Indian Finance Act, 1944	<p>2. The Indian Finance Act 1944 with the exception of section 4, 7 and 8 of that Act shall apply to the Chittagong Hill Tracts and shall be deemed to have applied to the said tracts with effect from the 1<sup>st</sup> day of April, 1944.</p> <p>3. Anything done or any action taken or any proceeding commenced before the commencement of the Regulation mentioned in column 5 which, if the said Central Excise and Salt Act or the said Indian Finance Act had applied to the Chittagong Hill Tracts with effect from the 1<sup>st</sup> day of April, 1944 could have been validly done, taken or commenced shall not be invalid by reason of the fact that the said Central Excise and Salt Act or the said Indian Finance Act, as the case may be, did not</p>		

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
			so apply but shall be deemed to have been done, taken or commenced in exercise of the powers conferred by or under the said Central Excise and Salt Act or the said Indian Finance Act as the case may be as if it had applied to the said tracts with effect from the 1 <sup>st</sup> day of April, 1944.		
1944	XI	The Enemy Agents (Amendment) Ordinance, 1944	Whole	Notification No. 39 S dated the 10 <sup>th</sup> May 1944.	Ordinance of the governor in General
1944	XIII	The Burma Police Forces (Discipline Enforcement) Ordinance, 1944	Whole	Notification No. 100 S dated the 24 <sup>th</sup> July, 1944.	Ordinance of the governor in General
1944		The Indian Soldiers (Litigation) Amendment Ordinance, 1944	Whole	Notification No. 50 S dated 25 <sup>th</sup> May, 1944.	Ordinance of the governor in General
1944	IV	The Military Safety (Powers of Detention) Ordinance, 1944	Whole	Notification No. 301-S dt. the 14 <sup>th</sup> Feb., 1944.	Ordinance of the governor in General
1944	XLIV	The Indian Army (Third Amendment) Ordinance, 1944	Whole	Notification No. 162 S dt. the 10 <sup>th</sup> Nov., 1944	Ordinance of the governor in General

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1944	XLVIII	The Code of Criminal Procedure (Amendment) Ordinance, 1944	In so far as it is not inconsistent with the Chittagong Hill Tracts Regulation, 1900 (I of 1900) or with any rules for the time being in force thereunder.	Notification No. 172 S dt. the 24 <sup>th</sup> Nov., 1944.	Ordinance of the Governor-General
1944	XLIV	The Criminal Law (Amendment Sixth Amending) Ordinance, 1944	Whole	Notification No. 174 S dt. the 24 <sup>th</sup> Nov., 1944.	Ordinance of the Governor-General
1944	XLV	The Income Tax and Excess Profits Tax (Validity of Notices) Ordinance, 1944	So much as pertains to the notices under the Indian Income Tax Act, 1922 shall apply to the Chittagong Hill Tracts subject to the following modifications, namely:  (i) that in section 2 of the said Ordinance for the words "commencement of the Ordinance" in the two places where they occur the words "application of this Ordinance to the Chittagong Hill Tracts" shall be substituted; and  (ii) that none of the provisions of the said Ordinance shall apply to the indigenous hillmen in the said tracts.	Notification No. 176 S dt. the 28 <sup>th</sup> Nov., 1944.	Ordinance of the Governor-General
1945	IX	The Income Tax (Amendment) Ordinance, 1945	14 <sup>th</sup> February, 1948	The whole subject to the exception that none of the provisions shall apply to the Indigenous Hillmen.	Ordinance of the Governor-General
Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1949	I	The East Bengal Excluded and Partially Excluded Areas Laws (Second) Regulation, 1949			Governor of East Bengal
		The Pakistan	1 <sup>st</sup> April, 1949	The whole subject to the	Government

1949	VIII	Finance Act (Amendment) Ordinance, 1949		exception that section 2 shall not apply to the Indigenous Hillmen.	t of East Bengal
1949	XXVIII	Jute Ordinance, 1949	Shall be applicable in Chittagong Hill Tracts and to the partially excluded areas of Mymensingh.	Date of commencement 22 <sup>nd</sup> October, 1949.	Governor of East Bengal
1950	IV	Do	Ditto	4 <sup>th</sup> July, 1950.	Governor of East Bengal
1950	LXXVI	The East Bengal (Smuggling and Food grains) Act, 1950	Ditto	Shall apply to Chittagong Hill Tracts and particularly to partially excluded areas of Mymensingh.	Act of the Governor of the East Bengal
1950	XXII	The East Bengal (Smuggling and Food grains) (Amendment) Act, 1950	Ditto	Ditto	Act of the Governor of the East Bengal

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1950	VI	The Income Tax Business Profit Tax (Amendment) Act, 1950	13 <sup>th</sup> January, 1950	The whole subject to the following modifications and exceptions, namely:- (i) that subsection (2) of section 1 shall be omitted. (ii) that sections 18 to 23 shall be omitted. (iii) that none of the provisions shall apply to the indigenous Hillmen.	Act of the Governor of the East Bengal
1950	LX	The Income Tax (Amendment) Act, 1950	23 <sup>rd</sup> October, 1950	The whole subject to the exception that none of the provisions shall apply to the Indigenous Hillmen.	Act of the Governor of the East Bengal
1950.	---	The Passport (Amendment) Act, 1950	Shall apply to Chittagong Hill Tracts.	520/1(70) dt. 15/1/59.	Act of the Governor of the East Bengal
1951	XXXII	East Bengal Jute Dealers Regulation (Amendment) Act, 1951	Shall be applicable in Chittagong Hill Tracts and to the partially excluded areas of Mymensingh.	From 23 <sup>rd</sup> November, 1951.	Act of the Governor of the East Bengal
1951	VI	The Civil Defence (Special Powers) Ordinance, 1951	Shall apply in Chittagong Hill Tracts and to the partially excluded areas of Mymensingh from the date of publication.		Act of the Governor of the East Bengal

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
1951	VII	The Chittagong Hill Tracts Sarais Regulation, 1951			Governor of the East Bengal
1951	XV	East Bengal Jute Dealers Registration (Amendment) Ordinance, 1951	Shall apply in Chittagong Hill Tracts and to the partially excluded areas of Mymensingh from the date of publication.	23 <sup>rd</sup> July, 1951.	Governor of the East Bengal
1951	XXXIV	The Court Fees (East Bengal 2 <sup>nd</sup> amendment) Act, 1951	Shall apply in Chittagong Hill Tracts and to the partially excluded areas of Mymensingh from the date of publication.	27 <sup>th</sup> Nov., 1951.	Act of the Governor of the East Bengal
1951	III	The Court Fees (East Bengal Amendment) Act, 1951	Whole		Act of the Governor-General-in-Council
1951	II	The <sup>79</sup> Citizenship Act, 1951	Whole	Notification No. 4060 -Poll dt. 11/10/51.	Act of the Governor-General-in-Council
1951	--	The Registration of Foreigners Ordinance, 1951	Shall apply to Chittagong Hill Tracts.	520/1(70) dt. 15/1/59.	Ordinance of Governor of the East Bengal
1951	--	Civil Defence (Special Powers) Ordinance. Ordinance VI of 1951	Whole	Notification No. 646 C.D. dt. the 24 <sup>th</sup> Sept., 1951.	Ordinance of Governor of the East Bengal

<sup>79</sup> The word "Pakistan" was omitted by P.O 48 of 1972;



<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Modification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1952.	---	The Foreigners (Amendment) Ordinance, 1952	Shall apply to Chittagong Hill Tracts		Ordinance of Governor of the East Bengal
1953	I	The Chittagong Hill Tracts (Tariff and Customs) Regulation, 1952	15 <sup>th</sup> August, 1953		Governor of the East Bengal
1953	II	The Chittagong Hill Tracts (Prevention of Corruption) Regulation, 1953	11 <sup>th</sup> November, 1953		Governor of East Bengal
1954	I	The Chittagong Hill Tracts Laws Opium Smoking Regulation, 1954	3 <sup>rd</sup> March, 1954		Governor of East Bengal
1954	II	The Chittagong Hill Tracts Laws (Labour Laws) Regulation, 1954	6 <sup>th</sup> August, 1954		Governor of East Bengal
1955	I	The Chittagong Hill Tracts Cinematograph Regulation, 1955	2 <sup>nd</sup> February, 1954		Governor of East Bengal
1955	II	The Chittagong Hill Tracts Criminal Law (Industrial Areas) Regulation, 1955	12 <sup>th</sup> April, 1955		Governor of East Bengal
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Modification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1956	II	The Chittagong Hill Tracts (Industrial Laws) Regulation, 1956	13 <sup>th</sup> June, 1956		Governor of East Pakistan
		The Chittagong	26 <sup>th</sup> October, 1956		Governor

1956	III	Hill Tracts (Nurses) Regulation, 1956			of East Pakistan
1957	I	The Chittagong Hill Tracts Motor Vehicles Regulation, 1957	14 <sup>th</sup> May, 1957		Governor of East Pakistan
1957	II	The Chittagong Hill Tracts Petroleum Regulation, 1957	26 <sup>th</sup> October, 1957		Governor of East Pakistan
1957	--	The Foreigners (Amendment) Act, 1957	Shall apply to Chittagong Hill Tracts.	520/1(70) dt. 15/1/59.	Governor of East Pakistan
1957	XV	The East Pakistan Film Development Corporation Act, 1957	Shall apply to Chittagong Hill Tracts.	2673-Genl. dt. 4/7/59.	Governor of East Pakistan
1958	I	The Chittagong Hill Tracts (Land Acquisition) Regulation, 1958		Notification No. 22/11/58-Pol (I), dated the 4 <sup>th</sup> July, 1958	Governor of East Pakistan
1958	XIV	The Customs (Amendment) Act, 1958	Shall apply to the Chittagong Hill Tracts.	2555 Central dt. 14/6/58.	Governor of East Pakistan
<b>Year</b>	<b>Number</b>	<b>Short title or subject</b>	<b>Extent of Application, Date of Commencement</b>	<b>Notification/Mo dification/Authority sanctioning the extension.</b>	<b>Type of Law</b>
1958.	LXXII	The East Pakistan Anti-Corruption (Amendment) Ordinance, 1958	Shall apply to Chittagong Hill Tracts.	146/1(57) dt. 15/1/58.	Governor of East Pakistan
1958	XI	The Aldame Amendment Act, 1958	Shall apply to Chittagong Hill Tracts.	18/1(48)-G dt. 2/1/59.	Governor of East Pakistan
1958.	LXXV	The East Pak. Inland Water Transport Authority Ordinance, 1958	Shall apply to Chittagong Hill Tracts.	2835-HT dt. 31/3/59.	Governor of East Pakistan
1959	II	The Chittagong Hill Tracts Employment (Record of Services) Regulation,	28 <sup>th</sup> December, 1959		Governor of East Pakistan

