

1936
ASSAM SECRETARIAT

REVENUE DEPARTMENT

REVENUE—A

September 1936

Nos. 1-8

Amendment to the notification regarding Sibsagar-Naga Hills boundary.

NOTES

REVENUE—A, SEPTEMBER 1936

Nos. 1-8

Amendment to the notification regarding Sibsagar-Naga Hills boundary.

From the Commissioner, Assam Valley Division, No. 298R., dated the 17th April 1935.

Assistant Secretary,

The Deputy Conservator of Forests, Sibsagar Division, thinks that the notification No. 3102R., dated 25th November 1925, in collection Revenue, A, September 1927, Nos. 272-323, describing the boundary of Sibsagar and Naga Hills districts is incorrect as it differs from that shown on 2"=1 mile, sheet No. 83J/6N. While describing this portion of the boundary in the notification the sheet No. 83J-6, published in 1917, was mentioned. Our Librarian could not trace either of the two sheets. Both the Deputy Commissioners of Naga Hills and Sibsagar as well as the Commissioner, Assam Valley Division, recommend the amendment. In the first instance we may consult the Director of Surveys, unofficially for advice. After this we will have to consult the Forest and the Political Departments.

Erratum will have to be issued to the Manual of Local Rules and Orders, Volume III, 1934 (Reprint) and not to the old Manual of 1915 as suggested in the draft *erratum*.

N. Islam—30th April 1935.

Dilip—2nd May 1935.

Secretary,

The file may first go to the Director of Surveys unofficially for favour of advice.

3rd May 1935.

A. V. Jones.

Director of Surveys,

Please.

3rd May 1935.

H. M. Prichard.

Revenue Secretary, unofficially,

(No. 640.) I suggest the following amendment to the notification :—

For their portion occurring in line 47 of the description of the northern boundary adjoining the Sibsagar district "thence along the southern limit of that garden..... to the Teok stream" read—

"thence by the southern and eastern boundary of the Naginijan Tea Estate, as shown in Survey of India Sheet 83-J/6, scale one inch to a mile, published in 1917, to a point in latitude 26°—39'—39" longitude 94°—27'—48"; thence in a northeasterly direction to the spur emanating from the Yanchukhung* ridge, height 1,103 as shown in the same sheet and running westwards and known as the Ashichtenenam ridge; thence along the Ashichtenenam ridge, etc."

*Name occurs in the A. T. P. map of 1920-24.

2. As regards the boundaries of the first addition to the Tiru Hills Reserved Forest it is difficult to advise in the absence of a map of the Reserved Forest and a description of its boundaries. The following description is suggested tentatively. The Divisional Forest Officer, Sibsagar, should be asked to examine it :—

West and North.—"From a point on the eastern boundary of the Naginijan Tea Estate in latitude 26°—39'—39" longitude 94°—27'—48", from whence the district boundary ascends the Ashichtenenam ridge, the boundary shall follow the foot of the hills at first in a northwesterly and then in a northeasterly direction to the Mangrai Nadi. } A

East.—Up the midstream of the Mangrai Nadi to the existing Tiru Hill Reserved Forest boundary; thence this reserve boundary to the district boundary on the Ashichtenenam ridge.

South.—The Naga Hills Sibsagar district boundary to the starting point."

24th May 1935.

S. P. Desai.

Political may see.

If they agree, we will consult Commissioner and Conservator and find out whether they agree to the proposed changes.

27th May 1935.

H. M. Prichard.

Political unofficial'y,
27th May 1935.

A. V. Jones.

Revenue Secretary,

The revised notification is accepted as regards the *district* boundary. I have checked it by the map and it merely defines more accurately the *de facto* boundary already observed in practice. As regards the boundary to be notified as the boundary of the new area of reserved forest to be added to the Tirtu Hill Reserved Forest, I am doubtful of the advisability of using the expression "foot of the hills" in the passage marked A in Mr. Desai's note dated the 24th May 1935. I think it will be necessary to demarcate a line or lines and to notify accordingly, as the actual foot of the hills is notoriously difficult to determine.