		1959			
1959	--	The Registration of Foreigners Rules, 1959	Shall apply to Chittagong Hill Tracts.	520/1(70) dt. 15/1/59.	Governor of East Pakistan
1959	--	The East Pakistan Cattle (Prevention of Trespass) Ordinance, 1959	Shall apply to Chittagong Hill Tracts.	1282/2 dt. 6/5/59.	Governor of East Pakistan
1959	I	The Chittagong Hill Tracts Government Lands and Buildings (Recovery of Possession) Regulation, 1959	9 <sup>th</sup> November, 1959		Governor of East Pakistan

Year	Number	Short title or subject	Extent of Application, Date of Commencement	Notification/Mo dification/Authority sanctioning the extension.	Type of Law
-	--	The Bengal Expiring Laws Act,	In so far as it affects the Court Fees (Bengal 2 <sup>nd</sup> Amendment) Act, 1935 (Bengal Act XI of 1935).	Notification No. 11628 E.A. dated the 7 <sup>th</sup> Nov., 1939.	Act of Governor of East Bengal
--	--	The Bengal Rates of Interest Act,	In so far as it affects the Bengal Public Demands Recovery Act 1913 (Bengal Act III of 1913)	Notification No. 5459 E.A. dt. 10 <sup>th</sup> May, 1939.	Act of Governor of East Bengal
-	-	The Bengal Finance Act,	Whole	Notification No. 7983 E.A. dt. 19 <sup>th</sup> July, 1939.	Act of Governor of East Bengal
-	-	Inland Seaman Vessels (Bengal Amendment) Act,	Whole	Notification No. 105 dt. the 25 <sup>th</sup> May, 1940.	Act of Governor of East Bengal
-	-	The Eastern Frontier Rifles (Bengal Battalion)	Whole	Notification No. 2308-PI dt. 9 <sup>th</sup> June, 51 (Home Deptt.) Police.	Act of Governor of East Bengal
1960	IV	The Chittagong Hill Tracts Aerial Ropeways Regulation, 1960	23 <sup>rd</sup> December, 1959		Governor of East Pakistan
1976	LXXVII	The Chittagong Hill Tracts Development Board Ordinance, 1976	Bangladesh Gazette dated 21th October, 1976		President of Peoples' Republic of Bangladesh

<sup>80</sup>**RULES FOR THE ADMINISTRATION OF  
THE CHITTAGONG HILL TRACTS**

**Administration of Civil Justice-**

1. The Administration of Civil Justice shall be conducted in the most simple and expeditious manner compatible with the equitable disposal of the matter or suits.
2. The officer dealing with the matter or suit will in the first instance endeavour, upon the viva voce examination of the parties, to make a justice award between them. Witnesses should not be sent for, except when the officer is unable without them to come to a decision upon the facts of the case.
3. The record shall contain the following particulars, namely, the name of the plaintiff, the name of the defendant, the nature of the claim or other matter in litigation, an abstract of the plaintiff's case and abstract of the defendant's case, an abstract of the depositions of the witnesses (where witnesses are examined), the ground of the decision, and the order, signed and dated.
5. No court-fee shall be payable on a memorandum of appeal in cases where a Chakma, Mogh or member of any tribe indigenous to the Hill Tracts is an appellant, nor shall such fee be payable by Hillmen in the said tracts in revenue cases in respect of petitions for settlement or relinquishment of lands, remission of rents, mutation, demarcation and sub-letting of lands.

<sup>81</sup>A court-fee of two annas only shall be payable on all petitions relating to miscellaneous matters including petitions praying for time presented whether by Hillmen or by non-hillmen in the said Tracts.

5. <sup>82</sup>For the service of processes, fees shall be payable at the rate of six annas a day, according to the number of days required for service, to the person to whom the process is sent for service. The name of such person and the fee payable to him shall be endorsed on the process by the officer who issued it.
6. <sup>83</sup>In the issue and enforcing of processes and commissions and the execution of decree the officer shall be guided, as far as may be, by the provisions of the Code of Civil Procedure, 1908 (Act V of 1908), for the time being in force.

In the case of processes and decrees received from Courts of other districts, the following rules shall be observed: -

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<sup>80</sup> Made under section 18 of the CHT Regulation I of 1900 by the Government of Bengal and published with Notification No. 123 P- dated . the 1<sup>st</sup> May, 1900 at page 429 Part I of the Calcutta Gazette dated . 2<sup>nd</sup> May, 1900.

<sup>81</sup> As amended by Notification No. 1060 E.A. dated. the 15<sup>th</sup> Jan.,1933, published at page 121, part I of the Calcutta Gazette, dated the 20<sup>th</sup> Jan, 1933.

<sup>82</sup> As amended by the Notification No. 688 T-R dated the 20<sup>th</sup> October 1925 published at page 1702, Part I of the Calcutta Gazette, dated the 29<sup>th</sup> October, 1925.

<sup>83</sup> As amended by Notification No. 13066 P dated. the 3<sup>rd</sup> December, 1920, published at page 2312, Part I of the Calcutta Gazette, dated the 8<sup>th</sup> December, 1920 & 7505 E.A. dated the 10<sup>th</sup> June, 1931,& 5176 E.A. dated the 2<sup>nd</sup> May 1939, published at page 1156, Part I of the Calcutta Gezette, dated the 11<sup>th</sup> May, 1939.

- (1) The Deputy Commissioner shall serve all processes and execute decrees, which are sent to him for service or execution by civil courts outside the Chittagong Hill Tracts courts, and which are accompanied -
  - (a) by an English letter explaining, in the case of process, the nature of the suit, and forwarding , in the case of decree, a copy of the judgment; and
  - (b) by the fees prescribed by the High Court.
- (2) In any case in which, owing to boat-hire or the carriage of rations or similar causes the cost of service or execution will exceed the fees received, the Deputy Commissioner will stay service and will state the costs to the civil Court concerned, and request that the requisite amount be forwarded.
- (3) In any case in which the Deputy Commissioner finds that the process should not be served, or that the decree should not be executed, he will record his reasons for so finding, and will at once forward them to the Civil Court concerned, and will retain the process or decree and fees till final orders are passed.
- (4) In any case in which the judgment-debtor is a member of an indigenous tribe and was not residing in or carrying on business outside the Hill Tracts at the time when the debt was contracted, if the decree sent for execution from a Court outside the Hill Tracts includes interest and costs which would not be admissible under these rules in the Hill Tracts, the Deputy Commissioner may, for reason to be recorded in writing, refuse to execute the decree to the extent of the interest and cost not admissible under the rules. He shall forward a copy of his order to the Civil Court concerned. An objection to an order under this rule may be preferred only by the decree-holder within thirty days to the Commissioner under section 17(2) or to Government under Section 17(3) of the Regulation.
- (5) In either of the cases provided for by rules (2) and (3), the Civil Court concerned may refer the Deputy Commissioner's orders directly to the Commissioner of Chittagong, and the Commissioner shall pass orders on such reference and communicate them directly to the Civil Court concerned. If any Civil Court desires to make a reference from the Commissioner's order, such reference shall be addressed to the District Judge for the Orders of Government.
- (6) The Deputy Commissioner, will serve the processes and execute the decrees referred to in these rules by the agency of a Nazir (through the Sub-Divisional Officer concerned), or of the Circle Chiefs, or of the registered Headmen, according to the rank and status of the person on whom the process is to be served or who is the judgment-debtor. The police may not be employed in such service or execution, except to convey the sealed orders to the agent selected for service or execution.
- (7) The Deputy Commissioner will, in every case, report on the service of the process to the Civil Court concerned, and as regards the execution of decrees, will keep up communication with such Court till the case is disposed of.

7. (i) The rate of interest decreed by the Courts shall in no case exceed 10% percent per annum in the case of unsecured loans, 8% percent per annum in the case of secured loans and to compound interest arising from any intermediate adjustment of account shall be decreed.

<sup>84</sup>7(ii) The rate of interest decreed by the Courts shall in no case exceed  $18\frac{3}{4}$  percent per annum and no compound interest arising from any intermediate adjustment of account shall be decreed.

- <sup>85</sup>7A No Court shall decree on account of arrears of interest a sum greater than the principal of the loan.

8. Deeds which must be registered under the rules following for the registration of deeds shall not be allowed to be filed in any suit unless they have been duly registered.

9. Suits shall be admitted only on registered bonds in all cases in which registration would be compulsory if the transactions, out of which the claims arise, were completed by the execution of bonds.

10. All orders passed in Civil Suits shall be appealable to the Commissioner, who may decide by whom the costs in any such appeal shall be paid.

- <sup>86</sup>10(A). No suit shall lie in CHT on account of credit sales when the aggregate amount of the claim exceeds twenty rupees.

### **Legal practitioners and Agents**

11. <sup>87</sup> No legal practitioners shall be permitted to appear in any matter provided that with the consent of the Commissioner a pleader may appear in Session Cases and in appeal and revision cases before the Commissioner where the subject matter of such appeals or cases is of the amount of or value of Rs. 2,000/00 or over and in all cases where the Chiefs are personally concerned, they are as far as possible to be personally dealt with. Agents are only to be allowed when the personal presence of the Chief is inconvenient or impracticable, and they must not be legal practitioners.

### **Registration of Deeds**

12. <sup>88</sup> Deeds of the following kinds shall be registered, provided that the property to which they relate is situated, or the work or act to which they relate is to be performed, within the Chittagong Hill Tracts.

(a) Deeds of sale, gift, partition or mortgage of immovable properties.

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<sup>84</sup> As amended by Notification No. 13066 P dated the 3<sup>rd</sup> December, 1920, published at page 2312, Part I of the Calcutta Gazette dated the 8<sup>th</sup> December, 1920.

<sup>85</sup> As amended by Notification No. 18739 E.A. dated the 10<sup>th</sup> December, 1935, published at page 2562, Part I of the Calcutta Gazette, dated the 19<sup>th</sup> December, 1935.

<sup>86</sup> As inserted by Notification No. 11059 E.A. dated the 31<sup>st</sup> July, 1936.

<sup>87</sup> As amended by Notification No. 1445 E.A. dated the 29<sup>th</sup> January, 1930, published at page 144 Part I of the Calcutta Gazette, dated the 6<sup>th</sup> February, 1930.

<sup>88</sup> As amended by Notification No. 14161 Ex. dated the 10<sup>th</sup> September, 1927, published at page 1892 part I of the Calcutta Gazette, dated the 15<sup>th</sup> September, 1927.

- (b.) <sup>89</sup>Leases of immovable property for any term exceeding one year, excluding Kabuliate executed by tenants in favour of Government.
  - (c) Bonds, promissory notes, and engagement for payment of money.
  - (d) Engagements or contracts for the delivery of product or goods of any kind or for work to be done.
  - (e) Authorised to adopt.
  - (f) Certificates of discharge of mortgage.
  - (g) Deeds appointing a manager of any estate or property.
13. Deeds not included in the above list may or may not be registered and they will not be inadmissible in Court by reasons of non-registry.
  14. No engagement to do anything illegal, immoral, contrary to public policy or manifestly impossible, will be registered.
  15. If any document duly presented for registration is in a language, which the Registering Officer does not understand and which is not commonly used in the district, he shall refuse to register the document, unless it is accompanied by a true translation into a language commonly used in district and also by a true copy.
  16. It shall be in the discretion of the Registering Officer to refuse to accept for registration any document in which any blot, interlineation, blank, erasure or alteration appears, unless the persons executing the document attest, with their signatures or initials, such blot, interlineation, blank, erasure, or alteration; and it shall be his duty, at the time of registering the document, to make a note in the register of such interlineation, blank, erasure or alteration.
  17. No instrument relating to immoveable property shall be accepted for registration unless it contains a description of such property sufficient to identify the same.
  18. No deed, other than a will or authority to adopt shall be accepted for registration if not presented to the proper officer within three months of its execution, unless good cause for the omission be shown to the satisfaction of such officer, in which case if the delay in presentation does not exceed four months, the deed may be registered on payment of four times the ordinary fee.
  19. Any will or authority to adopt may be registered at any time.
  20. <sup>90</sup> The function of the Registering Officer shall be performed by the Deputy Commissioner or Sub-Divisional officer or by such other officer as the local Government may appoint for the purpose.

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<sup>89</sup> As amended by Notification No. 284 S., dated the 4<sup>th</sup> December, 1941, published at page 2810 Part I of the Calcutta Gazette, dated the 11<sup>th</sup> December, 1941.

<sup>90</sup> As amended by Notification No. 13066 P., dated the 3<sup>rd</sup> December, 1920, published at page 2312, Part I of the Calcutta Gazette, dated the 8<sup>th</sup> December, 1920.



21. Every document may be registered shall be presented by some person claiming under or executing the same; but no document shall be registered unless the persons executing it or their representative or assigns or agents (Where agents are recognized under rule 22), appear before the Registering Officer and admit the execution. Any person refusing to attend when sent for by the Registering Officer, or refusing to take oath, or answer questions put, or sign statements made by him, or making any false statement to the Registering Officer, shall be punishable under the Indian Penal Code (XLV of 1860).

22. Agents will, as a general rule, be allowed to conduct registration only on behalf of (1) hill chiefs and persons of high rank; (2) European Gentlemen; and (3) pardanashin women. Only agents who are of known respectability, and are personally acquainted with the facts of the case, will be permitted to conduct registration.

23. <sup>91</sup> A fee as follows must be paid before registry:

	<b>Rs</b>	<b>A</b>
For a lease to a cultivating rayats	0	8
For any deed under heading A in rule 12	0	8
For any deed under heading C in rule 12 when the liability incurred does not exceed Rs.50		8
For the same when the liability exceed Rs. 50 but does not exceed Rs.300/00	0	12
For the same when the liability is indefinite or is more than Rs. 300/00	1	0
For engagements under heading D in rule 12	0	8
For any deed under heading E in rule 12	0	8
For any deed under heading F in rule 12	0	8
For any deed under heading G in rule 12	0	8
For all other deeds, including those registered under rule 13 of those rules	0	88

24. Persons may be allowed to inspect the books in which deeds are copied, or to take a copy of a deed on payment in advance, of a fee of eight annas, besides any necessary charge for copying.

25. The Registering Officer will before he registers a deed satisfy himself that the parties appearing before him are really those whom they profess to be, and that they clearly understand the nature and purport of the deed.

26. He shall then record on the deed an endorsement in the following from: -

At \_\_\_\_\_ (the hour) \_\_\_\_\_ on this \_\_\_\_\_ (the date, month and year) \_\_\_\_\_ A.B. son of \_\_\_\_\_ resident of \_\_\_\_\_

<sup>91</sup> As amended by Notification No. 12822 L.R, dated the 17<sup>th</sup> Dec., 1925, published at page 1019, Part 11 of the Calcutta Gazette, dated the 24<sup>th</sup> December 1925, and No. 1899 E.A. dated the 9<sup>th</sup> Feb., 1928, published at page 333, Part I of the Calcutta Gazette, dated the 16<sup>th</sup> Feb.1928.

and E.F. son of \_\_\_\_\_ resident of \_\_\_\_\_ recognized by me \_\_\_\_\_ (or) \_\_\_\_\_ duly identified by H resident of \_\_\_\_\_ appeared before me and acknowledged their execution of this deed, and satisfy me that they fully understand its purport.

27. The deed, with the endorsement, shall then be copied without delay into a book previously paged and signed by the Registering Officer. The copy shall be attested by the Registering Officer, and the original shall than be returned to the party entitled to receive it.

<sup>92</sup>Provided that if the original of any deed remains unclaimed for two years following the close of the year in which it is registered, it may be destroyed by the Registering Officer with the previous permission of the Deputy Commissioner, a note to this effect being made in the margin of the copy of the document concerned in the Registry book.

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<sup>92</sup> As inserted by notification No. 1597 T-R dt. the 24<sup>th</sup> October 1936, published at pages 2605, 2606, Part I of the Calcutta Gazette, dt. the 12<sup>th</sup> November 1936.

28. <sup>93</sup> The Registering Officer shall maintain in the forms proscribed in the Bengal Registration Manual the following registers :
- (1) Receipt Book.
  - (2) Register of thumb impression.
  - (3) Fee Book.
  - (4) Cash Book.
  - (5) Registry Book.

Reasons for refusing registration will be noted in the fee book.

29. When a Register into which deeds have been copied is filled up an alphabetical index of the parties to the deeds it contains shall be appended to it.
30. All actual and necessary expenses connected with registration shall be defrayed from the fees realized and any surplus not required for this purpose shall be disposed of, as the Government shall, from time to time direct. A regular account of receipts and expenditure shall be kept by the Registering Officer and submitted to the Commissioner for approval and countersignature once a quarter.
31. The definitions of the word “lease”, “moveable property” and “immovable property” which are contained in the Indian Registration Act, 1877 (III of 1877) shall be held applicable to these rules and to deeds.
32. The Registry book shall be inspected and countersigned by the Commissioner as often as may be found convenient.
33. In any case where registration is refused on the ground that the party claiming under the deed may sue in the Court of the Deputy Commissioner within three months of the order of refusal for a declaration of his right to have the deed registered. The Registering Officer be no party to such suit, and a copy of his order of refusal, properly attested, shall be prima facie proof that the reason of refusal to register was as therein described. The document in dispute shall be admissible as evidence in this suit, anything in these rules contained notwithstanding.

### **The Land – Settlement and Government of land, Transfers, Partitions and Subletting**

- <sup>94</sup>34. (1) No settlement of Government Khas land shall be made in the district of Chittagong Hill Tracts except to the extent and in the manner specified below: -
- (a)(i) The quantity of cultivable or cultivated flat land to be settled for plough cultivation with a single family of hill-men or non-hillmen residents shall be such as added to the quantity of such land already in it possession does not exceed 5 acres. In addition to the

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<sup>93</sup> As amended by notification No. 9143 E.A. dt. the 27<sup>th</sup> July 1931, published at page 937, Part I of the Calcutta Gazette, dt. the 6<sup>th</sup> August 1931.

<sup>94</sup> Sub-rule 1 of Rule 34 was inserted by Ministry of Land Administration and Land Reforms, Section IX, Notification No. S.R.O. 72-L/79 dated 31 March, 1979 as published in the Bangladesh Gazette, Extra, dated 31 March, 1979 at page 1178.

flat land for plough cultivation, land for grove plantation not exceeding 5 acres may be settled with such family; but in a case where the performance of a lessee is found by the Deputy Commissioner to be highly satisfactory, a further quantity of land for grove plantation may be settled with such family so that the quantity of land so settled does not, when added to the quantity of land for grove plantation already in his possession, exceed 10 acres. Settlement of land for plough cultivation or grove plantation under this sub-clause shall be free of salami.

- (ii) A lease for plough cultivation and for grove plantation under sub-clause (1) shall be granted by the Deputy Commissioner:

Provided that lease of land only for plough cultivation may be granted to a cultivating hillmen by the Sub-divisional Officer. An application of a hillmen for lease of plough land may be made to the headman who will forward it to the Sub-divisional Officer with his recommendation.

- (iii) The rent for plough land leased out under sub-clause (1) shall be assessed at the usual rate of raiyati rent by the authority who grants the lease:

Provided that when any land, which had not been cultivated before, is so leased out, no rent shall be payable for the first three years of the lease.

- (iv) The groveland leased out under sub-clause (1) shall be rent-free for the first three years and shall be assessed to rent as third class land for the next three years followed by an assessment to be made by the Deputy Commissioner in accordance with the producers of the land.

Explanation - In this sub-rule, "grove land" means flat land and bumpy land and includes such foot-hill land as would not require terracing, full or modified, to be utilised solely for plantation of fruit trees and other trees.

- (b)(i) Land for rubber plantation and other plantation on commercial basis may be settled with a person on long term lease basis by the Deputy Commissioner up to 25 acres and by the Commissioner up to 100 acres. Settlement of land exceeding 100 acres shall not be made without the prior sanction of the Government. Salami for settlement of land under this clause shall be charged at 100 per cent, of market value, 10 per cent of which shall be payable in the first year and the balance shall be payable at 5 per cent in the 8<sup>th</sup> to 17<sup>th</sup> year and 10 per cent in the 18<sup>th</sup> to 21<sup>st</sup> year;

Provided that in the case of hillmen and non-hillmen residents salami for lease up to 25 acres shall be charged at 50 per cent of market value, 5 per cent of which shall be payable in the first year and the balance shall be payable at  $2\frac{1}{2}$  per cent in the 8<sup>th</sup> to 17<sup>th</sup> year and 5 per cent in the 18<sup>th</sup> to 21<sup>st</sup> year.

- (ii) Usual raiyati rate of rent shall be payable for the land settled under this clause from the date of execution of the lease deed.

- (c)(i) Land up to 10 acres outside urban areas and up to 5 acres within urban areas may be settled by the Deputy Commissioner with a deserving industrialist on long term lease basis for establishment of industrial plants. Salami for such settlement shall be charged at

100 per cent of market value and shall be payable at the time of settlement. In the case lessees who are hillmen or non-hillmen residents the salami shall be charged at 50 per cent of market value.

(ii) Rent per acre of land settled under this clause shall be assessed at  $\frac{1}{2}$  per cent of market value.

(d) (i) Land for residential purposes may be settled by the Deputy Commissioner with deserving persons on long term lease basis. In urban areas, salami, from hillmen and non-hillmen residents for such land shall be charged at 50 percent of market value and shall be payable at the time of settlement. In the case of a lease granted to any person other than hillmen or non-hillmen residents' salami for such land shall be charged at 100 per cent of market value. No salami shall, however, be charged from hillmen and non-hillmen residents for settlement under this clause of land outside urban areas.