7th June 1935.

J. H. Hutton.

Now prepare a draft *erratum* and ask Commissioner to check.

9th June 1935.

H. M. Prichard.

Secretary,

Orders above.

Draft *erratum* is put up for approval. I have omitted the last line "thence along the Ashichen-tenam ridge, etc." as this will overlap and will be a repetition, *vide* the notification.

Draft to Commissioner is also put up for approval.

2. Paragraph 3 of letter No. B.-273, dated the 31st January 1935, from the Deputy Conservator of Forests, Sibsagar Division, and paragraph 2 of Director of Surveys' notes, dated the 24th May 1935, may be shown to the Forest Branch for necessary action. A paragraph has been added to this effect in the draft to the Commissioner.

N. Islam—19th June 1935.

Dilip—19th June 1935.

Draft may issue.

19th June 1935.

H. M. Prichard.

To the Commissioner, Assam Valley Division, No. 1890-R., dated the 24th June 1935.

Memorandum from the Commissioner, Assam Valley Division, No. 545-R., dated the 22nd July 1935.

Assistant Secretary,

The draft *erratum* has been checked by the Deputy Commissioner, Naga Hills, which may now be published in the Gazette.

A. V. J.

A draft memorandum has been added to the notification for approval.

The last paragraph of office notes dated the 19th June 1935 may kindly be seen.

A. V. J.

The file may be endorsed now to Forest Branch.

N. Islam—26th July 1935.

Dilip—26th—27th July 1935.

Secretary,

26th—27th July 1935,

A. V. Jones.

Forests,

Please see last paragraph of our letter dated the 24th June 1935. Will you please take necessary action.

27th July 1935.

H. M. Prichard.

Revenue Secretary,

Action is being taken.

3rd August 1935.

J. H. Hutton.

Assistant Secretary,

The notification may now issue.

Dilip—3rd August 1935.

5th August 1935.

A. V. Jones.

Notification No. 2331-R., dated the 6th August 1935.

Memorandum to the Commissioner, Assam Valley Division, No. 2536-37-R., dated the 23rd August 1935.
Director of Surveys, Assam,

ASSAM SECRETARIAT PROCEEDINGS

REVENUE DEPARTMENT

REVENUE—A

SEPTEMBER 1936

Amendment to the notification regarding Sibsagar-Naga Hills boundary.

No. 1.

No. 298R., dated Gauhati, the 17th April 1935.

From—J. C. Higgins, Esq., C.I.E., I.C.S., Commissioner, Assam Valley Division,
To—The Secretary to the Government of Assam in the Revenue Department.

I have the honour to refer to Government memorandum No. 3226-32R., dated the 9th December 1925 and to submit for the orders of Government a copy of letter No. 731R., dated the 14th February 1935, from the Deputy Commissioner of Sibsagar regarding the Sibsagar-Naga Hills boundary. I recommend that a revised notification in respect of the altered portion of the boundary be issued. The Deputy Commissioner of Naga Hills has no objection to the proposed correction. A draft erratum to the notification No. 3102R., dated the 25th November 1925, is annexed.

Copy of letter No. 731R., dated the 14th February 1935, from Maulavi Darajuddin Ahmed, B.A., Extra Assistant Commissioner, Jorhat, to the Commissioner, Assam Valley Division.

District boundary.

I am directed by the Deputy Commissioner to enclose herewith a copy of letter No. B./273, dated the 31st January 1935, from the Deputy Conservator of Forests, Sibsagar Division, regarding the district boundary at the southernmost corner of the Naginijan Tea Estate. The notified boundary appears to differ from that shown on 2"=1 mile sheet No. 83J/6N. If you confirm the boundary as shown on the map and as desired by the Deputy Conservator of Forests, necessary steps may please be taken for the issue of a revised notification in respect of the altered portion of the boundary.

No. 2.

Copy of letter No. B./273, dated the 31st January 1935, from the Deputy Conservator of Forests, Sibsagar Division, Jorhat, to the Deputy Commissioner, Sibsagar.

I have the honour to ask you to refer to gazetted notification No. 3102R., dated the 25th November 1925.

The notification appears to be incomplete as regards the district boundary from boundary pillar No. 15 at the southernmost corner of Naginijan Tea Estate to the so-called Kampungia Naga path from Lirumen village.

2. The particular place where the notification seems obscure is from where the Teok stream crosses the boundary of the Naginijan Tea Estate to the Ashichentnam ridge. A reference to sheet No. 83J/6-N, on a scale of 2"=1 mile shows that the district boundary runs along the eastern boundary of the tea garden for about 25 chains beyond the Teok stream before ascending a spur on to the ridge. I presume that the boundary as shown on the map is to be accepted as correct.

3. I met the Subdivisional Officer, Mokokchung, on 7th December 1934 and he is of the opinion that the district boundary requires to be clearly demarcated on the ground. Further he considers it desirable that the area immediately to the north of the district boundary to the foot of the hills should be constituted a reserved forest, as the 1st addition to the Tiru Hills Reserve for political reasons.

The northern boundary of this addition to the Tiru Hills Reserve would run from the point where the district boundary turns east to leave the Naginijan Tea Estate along the base of the hills to the Mangrai Nadi at the foot of the Kampungia Naga path from Lirumen.

4. Will you please confirm that the district boundary as shown on the map may be accepted as correct and agree to the demarcation of the area described in paragraph 3 in order that proposals for its reservation may be submitted.

No. 3.

Copy of letter No. 25G., dated Kohima, the 2nd April 1935, from the Deputy Commissioner, Naga Hills, to the Deputy Commissioner, Sibsagar.

With reference to your memorandum No. 1041R., dated the 11th March 1935, I have the honour to say that I approve the draft *erratum* to notification No. 3102R., dated the 25th November 1925, except that the words "from the Teok Stream" should read "North of the Teok Stream."

DRAFT

Erratum (for page 4 of the correction slip No. 318, to the Manual of Local Rules and Orders, Volume I).

In this Department Notification No. 3102R., dated the 25th November 1925, published at pages 1380-1382, Part II of the *Assam Gazette*, dated the 2nd December 1925, substitute the words "the southern and eastern limits of that garden" for "the southern limit of that garden" in line 113 and substitute the words "Ashichtenenam ridge at a distance of 25 chains north of the Teok stream" for "Teok stream" in line 115.

No. 4.

No. ^{Sett.}₂₃₉/1890-R., dated Shillong, the 24th June 1935.

From—H. M. Prichard, Esq., I.C.S., Secretary to the Government of Assam in the Revenue Department,

To—The Commissioner, Assam Valley Division.

I am directed to refer to your letter No. 298-R., dated the 17th April 1935, regarding the boundary between the Naga Hills and the Sibsagar districts, and to forward a copy of a draft *erratum* to the notification No. 3102-R., dated the 25th November 1925, for check and return at an early date.

As regards the boundaries of the first addition to the Tiru Hills Reserved Forest orders will be issued by the Forest Branch in due course.

No. 5.

No. 545R., dated Gauhati, the 22nd July 1935.

Memo. by—The Personal Assistant to the Commissioner, Assam Valley Division.

By direction of the Commissioner, copy submitted to the Secretary to the Government of Assam in the Revenue Department, with reference to his letter No. Sett.-239/1890R., dated the 24th June 1935.

J. C. Higgins, Esq., C.I.E., I.C.S.,
Commissioner, Assam Valley Division

2. The enclosures are returned.

No. 6.

Copy of letter No. 2876-R., dated the 16th July 1935, from the Deputy Commissioner, Sibsagar, Jorhat, to the Commissioner, Assam Valley Division, Gauhati.

SUBJECT :—District boundary.

Reference :—Your Memorandum No. 1811-R., dated 29th June 1935.

The draft *erratum* to the notification No. 3102-R., dated 25th November 1925, has been checked by the Deputy Commissioner, Naga Hills, and is returned herewith.

No. 7.

No. 2331R., dated Shillong, the 6th August 1935.