(ii) Rent per acre of land settled under this clause shall be assessed at  $\frac{1}{4}$  percent of market value.

(iii) Land exceeding .30 acre in an urban area for residential purposes shall not be settled with any person without prior approval of the Government.

(e) The Deputy Commissioner may, in accordance with such plan as may be approved by the Government, settled with a person land in an urban area for commercial purposes. The salami for such land shall be charged -

(i) at 50 per cent of market value in the case of hillmen and non-hillmen residents; and

(ii) at 100 per cent of market value in the case of others.

Rent per acre of land settled under this clause shall be assessed at  $\frac{1}{2}$  per cent of market value.

(f) Market value for the purpose of the aforesaid clauses shall be determined in such manner as may be specified by the Government from time to time.

(g) All settlement of khas lands shall be concluded in the form of a lease deed prescribed or to be prescribed by the Government and shall be registered under rule 12. The rights and liabilities of the lessees shall be governed by such terms and conditions as may be set forth in the lease deed

<sup>95</sup>(2) The provincial Government may, by notification in the Official Gazette, exempt any area from the operation of sub-rule (1) for the purpose of reclamation of culturable waste lands in such area with a view to bringing them under cultivation and when any area has been so exempted, lands in the area shall, notwithstanding anything contained elsewhere in these rules, be dealt with in such manner as the Provincial Government may by general or special orders, from time to time, direct.

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<sup>95</sup> Sub-rule 2 of rule 34 was inserted by R.L Section Notification No. 1L-15/69/216-R.L., dated, 16 September 1971, as published in the Dhaka Gazette, Part I, dated 21 October, 1971.

- (3) (a) Sub-tenants of whatever grade in existence on 3<sup>rd</sup> December 1920 and recognized by the Deputy Commissioner shall not be evicted except in accordance with sub-rule (8), nor shall their rent be enhanced except with the permission of the Deputy Commissioner.
  - (b) Whenever any recognized sub-lease terminates for any reason, the immediate landlord of the sub-lessee shall not again sub-let the land. If the sub-lessee had a tenant under him, that tenant shall continue on the terms on which he holds.
- (4) No lessee shall henceforth be allowed to sub-let the whole or any part of his land.
- (5) No lessee or sub-lessee shall be allowed to transfer by sale, gift or mortgage the whole or any part of his holding without the previous sanction of the Deputy Commissioner, who may not sanction any mortgage other than usufructuary mortgage, such mortgage to extend for a period not exceeding seven years and to provide for the extinction of the whole debt including principal and interest within that period subject to the condition that the mortgage will not, in any event, be extended beyond that period, provided that the Deputy Commissioner may sanction a simple mortgage in favour of Government, or the Agriculture Development Bank of Pakistan, or the Industrial Development Bank of Pakistan, or Co-operative Societies, registered under the Bengal Co-operative Societies Act, 1940 (Bengal Act XXI of 1940) or the East Pakistan Agricultural Development Corporation or any other loan giving agency for such period and subject to such conditions as he may deem fit. The Deputy Commissioner may, however, sanction mortgage of any holding to the East Pakistan Agricultural Development Corporation for loans already advanced prior to the date of publication of this notification. Unauthorized transfers will, in no instance, be recognized.
- (6) In all cases of unauthorized sub-lease or transfer, the Deputy Commissioner shall resume the land sublet or transferred and may either hold it khas or lease it out with the lessor or transferor, or with the lessee or transferee, or with any other person according to circumstances and the provisions in sub-rule (1).
- (7) No partition of a holding shall be made without the consent of the Deputy Commissioner.
- (8) A sub-tenant recognized by the Deputy Commissioner is not liable to ejection except by his order. A sub-tenant will ordinarily be ejected -
  - (1) if he sublets or transfers any part of his holding or fails to show diligence in bringing or keeping the holding under cultivation;
  - (2) if he fails to pay an arrear of rent recorded or fixed by the Deputy Commissioner;
  - (3) if he uses the holding in any manner that renders it unfit for the purposes of the tenancy;
  - (4) if he enhances the rent of a recognized sub-tenant under him without permission of the Deputy Commissioner.
- (9) The rent of a sub-tenant of any grade recognized by the Deputy Commissioner cannot be enhanced except by the Deputy Commissioner. The rent of such a sub-tenant shall be

enhanced if the rent for the land held by him exceeds the rent paid by the landlord or, if the rent of the landlord is also under enhancement, the rent settled as payable by the landlord, by more than 50 per cent except for special reasons to be recorded by the Deputy Commissioner in writing. The rent of such a sub-tenant may, subject to this condition, be enhanced by the Deputy Commissioner up to such limit as he considers fair and equitable, on the application of the landlord, if the rent of the sub-tenant has not been enhanced during the ten years previous to the application.

- (10) Sub-tenant of whatever grade who have been recognized by the Deputy Commissioner shall have, subject to the provisions of the rules regarding ejectment and resumption, permanent and heritable rights in the land for which they pay rent.
- (11) A tenant directly under Government shall have permanent and heritable rights in the land for which he pays rent unless there is a definite contract that his right is not permanent or heritable, subject to the provisions contained in these rules for his lease, if any, regarding resumption;

Provided that he shall be liable to ejectment -

- (i) if he fails to pay an arrear of rent recorded or fixed by the Deputy Commissioner; or
- (ii) if he uses the land in any manner which renders it unfit for the purpose of the tenancy; or
- (iii) if he accordance with the terms of his lease, if any, he is liable to be ejected or the lease is cancelled for any other reason;

Provided also that if in accordance with the terms of the latest lease or license under which the tenant was allowed to hold the land, all lands not kept under cultivation were liable to resumption, such lands shall be still so liable even though the period of such lease or license has expired and the tenant continues to hold the land.

- (12) The power of ejectment of a tenant or resumption of any land under sub-rule (11) shall be exercised by the Deputy Commissioner.
- (13) Nothing in these rules, or any grant, lease or contract under which land is held in the Hill-tracts shall operate to permit the inheritance of any Hill-tracts land by non-residents of the district except with the express consent of the Deputy Commissioner who in giving his consent shall have regard to the principles of equity and as far as may be to the rights of plainmen which but for this rule would be operative. An appeal from such orders of the Deputy Commissioner shall lie to the Commissioner.
- (14) The provisions of sub-rules (5), (6), (7), (11) and (13) will apply to existing tenancies only.
- (15) The power of the Deputy Commissioner under this rule may also be exercised by the Additional Deputy Commissioner.
- (16) The power of the Deputy Commissioner under this rule may also be exercised by the Sub-divisional Officers concerned in their respective jurisdiction if so expressly authorized by the Deputy Commissioner by order in writing to exercise such powers.

**EXPLANATION** - For the purpose of this rule “family” shall include the lessee, his wife, sons, daughters and any other relations dependent on the lessee and living in the same mess

<sup>96</sup> [34A. The flow of any natural water-course can not be stopped or diverted without the permission of the Deputy Commissioner.]

<sup>97</sup> [34B. The Deputy Commissioner may prohibit jhuming or cultivation on or near the banks of any river, if in his opinion such jhuming or cultivation is likely to cause silting in the river of flooding in land down stream. Breach of this rule will be punishable by confiscation of the crops grown and by fine, which may extend to Rs. 50.00.]

<sup>98</sup> [34C. Notwithstanding contained elsewhere in these rules in regard to the settlement of lands, the Board of Revenue may by general or special orders, authorities the Deputy Commissioner to settle any class of land up to any quantity for such purpose and subject to such terms and conditions, as may be specified in such orders either with hillmen or with non-hillmen.]

#### **Circle Divisions -**

35. <sup>99</sup> The District of Chittagong Hill Tracts comprises the reserved forests, the circle of the three chiefs, viz the Chakmas Chief, the Bohmong Chief, and Mong Chief and the Maini Valley.

#### <sup>100</sup> [Taluk Divisions

36. The 33 blocks which were formed in 1890 for the census of 1891 have been constituted permanent divisions and are called taluks. They lie as follows in the three circles:

Bohmong’s circle	...	...	...	18 blocks
Chakma Chief’s circle	...	...	...	9 blocks
Mong Chief’s circle	...	...	...	6 blocks ]

#### **Mauzas -**

37. <sup>101</sup> The whole area of the district outside the forest reserves has been sub-divided into mauzas, the boundaries of which have been fixed by the Deputy Commissioner.

#### **Administration of the Circle and Mauzas**

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<sup>96</sup> As amended by Notification No. 2977 E.A. dated the 27<sup>th</sup> February 1928, published at apges 439-440; Part I of the Calcutta Gezette, dated the 1<sup>st</sup> March 1928.

<sup>97</sup> As inserted by notification No. 4852 E.A. dated the 25<sup>th</sup> April 1939, published at page1111, part I of the Calcutta Gezette, dated the 4<sup>th</sup> May 1939.

<sup>98</sup> As inserted vide Chittagong Hill Tracts – No. 1R – 17/60/276 – R.L. dated 16/06/61 from the Section Officer to the Government.

<sup>99</sup> As amended by Notification No. 382-T R dated the 4<sup>th</sup> June 1926, published at page 842, part I of the Calcutta Gazette dated the 17<sup>th</sup> June 1926.

<sup>100</sup> Cancelled by Notification No. 6931 L R dated the 29<sup>th</sup> June 1925, published at page 1072, Part I of the Calcutta Gazette dated the 9<sup>th</sup> July 1925.

<sup>101</sup> As amended by Notification No. 6931 L R dated the 29<sup>th</sup> June 1925, published at page 1072, Part I of the Calcutta Gazette dated the 9<sup>th</sup> July 1925 (to remove the reference to Taluks), and No. 382 T R dated the 4<sup>th</sup> June 1926, published at page 842, Part I of the Calcutta Gazette dated the 17<sup>th</sup> June 1926 (to remove the long definition of mauzas).



38. The Circle-Chiefs shall form an Advisory Council to the Deputy Commissioner, and shall assist him with information and advise on all matters which concern the administration of their respective circles, and shall exercise their authority as Chiefs in the prompt enforcement in the mauzas of their circles of all orders of the Deputy Commissioner. They shall visit all parts of their circles from time to time, and by personal supervision shall ensure that the work of the mouse headmen is efficient, in the collection of revenue, in the preservation of the public peace and in good administration. They shall use their influence to spread education and to improve the health and material condition of the people resident in their circle. They shall at no time forcibly require “nazars” to be paid to them nor require the people to work without payment for their labour.

The mauza Headmen shall collect punctually credit the account for the revenues due from their mauzas. They shall obey the orders of the Deputy Commissioner, the Sub-Divisional Officers and the Chiefs. They shall preserve peace and order within their mauzas, and shall give information to the Deputy Commissioner, of any changes in the position of villages or the population or changes in the extent of cultivation within their mauzas.

<sup>102</sup> **MAINI VALLEY:** The Maini Valley shall be administered under special orders of the Governor issued from time to time.

- <sup>103</sup>[38A. The District of the Chittagong Hill Tracts is divided into 3 sub-divisions, each of which is in charge of a sub-divisional officer who is directly responsible to the Deputy Commissioner for the administration of his sub-division. The 3 sub-divisions are called the Rangamati (Or Sadar) sub-division, the Ramgarh Sub-Division and Bandarban Subdivision.

The area of the Ramgarh sub-division coincides with that of the Mong Circle, and the rest of the district is included in the Sadar Sub-division and Bandarban Subdivision.]

- <sup>104</sup> [38B. **Police Administration**

The Deputy Commissioner is ex-officio District Superintendent of Police within the Chittagong Hill Tracts and the Assistant Commissioner is ex-officio Assistant Superintendent of Police within the said tracts.

The Deputy Inspector-General of Police, Bakarganj Range, is authorized – (1) to inspect the work of the police and for that purpose to visit any part of the said tracts, (2) to advise the

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<sup>102</sup> As amended by Notification No. 9088 E. A. dated the 16<sup>th</sup> April 1937, published at page 952, Part I of the Calcutta Gazette, dated the 22<sup>nd</sup> April 1937.

<sup>103</sup> Framed by notification No. 13066 P dt. 3<sup>rd</sup> December 1920 published at page 2312 Part I of the Calcutta Gazette, dt. the 8<sup>th</sup> December 1920, as amended by notification No. 13145 P dt. the 6<sup>th</sup> December 1920 published at page 2313, Part I of the Calcutta Gazette, dt. the 8<sup>th</sup> December 1920 No. 6251 L.R. dt. the 23<sup>rd</sup> Calcutta Gazette, dt. the 27<sup>th</sup> July 1921, No. 4943 L.R. dt. the 3<sup>rd</sup> May 1922, published at page 906, Part I of the Calcutta Gazette, dt. the 10<sup>th</sup> May 1922, and No. 382 T.R. dated the 4<sup>th</sup> June 1926 published at page 842, Part I of the Calcutta Gazette, dated the 17<sup>th</sup> June 1926.

<sup>104</sup> Deleted vide Home Deptt. No. 2064 dated 2-5-1949 (Hitherto, the Deputy Commissioner was the ex-officio District Superintendent of Police within the Chittagong Hill Tracts and the Assistant Commissioner was ex-officio Assistant Superintendent of Police within the said Tracts. The Deputy Inspector-General of Police, Bakarganj Range is authorised - (1) to inspect the work of the police and for that purpose to visit any part of the said tracts, (2) to advise the Commissioner or Deputy Commissioner on any matter relating to the organisation and control of the police force therein, and (3) to depute officers, as may be necessary from time to time, for special inquiries or inspection requiring technical knowledge in the said tracts [See Notification No. 18310 E. A. dt. the 24<sup>th</sup> September 1937, published at page 2480, Part I of the Calcutta Gazette, dt. the 30<sup>th</sup> September 1937, and amended by notification No. 263 T-S dt. the 20<sup>th</sup> May 1941, published at page 1346, Part I of the Calcutta Gazette, dated the 29<sup>th</sup> May 1941].

Commissioner or Deputy Commissioner on any matter relating to the organization and control of the police force therein, and (3) to depute officers, as may be necessary from time to time, for special inquiries or inspection requiring technical knowledge in the said tracts.<sup>105]</sup>

39. <sup>106</sup>The Deputy Commissioner shall consult the Chiefs on important matters affecting the administration of the C.H.T. For this purpose a conference shall be held, at least twice a year, under the presidency of the Deputy Commissioner, to which the Chiefs or their representatives shall be invited.

The Conference shall be held at Rangamati, Bandarban, Ramgarh, Manikchari or Chittagong at the Discretion of the Deputy Commissioner and the subjects for discussion shall be determined by him in consultation with the Commissioner.

### **Administrative powers of the Chiefs and Headmen**

- <sup>107</sup> [40. Save as otherwise provided in this rule the mauza headmen shall adjudicate on all disputes which may be brought to them by persons resident within their mauzas. They shall decide tribal cases in accordance with the social custom of the parties with powers of fine up to Rs. 25, of enforcing restitution, and of detention until the orders of the Deputy Commissioner in the matter are received.

Save as otherwise provided in this rule the Chiefs shall adjudicate on all disputes in their khas mauzas as headmen and shall try such tribal cases as are referred to them from the decisions of the headmen or by the headmen themselves.

The Chiefs shall have powers of fining up Rs. 50, of enforcing restitution, and of detention until the orders of the Deputy Commissioner in the matter are received, in tribal cases, and their decisions shall, subject to the general revisional jurisdiction of the Deputy Commissioner, be final. In all cases in which the Chiefs or the headmen are unable to enforce the penalties imposed, they may apply to the Deputy Commissioner for assistance.

No court-fee shall be levied in tribal cases tried by chiefs of headmen. Fines imposed in such cases shall be allocated to the aggrieved persons, if any, and to the community as a whole in accordance with tribal custom. The Chiefs and headmen shall be entitled to such share in the amount of fines allocated to the community as a whole as is permitted by tribal custom, and no nazar or other imposition under any pretext whatsoever shall be levied by them in connection with the trial of such cases:

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<sup>105</sup> As inserted by Notification No. 18310 E.A. dated the 24<sup>th</sup> Septemeber 1937, published at page 2480, Part I of the Calcutta Gazette, dated the 30<sup>th</sup> September 1937, and amended by Notification No. 263 T-S dated the 20<sup>th</sup> May 1941, published at page 1346, Part I of the Calcutta Gazette, dated the 29<sup>th</sup> May, 1941.

<sup>106</sup> As amended by notification No. 320 T-R dated. the 29<sup>th</sup> May 1926, published at page 809, Part I of the Calcutta Gazette dated the 10<sup>th</sup> June 1926. o. 16049 E. A. dated the 7<sup>th</sup> Dec. 1929, published at page 2132, Part I of the Calcutta Gazette, dated the 12<sup>th</sup> Dec. 1929 and No. 13279 E. A. dated the 14<sup>th</sup> November 1930, published at page 1819, Part I of the Calcutta Gazette, dated the 20<sup>th</sup> Nov. 1930 & No. 16213 E. A. dated. the 21<sup>st</sup> Aug 1937, published at page 2203 Part I of the Calcutta Gazette dated. 26<sup>th</sup> August 1937.

<sup>107</sup> As amended by notification No. 9088 E. A. dated 16<sup>th</sup> April 1937, published at page 952-953, Part I of the Calcutta Gazette, dated 22<sup>nd</sup> April 1937, No. 2547 E. A. dated. 29<sup>th</sup> Feb. 1940, published at page 675, Part I of the Calcutta Gazette, dated the 7<sup>th</sup> March 1940 & No. 2988 dated. 20<sup>th</sup> Jan. 1942, published at page 252 Part I of Calcutta Gazette, date the 29<sup>th</sup> January 1942.

Provided that the chiefs or headmen may levy fees to cover expenses of trying the cases on a scale approved by the Deputy Commissioner.

The Chiefs and headmen shall have no power to try under this rule any criminal or civil matters other than the tribal cases referred to in this rule except as the Governor may from time to time empower them in this behalf.

The Deputy Commissioner shall have general revisional and concurrent jurisdiction over the exercise of all the powers under this rule by the Chiefs and headmen.

The offences specified below are altogether excluded from adjudication by Chiefs or headmen under this rule, namely:

- (1) offences against the State, against persons in the service of the Crown in India, or against public justice;
- (2) riots in which grievous hurt has been caused or deadly weapons have been used;
- (3) the following serious offences against the person, namely, murder, culpable homicide, voluntarily causing grievous hurt, wrongful confinement, rape, abduction, kidnapping, and unnatural offences;
- (4) extortion, robbery, dacoity, lurking, house-trespass, or house-breaking when the property taken exceeds Rs. 50 in value;
- (5) forgery;
- (6) offence under Chapter IV of the Chittagong Hill Tracts Regulation, 1900; and
- (7) any other offence or class of offences which the Commissioner may specify in this behalf.]

<sup>108</sup>[40A. The offences specified in sections 13 and 15 of Chapter IV of the Chittagong Hill Tracts Regulation, 1900, shall be offences for which a police officer may arrest without warrant and shall be deemed to be cognizable offences.]

### **Control and regulation of jhuming**

41. <sup>109</sup> The Deputy Commissioner is empowered to control and regulate jhuming in the Chittagong Hill Tracts and to issue and enforce such orders as he considers necessary for the same. He may for sufficient reasons declare any area to be closed to jhuming or restrict the migration of jhuming.

<sup>110</sup>[41A. The Headmen is responsible for the conservation of the resources of his mauza. For this purpose any headmen may –

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<sup>108</sup> Framed by notification No. 5113 L.R. dated the 6<sup>th</sup> May 1925 published at page 716, Part I of the Calcutta Gazette dated the 14<sup>th</sup> May 1925 and as amended by notification No. 16049 E.A. dated, 7<sup>th</sup> Dec 1929 published at page 2132 Part I of the Calcutta Gazette dated 12<sup>th</sup> December 1929.

<sup>109</sup> As inserted by notification No. 7848 E.A. dated, the 15<sup>th</sup> July 1939 published at page 1723 Part I of the Calcutta Gazette dated the 20<sup>th</sup> July, 1939.

<sup>110</sup> As inserted by notification No. 7848 E. A. dated the 15<sup>th</sup> July 1939 published at page 1723 Part I of the Calcutta Gazette dated the 20<sup>th</sup> July 1939.

- (a) prohibit the removal of bamboos, timber and other forest produce by residents of his mauza other than for their domestic purpose or by non-residents of his mauza for any purposes;
- (b) excluded any area or areas in his mauza from the jhuming area with a view to keeping such area or areas as a mauza reserve of bamboos, timber and other forest produce;
- (c) prevent newcomers from cutting jhums in his mauza if in his opinion their doing so is likely to result in a scarcity of jhum for his own tenants in future years; and
- (d) prevent any person from grazing cattle in his mauza when such granting is harmful to his jhuming area.]