Notification by—The Government of Assam in the Revenue Department.

Erratum.—In this Department Notification No. 3102R., dated the 25th November 1925, published at pages 1380 to 1382, in Part II of the *Assam Gazette*, dated the 2nd December 1925, for the portion occurring in line 47 of the description of the Northern boundary adjoining the Sibsagar district “ thence along the Southern limit of that garden.....to the Teok stream ” read—

“ thence by the Southern and Eastern boundary of the Naginijan Tea Estate, as shown in survey of India sheet 83-J/6, scale one inch to a mile, published in 1917, to a point in latitude 26°-39'-39" longitude 94°-27'-48" ; thence in a north-easterly direction to the spur emanating from the Yanchukung ridge, height 1103 as shown in the same sheet and running westwards and known as the Ashichentnam ridge ;”

No. 8.

No. ^{Sett.}₄₁₀/2536-37-R., dated Shillong, the 23rd August 1935.

Memo. by—The Assistant Secretary to the Government of Assam in the Revenue Department.

Copy forwarded to the ^{Commissioner, Assam Valley Division,}
^{Director of Surveys, Assam,} for information [with reference
to the correspondence resting with his memorandum
No. 545-R., dated the 22nd July 1935].

[1] To Commissioner.

PART II.

GOVERNMENT OF ASSAM.

Orders by the Governor in Council.

The 25th August 1925.

NOTICE.—The following notification by the Government of India in the Legislative Department is published:—

15-G., dated Simla, the 13th August 1925.—Whereas by Resolution passed by the Government of India in Council on the 19th day of September, 1872, the provisions of section 71 of the Government of India Act, 1870 (83 and 84 Vict., C. 3), were declared applicable to the territories of Assam, Darrang, Nowgong, Sibsagar, Lakhimpur, Khasi and Jaintia Hills, Naga Hills, and after the first day of January, 1873;

and whereas the said provisions having from time to time been repealed, re-enacted and amended, are now incorporated in section 71 of the Government of India Act;

and whereas the Governor of Assam in Council has proposed to the Governor General in Council the following Regulation, together with the reasons for proposing the same;

and whereas the Governor General in Council has taken the draft and reasons into consideration, and has approved of the draft and the same has received the assent of the Governor General on the 25th day of August, 1925;

and whereas the direction contained in sub-section (2) of Section 71 of the Government of India Act, 1919, in relation to the said Regulation is now published in the *Gazette of India* and will be published in the *Gazette of Assam*:

REGULATION No. V OF 1925.

A.

REGULATION

TO

Amend the Bengal Eastern Frontier Regulation, 1873.

It is expedient to amend the Bengal Eastern Frontier Regulation, 1873; It is hereby V of 1873. amended as follows:—

1. This Regulation may be called the Bengal Eastern Frontier (Amendment) Regulation, 1925.

2. In section 3 of the Bengal Eastern Frontier Regulation, 1873 (hereinafter referred to as the said Regulation), for the words and figures "to a fine not exceeding rupees 500, or to simple or rigorous imprisonment for a term not exceeding three months, or to both, for each subsequent offence" the words "to imprisonment of either description for a term not exceeding one year, or to a fine not exceeding one thousand rupees, or to both" shall be substituted.

3. In section 3, Regulation 3, of the said Regulation, for the words and figures "to a fine not exceeding rupees 100 for a first offence, and to a fine not exceeding rupees 500, or to simple or rigorous imprisonment, which may extend to three months, or to both, for each subsequent offence" the words "to imprisonment of either description for a term not exceeding one year, or to a fine not exceeding one thousand rupees, or to both" shall be substituted.

4. In section 4 of the said Regulation, for the words and figures "to a fine not exceeding rupees 100 for a first offence, and to a fine not exceeding rupees 500, or to simple or rigorous imprisonment, which may extend to three months, or to both, for each subsequent offence" the words "to imprisonment of either description for a term not exceeding one year, or to a fine not exceeding one thousand rupees, or to both" shall be substituted.