### **Jhum tax**

- <sup>111</sup> [42 (1) Jhum tax shall be paid to the mauza headmen at such rates as the Provincial Government may from time to time fix, by each jhuming family, consisting of the members of one householder living in one mess, cultivating and sharing the produce of one jhum, and the headmen after deducting his share shall pay the tax to the Chief.
- (2) The Chiefs shall declare what classes of persons are by custom exempt from jhum tax within their circles, and submit for the approval of the Deputy Commissioner before 15<sup>th</sup> October every year a list of jhuming families temporarily or permanently exempted from payment of jhum tax.
  - (3) Every jhuming family which lives in one mauza and jhums in another shall pay an additional jhum tax to the headmen of the mauzas in which it jhums, at half rate if in the same circle and at the full rate if in another circle. Such families shall be called Parkulias.
  - (4) Every headman shall prepare annually a jhum tauzi which shall contain the following information: - the name of each family head and the number of persons in the family, whether paying jhum tax, parkulia, or exempt, and the reasons for exemption; whether the family is old or new, i. e., arrived within the previous five years.
  - (5) Jhum tauzis shall be sent to the Chiefs before 1<sup>st</sup> June and by the Chiefs to the Deputy Commissioner before 1<sup>st</sup> August. The Deputy Commissioner shall verify the accuracy of each tauzi once in every five years. The Chiefs shall be responsible that every headman keeps accurate records and accounts of jhum tax and grants printed receipts having counterfoils.
  - (6) <sup>112</sup> Jhum tax is payable to the headman within the calendar year and shall become an arrear on 1<sup>st</sup> January of the subsequent year and interest at 6¼ per cent per annum shall be chargeable on such arrears. The headman shall pay at least half the demand to the Chief on the Punyah day and the balance before 15<sup>th</sup> January, submitting at the same time an arrear list and counterfoils of receipts. The Chief shall submit the same and shall report

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<sup>111</sup> As amended by notification No. 26332 E. A. dated the 12<sup>th</sup> December 1938, published at page 2721-2723, Part I of the Calcutta Gazette, dated the 15<sup>th</sup> Dec 1938, No. 99 S., dated the 30<sup>th</sup> July 1941, published at page 1919, Part I of the Calcutta Gazette, dated the 7<sup>th</sup> August 1941 and No. 8234 E. A. dated the 26<sup>th</sup> July 1939, published at page 1828, Part I of the Calcutta Gazette, dated the 3<sup>rd</sup> August 1939.

<sup>112</sup> As amended by Notification No.317S., dated the 10<sup>th</sup> Feb.1942, published at page 392 of the Calcutta Gezette,dated the 19<sup>th</sup> February 1942.

any defaulting headman to the Deputy Commissioner by 31<sup>st</sup> January and after due enquiry the Deputy Commissioner may proceed to realise the arrears as a public demand.

- (7) <sup>113</sup> Out of the sums realised by the Deputy Commissioner from each jhumia on account of arrear jhum tax and the costs of certificate for the recovery thereof, the costs and one quarter of the headman's share shall first be credited to the provincial revenues and the balance paid to the Chief.
- (8) (i) For special reasons to be recorded by him in writing and after notice to the Chiefs concerned the Deputy Commissioner may direct that the headman of a mauza or the Jhumias shall pay the jhum tax direct to him and not to the Chief.
- (ii) When the headman of the mauza is so directed, the Deputy Commissioner shall pay to the Chief the full amount realised after deducting the headman's share and may apply the headman's share to the satisfaction first of any liabilities due by him to the Provincial Government, and secondly of any liabilities for collections on account of jhum tax due by him to the Chief and shall pay the balance to the headman.
- (iii) <sup>114</sup> When the jhumias are so directed, one-fourth of the headman's share which would have been payable to the headman, had he collected the tax, shall first be credited to the provincial revenues as cost of collection and the balance paid to the Chief. The Collecting agency employed by the Deputy Commissioner may afterwards be paid such remuneration as is considered reasonable by him.
- (9) The Chief shall pay the Government demand by the 31<sup>st</sup> March of each year.
- (10) If a headman has reason to believe that a jhumia intends to migrate without paying the tax owned by him, he shall detain the property of the jhumia and report the matter to the Chief or to the Deputy Commissioner. If the headman neglects to take such action he may be held responsible for the tax of the defaulting jhumia.
- (11) Headmen and Chiefs shall not receive from jhumias or other tenants any abwab, nazar or other payment, save what is customary and does not cause discontent, or is specially authorised by the Provincial Government.
- (12) For reasons to be recorded in writing the Deputy Commissioner, in consultation with the Chiefs and headmen concerned, may -
- (a) grant remission or abatement of jhum tax in individual cases, and
- (b) grant remission of jhum tax in any particular area, on the ground of failure of crops, reporting his action to the Provincial Government through the Commissioner, with a statement of the amount remitted.

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<sup>113</sup> As inserted by Notification No. 278 S., dated the 22<sup>nd</sup> Jan. 1944 published at page 96 Part I of the Calcutta Gazette, dated the 27<sup>th</sup> January 1944.

<sup>114</sup> As inserted by Notification No. 157 S., dated 30<sup>th</sup> August 1943 published at page 1406-1407 Part I of the Calcutta Gazette, dated the 2<sup>nd</sup> September 1943.

Remission or abatement under clause (a) shall not affect the Government demand payable by the Chiefs. Remission under clause (b) shall be accompanied by a remission of the Government demand payable by the Chiefs, to the extent of the Government share of the tax remitted.]

### **Regulation regarding compulsory labour**

- <sup>115</sup> [42A. (1) All adult male residents of the Chittagong Hill Tracts of an apparent age of not less than 18 and not more than 45 other than persons in the service of the Crown, Shop-keeper living in bazars and school teachers are liable to render labour in accordance with the orders from time to time issued by the Provincial Government, on the requisition of the Deputy Commissioner or other gazetted officers of Government having jurisdiction in the Chittagong Hill Tracts or of a chief or a headman or of any other officer authorised by the Deputy Commissioner, and when so employed such residents shall receive wages at such rates as may be prescribed from time to time by the Deputy Commissioner.
- (2) Whenever voluntary labour on payment is not available, labour may be requisitioned under sub-rule (1) for the following purposes only: -
- (a) for transport of Government stores;
  - (b) for carrying baggage or camp equipment of a Government officer, Chief or headman when on tour on duty in Chittagong Hill Tracts;
  - (c) for erecting shelters for the accommodation of Government officers and Chiefs when on tour on duty;
  - (d) for public works including making or maintaining roads, paths or bridges or clearing forest boundaries; provided that if any such work involves removal of the workers from their place of habitual residence, no requisition shall be made except under the orders of the Deputy Commissioner;
  - (e) for acting as boatmen for any of the purpose mentioned above.
- (3) A Chief or a headman authorised by the Deputy Commissioner may also require a jhumia or plough cultivator in his circle or mouse to perform personal service in accordance with custom for not more than 4 days in a year and for not more than 8 hours in a day.
- (4) A requisition for labour shall be made in such manner as may be ordered by the Deputy Commissioner.
- (5) The requisition shall be sent to the headman of the mouse from which the labour is required and the headman and the person requisitioning their services shall be responsible for seeing that the workers are physically fit and not suffering from any infectious or contagious disease.
- (6) Every person so employed shall be furnished by the person employing him with a certificate indicating the period of the labour performed by him.
- (7) The maximum load to be carried shall not exceed one mound.

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<sup>115</sup> As amended by Notification No. 26332 E.A dated the 12<sup>th</sup> Dec. 1938 published at pages 2721-2723 Part I of Calcutta Gazette, dated 15-12-1938.

- (8) Every person so employed shall be paid in cash, or when customary in kind, at such rate as may be fixed by the Deputy Commissioner and shall not be less than those payable for similar work in the locality.
- (9) No person employed on transport work shall be required normally to proceed more than 36 miles from his home.
- (10) No person shall be taken for transport work for more than 6 days in any one month or more than 12 days in a year.
- (11) A normal day's work for a boatman as well as an ordinary labourer shall be 8 hours.
- (12) A normal day's journey shall not exceed 12 miles with load or 20 miles without load. If a greater distance is traveled payment shall be made for overtime work at such rates as may be fixed by the Deputy Commissioner. Days spent for returning home shall be counted as working days for the purpose of the payment of wages. The wages shall be paid to each worker individually and not to any one else.
- (13) Not more than 25 per cent of the able-bodied males may be taken away at one time from any mouze or any portion of a mouza, which may be specified by the Deputy Commissioner for the purpose.
- (14) Any person who has been required to work may make a complaint to a gazetted officer, the Chief or the headman with regard to the conditions of his service and such complaint shall be reduced to writing and forwarded to the Deputy Commissioner.
- (15) If any person employed under this rule shall be temporarily or permanently incapacitated by injury or sickness caused by reason of, and during, the service rendered, he may apply for compensation to the Deputy Commissioner, who, after such enquiries as he considers necessary, may order, subject to the approval of the Commissioner, an equitable compensation to be paid to such person for his incapacity by the Provincial Government or by the Chief or headman, who has employed him. In assessing the compensation the Deputy Commissioner shall consider to what extent, if any, the incapacity or sickness, of the person employed was due to contributory negligence on his part. If death should result, the compensation may be paid to the dependants of the person deceased in such proportion as the Deputy Commissioner thinks fit after taking into consideration to what extent, if any, his death was due to contributory negligence on the part of such person.
- (16) Whoever willfully or negligently disobeys or refuses to comply with any order passed under sub-rule (1) shall be punishable with fine, which may extend to ten rupees.
- (17) A copy of the rules regarding compulsory labour shall be kept by every headman, and the Deputy Commissioner and Sub-divisional Officers shall be responsible for seeing that the rules are observed.]

### **Collection of Rent**

43. (1) The headman shall collect rent from all the existing tenants and also from all classes of lessees to whom Government land may hereafter be leased out under the provisions of sub-rule (1) of rule 34. The headman will pay the amount collected to the Sub-divisional

Officer or to the Deputy Commissioner, and he will receive commission on collection, except in respect of grove lands, at such rate as may be sanctioned by Government from time to time.

- (2) The Chiefs and the headman will receive the same proportion of rent of the grove lands, when assessed to rent, as they were receiving from the jhuming of the same.
- (3) <sup>116</sup> The Deputy Commissioner may sanction the remission of plough and grove rent in all cases for good and sufficient reasons to be recorded in writing in each case.

<sup>117</sup>[43A. (Omitted)]

### **Non-agricultural Rents and Bazars**

<sup>118</sup> [44. The rents for non-agricultural sites will be fixed by the Deputy Commissioner and when so fixed will be entered on the rent roll and distributed in the same way as the plough cultivation rent. But this rule does not apply to the cases of bazaras, which may be separated by the deputy Commissioner from the mauza and settled by him, and managed either through the headman or direct, as he sees fit.]

### **Grass and Garjan Khola Rents**

45. <sup>119</sup> The grass kholas excepting new grass kholas which may come into existence within the boundaries of mauzas, will be settled by the Deputy Commissioner as hitherto, either yearly or for periods of not more than 10 years in any case, and when settled, their rents will be realised separately and will not be added to the rent-roll or distributed like the rents for plough cultivation and non-agricultures sites.

<sup>120</sup> [45A. The Deputy Commissioner may, whenever he thinks fit allow hillmen to extract, free of royalty, sunn grass for home consumption.]

### **Levy of grazing tax**

- <sup>121</sup>[45B. (1) Except as otherwise provided in this rule, cattle (oxen and cows), buffaloes, goats and goyals owned or kept or grazed in the Chittagong Hill Tracts are all liable to be assessed to grazing tax.
- (2) Grazing tax shall be assessed at the rates determined by the Deputy Commissioner with the approval of the Commissioner.

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<sup>116</sup> As amended by the Government. of East Pakistan, Revenue Department R.L. Section Notification No. IL-15/69/216-R.L,dated, 16<sup>th</sup> Sept. 1971.

<sup>117</sup> . (Provide brief summary of what was omitted) as amended by the Govt. of Pakistan, Revenue Department R.L. Section Notification No. IL-15/69/216-R.L dated 16 September, 1971.

<sup>118</sup> . (Provide brief summary of what was omitted) as amended by the Govt. of Pakistan, Revenue Department R.L. Section Notification No. IL-15/69/216-R.L dated 16 September, 1971.

<sup>119</sup> As amended by Notification No.2544 P. dated the 9<sup>th</sup> December 1902, published at page 1703, Part I of the Calcutta Gazette dated the 10<sup>th</sup> December 1902.

<sup>120</sup> As amended by Notification No.7588 E.A. dated. the29<sup>th</sup> June 1933, published at page 980, Part I of the Calcutta Gazete dated 6<sup>th</sup> July 1933.

<sup>121</sup> As substituted by Notification No. 400, dated the 28<sup>th</sup> Jan. 1941, published at page 386, Part I of the Calcutta Gazete dated 6<sup>th</sup> Feb 1941.



- (3) Hillmen who cultivate no land shall be liable to pay grazing tax for cattle, buffaloes, goats and goyals owned or kept by them, but each resident family shall be allowed free of grazing tax four cattle, two unweaned calves and two goats or in the alternative two goyals or buffaloes, one unweaned goyal or buffalo calf and two goats. If any hillman keeps both cattle, goyals and buffaloes, then one goyal or buffalo should be treated as equivalent to 2 head of cattle, and one goyal or buffalo calf as equivalent to 2 calves, for the purpose of calculating exemption and grazing tax payable.
- (4) A hillman or resident plainsman who cultivates not less than 0:4 acres of land is entitled, in addition to the exemption specified in sub-rule (3), to keep free of tax the following:-  
If he cultivates less than 2 acres of land - 2 cattle or 1 buffaloes.  
If he cultivates 2 acres of land - 2 cattle or 1 buffaloes for every complete acre cultivated.
- (5) Residents in Bazar areas who cultivate no land shall be allowed one cow or one she-buffalo with an unweaned calf or buffalo calf free of tax.
- (6) In case of cattle or buffaloes taken on hire bona fide for the purpose of cultivation either by hillmen or non-hillmen, the exemption to be allowed will be the same as allowed to non-hillmen under sub-rule (5). But no exemption shall be granted if the purpose of such hire is not cultivation of lands.
- (7) A non-resident plainsman is allowed to bring to or keep in the mouza where he holds land one pair of cattle or one buffalo per complete area (and not less than an acre) of land free of tax for the purpose of cultivation.
- (8) The tax shall be re-assessed for every year or part of a year commencing on the 1<sup>st</sup> of April.
- (9) Grazing tax shall be collected from Bazar residents by Bazar chaudhuries and from other persons by headmen. They shall grant printed receipts at the time of collection and enter the amounts in a cashbook. They will be entitled (except in the case of servants of the Crown) to a Commission on their collection at a rate determined by the Deputy Commissioner with the approval of the Commissioner.
- (10) The payment of grazing tax entitles cattle, buffalos, goats and goyals to be grazed in the waste lands vested in the Crown of on mouza only; if grazed in several mauzas they shall be liable to fresh assessment in each mouza. As a partial exception exempted cattle, goyals, buffaloes or goats may be grazed not only in the mauzas where the cultivator holds lands, but also in the mauzas where he lives even if he has no land in that mouza.
- (11) In conformity with and without prejudice to the provisions of this rule the Deputy Commissioner may issue instructions to headmen and Bazar Chaudhuries for carrying out the purpose of this rule.]

<sup>122</sup>[46. In every mouza the headman shall receive annually, subject to satisfactory performance of his duties, remuneration at the rates noted below, according to the plough rent demand of his mouza, in addition to commission on his rent collections. No service lands shall be granted to or allowed to be retained by headmen in lieu of their remuneration and all lands assigned to headmen to hold rent-free during their continuance in office shall be resumed: -

#### **RATES OF REMUNERATION**

- (a) Where plough rent demand is Rs. 500 and below - 10 per cent on all plough rent demands between Rs. 50 and Rs. 100 plus  $1\frac{1}{2}$  percent of demand over Rs. 100 up to Rs. 500.
- (b) Where plough rent demand exceeds Rs. 500, 3 per cent of the plough rent demand with a minimum remuneration of Rs. 16.]

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<sup>122</sup> As amended by Notification No. 837 E.A. dated the 14<sup>th</sup> January 1938, published at page 121, Part I of the Calcutta Gazette of the 20<sup>th</sup> January 1938, and *Erratum* No. 3775 E.A. dated the 19<sup>th</sup> February 1938, published at page 389, Part I of the Calcutta Gazette, dated the 24<sup>th</sup> February 1938.

### **Khas Mauzas of Chiefs**

47. <sup>123</sup> With the sanction of the Commissioner, a Circle Chief may hold one or more mauza in his circle as his khas mauzas, and in that case will be entitled to all the remuneration provided for the headman in addition to his remuneration as Chief, so long as he arranges properly for the performance of the duties of the headman and the mauza officers.

### **Investiture of the Chiefs and Appointment and Dismissal of Headmen**

48. <sup>124</sup> The investiture of the Chief is regulated by the Bengal Government. The headmen will be appointed by the Deputy Commissioner in consultation with the Chief and they may be dismissed by the Deputy Commissioner for incompetence or misconduct after a reference to the Chief concerned. The Deputy Commissioner will not be bound, in either case by the wishes of the Chief, but full consideration should be given to them. This appointment is not hereditary, but a son, when competent, may be appointed to succeed his father.

### ***Migration and Migrating Defaulters and Absconders***

49. Migration by cultivating raiyats from one circle to another though not absolutely prohibited, is to be discouraged. No cultivating raiyat may so migrate till he has discharged all dues owed by him within the circle, and mouza from which he wishes to migrate; and the Chiefs and the headmen are empowered to detain the persons and property of such intending defaulters till the orders of the Deputy Commissioner are received. An absconder will not be permitted to resettle within the circle from which he has absconded till he discharges all the dues for which he has liable when he absconded.

[49A. (Omitted)]

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<sup>123</sup> As amended by Notification No. 13066 P dated the 3<sup>rd</sup> Dec. 1920, published at page 2312, Part I of the Calcutta Gazette dated the 8<sup>th</sup> December 1920.

<sup>124</sup> As amended by Notification No. 1233 P-D dated the 8<sup>th</sup> October 1900, published at page 1152, Part I of the Calcutta Gazette dated the 17<sup>th</sup> October 1900, No. 13066 P dated the 3<sup>rd</sup> December 1920 published at page 2312, Part I of the Calcutta Gazette dated 8<sup>th</sup> Dec. 1920 & No. 201 T-R dated 16<sup>th</sup> May 1933, Published at page Part 1 of Calcutta Gazette dated 25 May 1933.

### **Occupation of Non-urban Land for Homestead and Resumption of Land for Public Purpose**

50. (1) A hillman may occupy non-urban khas land up to a maximum area of 00.30 acre for the purpose of his homestead with the permission of the headman of the mouza concerned without obtaining any formal settlement from the Deputy Commissioner. The headman shall maintain a Register of such lands allotted by him to the local families for their homestead.
- (2) A hillman willing to occupy non-urban land exceeding 00.30 acre for the purpose of construction of homestead shall obtain a settlement of the land from the Deputy Commissioner or the Sub-divisional Officer concerned. Such land settled for the purpose of homestead will be treated as non-agriculture land, and rent thereof will be fixed as per rule 34 (I) (K), *ibid*.
- (3) (a) The Deputy Commissioner may resume any land, for which a settlement has been granted, for any public purpose and in case of such resumption, compensation will be paid to the lessee or tenant for any buildings or structures erected on the land and for standing crops and trees grown and planted by him on such land. Compensation will be paid also for the land only in a case where the lessee or tenant has acquired permanent and heritable right to the land according to conditions in the rules or his lease deed.
- (b) In case of resumption of any land, which is in occupation of a hillman with the consent of the headman for the purpose of homestead as mentioned in sub-rule (1) and in respect of which no settlement has been granted, compensation shall be paid to the occupant only for any buildings or structures erected thereon and for trees planted by him, but he shall not be entitled to any compensation for the land itself.
- (4) <sup>125</sup> In the matter of assessment of compensation for any land, the principles as laid down in section 4 of the C.H.T. (Land Acquisition) Regulation, 1958 (E.P. Regulation I of 1958) shall be followed.

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<sup>125</sup> As substituted vide Revenue Deptt. Notification No. IL-15/69/216-R.L.dt. 16<sup>th</sup> Sep 1971, published in Dacca Gazette dated the 21<sup>st</sup> October 1971.

### **Expulsion of Undesirables**

<sup>126</sup>51. If the Deputy Commissioner is satisfied that the presence in the district of any person, who is not a native of the district, is or may be injurious to the peace or good administration of the district, he may, for reasons to be recorded in writing, order such person if he is within the district to leave the district within a given time or if he is outside the district forbid him to enter it.

Whoever disobeys or neglects to comply with any order passed under this rule shall be punishable with imprisonment, which may extend to two years, or with fine, or with both.

<sup>127</sup>51A. (1) If the Deputy Commissioner is satisfied that it is necessary in the interests of peace, good administration and the welfare of the district, to pass any order restricting or controlling trade, or to compel certain persons or class of persons to take certain order with property in their possession or under their management, he may, for reasons to be recorded in writing and with the previous sanction of the Commissioner, pass any general or special order to this end.

(2) Such order shall not, unless renewed, be valid for a period longer than three months.

(3) In case of emergency, such order may be passed by the Deputy Commissioner subject to confirmation by the Commissioner within fifteen days.

### **Immigration into the Hill Tracts**

<sup>128</sup> [52. (a) Save as hereinafter provided, no person other than a Chakma, Mogh or a member of any hill tribe indigenous to the Chittagong Hill Tracts, the Lushai Hills, Arakan Hill Tracts, or the State of Tripura shall enter or reside within the Chittagong Hill Tracts unless he is in possession of a permit granted by the Deputy Commissioner at his discretion.

(b) Every such permit shall contain the following particulars:-

(1) Name, father's name and residence of the holder.

(2) His thumb impression and, if literate, his signature.

(3) The period during which, the areas within which, and the purposes for which, the holder is allowed to remain in the Chittagong Hill Tracts.