5. Section 5 of the said Regulation shall be re-numbered sub-section (1) of section 5 and in the said sub-section after the word "jungle-product" the words "or any book, diary, manuscript, map, picture, photograph, film, curio or article of religious or scientific interest" shall be inserted.

6. In section 6 of the said Regulation the following sub-section shall be added, namely:—

"If the Magistrate has reason to believe that any article which if found in the possession of a person convicted under this Regulation would have been liable to confiscation under sub-section (1) has been acquired or wholly or partly written, made or taken by such person beyond 'The Inner Line,' the Magistrate after giving the person in whose possession the article is found an opportunity to show cause why an order under this sub-section should not be passed in respect of the article may, unless it is proved that the article was not acquired, written, made or taken as aforesaid, order that such article be confiscated to Government."

The 25th August 1925.

No. 4205A.P.—In exercise of the power conferred by section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), the Governor in Council is pleased to extend the Bengal Eastern Frontier (Amendment) Regulation, 1925 (V of 1925), to that part of the district of Goalpara known as Eastern Duars.

The 25th August 1925.

No. 4206A.P.—In exercise of the power conferred by section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), the Governor in Council is pleased to extend the Bengal Eastern Frontier (Amendment) Regulation, 1925 (V of 1925), to the tract added to the Naga Hills district by Notification No. 68P., dated the 1st February 1910.

The 25th August 1925.

No. 4207A.P.—In exercise of the power conferred by section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), the Governor in Council is pleased to extend the Bengal Eastern Frontier (Amendment) Regulation, 1925 (V of 1925), to the Balipara Frontier Tract.

The 25th August 1925.

No. 4208A.P.—In exercise of the power conferred by section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), the Governor in Council is pleased to extend the undermentioned enactments to the tract transferred to the Balipara Frontier Tract by Notification No. 7281A.P., dated the 12th December 1921:—

Regulation V of 1873 (The Bengal Eastern Frontier Regulation, 1873).

Regulation V of 1925 [The Bengal Eastern Frontier (Amendment) Regulation, 1925 (V of 1925)].

G. E. SOAMES,

Offg. Chief Secretary to the Government of Assam.

The 25th August 1925.

No. 786L.—The following notification issued by the Government of India in the Legislative Department is republished:—

No. 120/25/G., dated Simla, the 13th August 1925.—In exercise of the powers conferred by sub-section (5) of section 72D read with section 129A of the Government of India Act, 1925, the Governor in Council, with the sanction of the Secretary of State in Council, is pleased to extend the following further amendment shall be made in the Assam Legislative Council Rules, 1925, rule 6 of the said rules, the following shall be substituted, namely:—

“6. The Governor, after considering the state of business of the Council shall allot different days as may in his opinion be possible, compatibly with the public interests for the business of the Council, and may allot different days for the disposal of different classes of such business; and on days so allotted for any particular class of business, business of that class shall have precedence. On other days no business other than Government business shall be transacted except with the consent of the Local Government.”

B. N. RAU,

Offg. Secretary to the Government of Assam in the Legislative Department and Secretary to the Assam Legislative Council.

The 29th August 1925.

No. 5623G.J.—The following notification issued by the Government of Bengal is republished for general information:—

No. 8126P., dated the 17th August 1925.—In exercise of the power conferred by section 12 of the Code of Criminal Procedure, 1898, as amended by the third schedule of the Press and Amendment Act, 1922 (Act XIV of 1922), the Governor in Council hereby declares that he has referred to His Majesty all copies, wherever found, of the Bengali book entitled “Sun Yat Sen” written by Sri Narendra Nath Ray, printed by Sri Sashi Bhushan Pal at the Metcalfe Press (No. 10, Chand Dutt Street, Calcutta), and published by Sri Braja Bihari Barman from the Government Publishing House, 193, Cornwallis Street, Calcutta, and all copies of all other documents and extracts therefrom on the ground that the said book contains words which bring or attempt to bring into hatred or contempt and excite or attempt to excite disaffection towards the Government established by law in British India, the publication of which is punishable under section 124 of the Indian Penal Code.