Provided that the Deputy Commissioner of Chittagong may, pending the issue of a detailed permit as described in this clause, authorise in writing any person eligible,

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<sup>126</sup> As amended by notification No. 708 T-R dt. 21<sup>st</sup> Sept 1932 published at page 1227 Part 1 of Calcutta Gazette dated 29<sup>th</sup> Sept. 1932. However, the Rule 51 of the Chittagong Hill Tracts Regulation was declared as ultra vires of the Constitution of the Islamic Republic of Pakistan by the High Court vide Memo. No. 2307 dt. 21-6-65 of the Legal Remembrancer, East Pakistan addressed to Deputy Commissioner, CHT.

<sup>127</sup> As inserted by notification No. 16910 E.A. dated. 2<sup>nd</sup> Sept. 1937 published at page 2303 Part I of the Calcutta Gazette dated 9<sup>th</sup> Sept. 1937.

<sup>128</sup> As amended by notification No. 9340 F.A. dated the 21<sup>st</sup> August 1934, published at pages 1250-1251. part 1 of Calcutta Gazette of the 30<sup>th</sup> August 1934 and No. 13628 F.A. dated the 19<sup>th</sup> December 1934 published at pages 1996-1997 Part 1 of the Calcutta Gazette dated the 27<sup>th</sup> December 1934. [Rule 52 of the CHT Regulation is reported to have been repealed in 1930, and there is one such reference to that effect in the Chittagong Hill Tracts District Gazetteer, editor-Muhammad Ishaq at page 256.]

under clause (a) to hold a permit to enter into the Hill Tracts and to remain therein for such period as he may thereby order.

- (c) Every application for a permit shall
  - (i) be in the form of a petition bearing a court fee stamp of annas twelve,
  - (ii) be accompanied by a certificate from the District Magistrate or Subdivisional Officer of the district or subdivision in which the applicant resides that he bears a good character, has not been concerned in any crime or political movement, and has satisfactory means of livelihood,
  - (iii) state the purpose for which, the period during which, and the areas within which the applicant seeks permission to remain in the Chittagong Hill Tracts, and
  - (iv) state the thana at which the applicant desires to receive his permit.
- (d) No permit shall be valid for more than twelve months from the date of its grant.
- (e) The Deputy Commissioner may extend the validity of any permit on receipt of an application accompanied by a fee of annas two and may at any time cancel any permit.
- (f) A fee of annas six shall be paid by the recipient of a permit at the time of receipt thereof.
- (g) No permit shall be required in the case of any Government Officer of gazetted rank visiting or posted to the Chittagong Hill Tracts or of his wife or minor children.
- (h) The particulars required under clause (c) shall not be necessary in the case of the household servants or retinue of such officers or of visitors to the Deputy Commissioner, the Divisional Forest Officer, the Chakma, Bohmong or Mong Chiefs or of the household servants or retinue of such visitors.
- (i) No fees shall be payable in respect of applications for permits made by, or for any permit granted to, or extended in respect of, any person referred to in clause (h), or anyone-hillman who is a permanent resident cultivator in the Chittagong Hill Tracts, or any Government servant employed in the said tracts or any employee of the Chittagong Hill Tracts Bazar Fund, or any member of the family of such Government servant or Bazar Fund employee.
- (j) If an applicant for a permit satisfies the Deputy Commissioner that he is a permanent resident of the Chittagong Hill Tracts, his application shall not be refused except on the ground that he is an undesirable person. The grounds of such refusal shall be recorded by the Deputy Commissioner and such applicant may appeal to the Commissioner against an order of refusal within one month of the date of such order. The order of the Commissioner on such appeal shall be final.
- (k) Any person required by this rule to be in possession of a permit who is found within the boundaries of the Chittagong Hill Tracts without such permit or conducts himself otherwise than in accordance with any directions contained in the permit shall be punishable with rigorous imprisonment which may extend to three years, or with fine or with both.
- (l) Every person required by this rule to be in possession of a permit shall be bound to produce it on the demand of any Government officer, headman, *karbari* or Bazar Chaudhuri, shall arrest him and forward him without delay to the nearest Police officer or Magistrate. In making an arrest under this clause the Government officer, headman, *karbari* or Bazar Chaudhuri may require the assistance of any person, and such person

shall be bound to render assistance in effecting the arrest, and in keeping the offender in detention till he is handed over to a Police Officer or Magistrate.]

## **Jails**

53. <sup>129</sup> The rules of the Bengal Jail Code and Subsidiary Jail Code shall apply, as far as practicable, to the Chittagong Hill Tracts. The Subsidiary Jail at Rangamati shall be a sub-jail for the purposes of these codes. This Sub-jail is affiliated to the Chittagong District Jail and is under the administrative control of the Inspector-General of Prisons, Bengal.

## **Protection Against Small-pox**

<sup>130</sup>[53A. (1) If the Deputy Commissioner considers that vaccination of all unprotected persons is necessary in the Chittagong Hill Tracts, he may by order declare in such manner as he may think fit that vaccination of all such persons in the said tracts shall be compulsory and may also issue from time to time such directions not inconsistent with the provisions of the Bengal Vaccination Act 1880 (Bengal Act V of 1880), as he considers necessary in connection therewith.

- (2) On the making of a declaration under sub-rule (1) that vaccination of all unprotected persons shall be compulsory -
- (a) the parents and guardians of all children born within the Chittagong Hill Tracts and of all unprotected persons under the age of fourteen years brought to reside, whether temporarily or permanently, in the said tracts shall be responsible for the vaccination of such children or persons in accordance with the directions so issued, within such time as may be specified in such directions; and
- (b) all other unprotected persons shall comply, with such directions as may be issued by the Deputy Commissioner under sub-rule (1) for their vaccination.
- (3) Whoever willfully or negligently disobeys or refuses to comply with any direction issued by the Deputy Commissioner under sub-rule (1) shall be punishable with fine, which may extend to twenty-five rupees.

[Explanation - In this rule -

- (a) "Guardian" means any person to whom the care, nurture or custody of any child falls by law, or by natural right or recognised usage, or who has accepted or assumed the care, nurture or custody of any child or to whom the care or custody of any child has been entrusted by any authority lawfully authorised in that behalf;
- (b) "Unprotected person" means a person who has not been protected from small-pox by having had an attack of that disease or by having been successfully vaccinated and who has not been certified to be insusceptible of vaccination in accordance with any direction issued in that behalf by the Deputy Commissioner and includes a child who has no parent or guardian.]

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<sup>129</sup> As amended by Notification No. 12838 E.A. dated. the 3<sup>rd</sup> Dec 1934, published at page 1905, Part I of Calcutta Gazette dated 6<sup>th</sup> Dec 1934.

<sup>130</sup> As inserted by notification No. 1322 S., dated the 28<sup>th</sup> May, published in the Calcutta Gazette of the 31<sup>st</sup> May 1945 (See also (E.A. file No. 343 of 1944).

## Registration of Opium Consumers

<sup>131</sup>[54. (1) Register of habitual consumers of opium shall be maintained by the Deputy Commissioner for every opium shop in the Chittagong Hill Tracts and shall contain the following particulars -

1. Name of the opium consumer in full, religion, nationality and occupation.
  2. Age.
  3. Father's name, also husband's name in the case of females.
  4. Permanent address of the consumer.
  5. Identification marks or thumb impression or photographs of the consumer.
  6. The amount of opium the consumer is allowed to purchase monthly.
  7. The amount of opium or any preparation thereof the consumer is allowed to have in his possession at one time.
- (2) When the register for each shop has been prepared, it shall be signed by the Deputy Commissioner after he has verified the entries therein. One copy of the register shall be given to the vender and another copy shall be retained in the office of the Deputy Commissioner. No new names shall be added to the list of consumers entered in the register when finally prepared save in exceptional circumstances by special order of the Deputy Commissioner. No alteration or correction shall be made in any entry in the register except under the written authority of a gazetted officer.
- (3) The Deputy Commissioner shall apply each consumer entered in the register maintained under sub-rule (1) free of charge with a print containing the particulars mentioned in the register against his name.
- (4) No such registered consumer shall purchase opium, except from the shop in the register for which his name is entered or purchase from such shop, during any one-month of the Bengali year, more than the amount of opium entered in the register as the amount which he is allowed to purchase monthly.
- (4a) Every consumer entered in the register maintained under sub-rule (1) proceeding to Chittagong district temporarily shall have his permit endorsed by his vendor on departure and on return. The endorsement shall state what portion of his monthly supply he has received from his vendor up to the time of his departure. If opium has been supplied to such consumer under the rules in force in the Chittagong district he will be entitled on return only to the balance of his allotment for the current month. Similar entries regarding departure and return of every such registered consumer shall be made in the register kept by his vendor under sub-rule (2).
- (4b) A register of habitual consumers of opium to whom no opium shop in the Chittagong Hill Tracts is accessible shall be also maintained by the Deputy Commissioner containing the same particulars as are mentioned in sub-rule (1), and each such consumer shall be given

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<sup>131</sup> As inserted by Notification No. 2329 E.A. dated the 22<sup>nd</sup> December 1937, published at pages 14-15 of Part I of the Calcutta Gazette, dated the 6<sup>th</sup> January 1938 and amended by notification No. 99 T., dated the 29<sup>th</sup> June 1940, published at page 1844 of Part I of the Calcutta Gazette, dated the 4<sup>th</sup> July 1940.



permit by the Deputy Commissioner free of charge to purchase opium at a shop outside the said tracts. No such consumer shall purchase opium from such shop during any one month of the Bengali year more than the amount of opium entered in the register as the amount, which he is allowed to purchase monthly. Every permit issued under this sub-rule shall contain the particulars mentioned in the register against his name.

- (5) No vender shall sell opium except to a person licensed by the Deputy Commissioner to possess opium or to consumers duly entered in the register maintained for his shop or sell to any such person more than the amount of opium mentioned in such license or sell to any such consumer, during any one month of the Bengali year more than the amount of opium entered in such register as the amount which such consumer is allowed to purchase monthly.
- (6) When specially authorised in this behalf by the Deputy Commissioner, any officer of Government, headman, karbari or bazar chaudhuri may -
  - (i) arrest without warrant any person found in possession of opium or any preparation thereof in contravention of the provisions of section 13 of the Chittagong Hill Tracts Regulation, 1900, and any registered consumer found in possession of opium or any preparation thereof in excess of the quantity mentioned in the register as the quantity which such consumer is allowed to have in his possession at one time;
  - (ii) seize and detain any opium or any preparation thereof so found; and
  - (iii) detain and search any person upon whom and any vessel, raft, vehicle, animal, package, receptacle or covering in or upon which he may have reasonable cause to suspect any such opium of preparation thereof to be.
- (7) Any person arrested and any article seized in accordance with sub-rule (6) shall be taken without delay to the nearest Police-Station and handed over to the officer-in-charge who shall produce such person and article before the nearest Magistrate without delay.
- (8) Any person, who, in contravention of this rule, buys or sells opium or makes any addition to, or alteration in, an entry in the register maintained under sub-rule (1) shall be punishable with imprisonment for a term, which may extend to six months, or with fine or with both.]