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SCHEDULE II.

FIRST ORDERS.

THE RURAL SELF-GOVERNMENT ACT.

[BURMA ACT IV, 1921.] (6th March, 1922.)

WHEREAS it is expedient to make provision for the introduction of self-government in rural areas in the Union of Burma for the purpose of associating the inhabitants of such areas more closely with the administration of matters affecting their daily lives :

And whereas it is expedient that District Councils, Circle Boards and School Boards should be constituted and invested with powers for carrying out the objects of this Act :

It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

1. * * * *

Definitions.

2. In this Act, unless it is otherwise expressly provided or unless there is something repugnant in the subject or context,—

- (a) "Bye-law" means a bye-law made by a District Council or by a School Board under this Act ;
- (b) "Cantonment" means any place declared to be a cantonment under section 3 of the Cantonments Act ;
- (c) "Cattle" includes elephants, oxen, buffaloes, ponies, mules, pigs, sheep and goats ;
- (d) "Circle Board" means a Circle Board established under section 5, sub-section (1) ;
- (e) "Civil Station" means any area of land notified as a civil station under any enactment from time to time in force ;
- (f) "District" means an area constituted a district for revenue and administrative purposes ;
- (g) "District Council" means a District Council established under section 5, sub-section (2) ;
- (gg) "Hospital Committee" means a Hospital Committee appointed under section 9A ;
- (h) (i) "Market" means any place where persons periodically assemble for the sale of goods, livestock or articles of food ;
- (ii) "Public Market" means any market belonging to a District Council, or constructed, repaired, or maintained out of a District Fund ;
- (iii) "Private Market" means any market, not being a public market ;
- (i) "Municipality" and "Municipal Committee" have the same meaning as in the Municipal Act, and include respectively an area declared to be a "notified area" and a Town Committee under the said Act ;

- (j) "Order" means an order made by the President of the Union and confirmed under section 78;
- (k) "Rule" means a rule made by the President of the Union under this Act;
- (l) "School Board" means a District School Board or a Joint School Board appointed under section 9;
- (m) "Village-tract" means a village-tract as defined in section 4, sub-section (8), of the Village Act or declared to be a village-tract under section 5, sub-section (1), of the said Act.

CHAPTER II.

ESTABLISHMENT AND CONSTITUTION OF DISTRICT COUNCILS, CIRCLE BOARDS AND SCHOOL BOARDS.

3. In every district or part of a district notified by the President of the Union in this behalf, a District Council, Circle Boards and School Boards shall be established.

Areas in which District Councils, Circle Boards and School Boards shall be established.

4. In any district or part of a district, in which Circle Boards are to be established, the President of the Union shall, by notification, aggregate the several village-tracts situated therein into groups and the groups into circles:

Aggregation of village-tracts into groups and of groups into circles.

Provided that such groups and circles shall not include any area for the time being included in a cantonment, civil station or municipality.

5. (1) For each such circle there shall be established a Circle Board, having authority, as hereinafter more particularly defined, over all the village-tracts comprised within the circle.

Establishment of Circle Boards.

(2) For all such circles, comprised within the limits of a district, there shall be established a District Council having authority, as hereinafter more particularly defined, over all the areas comprised within such circles.

Establishment of District Councils.

6. The Circle Boards shall consist of—

Composition of Circle Boards.

- (a) members elected by groups of village-tracts, in accordance with rules made in this behalf, to represent such groups: provided that where any group of village-tracts fails to elect the prescribed number of members the Commissioner may fill any such vacancy by nomination, and members so nominated shall be deemed to be elected members for the purposes of this Act;
- (b) such officers of the Medical, Public Works, Sanitary or Veterinary Departments, or of such other departments as the President of the Union may by order direct, as the members

elected under clause (a) may from time to time, with the consent of such officers, co-opt for purposes of professional advice only: provided that no officer so appointed may propose, or vote on, any resolution.

**Composition
of District
Councils.**

7. The District Council shall consist of—

- (a) members of Circle Boards within the district elected by the Circle Boards in accordance with rules made in this behalf to represent such Boards: provided that where any Circle Board perversely refuses to elect the prescribed number of members the Commissioner, with the assent of the President of the Union, may fill any such vacancy by nomination, and members so nominated shall be deemed to be elected members for the purposes of this Act, and it shall not be necessary for persons so nominated to be members of any Circle Boards;
- (b) such officers of the Medical, Public Works, Sanitary or Veterinary Departments, or of such other departments as the President of the Union may by order direct, as the members elected under clause (a) may from time to time, with the consent of such officers, co-opt for purposes of professional advice only: provided that no officers so appointed may propose, or vote on, any resolution;
- (c) persons nominated by the President of the Union, if the President of the Union may deem such nomination to be expedient: provided that the number of persons so nominated shall not exceed three or one-sixth of the number of members elected under clause (a), whichever is less: provided further that no person shall be so nominated unless he is qualified for election as a member of a Circle Board within the area for which the District Council has been constituted.

**Qualifica-
tions of
electors and
members for
Circle
Boards.**

8. (1) For the purpose of elections under section 6, clause (a), the qualifications of electors and the qualifications for being an elected member of a Circle Board shall be determined by order.

(2) An official shall not be qualified for election as a member of a District Council or Circle Board, and if an elected member of such Council or Board becomes an official his seat on such Council or Board shall be vacated.

(3) For the purpose of the preceding sub-section, "official" shall mean a person who is in the civil or military service of the Government and being a whole-time servant of the Government is remunerated either by salary or fees.

If any question arises whether any officer is or is not a whole-time servant of the Government for the purposes of this Act the decision of the President of the Union shall be final.

(4) A village headman who has been elected or nominated as a member of a District Council shall not be deemed to be a member of such Council until he has resigned his appointment of village headman: provided that nothing in this sub-section shall apply to a village headman nominated under the proviso to clause (a) of section 7.

9. (1) Every District Council shall, subject to rules made in this behalf, appoint some of its members to form a District School Board, or to form, in combination with members appointed for the purpose by any Municipal Committees within the district, a Joint School Board for—

Appointment
of School
Boards.

(a) the establishment, management, visiting and maintenance of all public vernacular schools within their respective jurisdictions, the construction and repair of all buildings connected therewith and the appointment and pay of the teaching staff;

(b) the recognition, control, visiting and support of vernacular schools under private management within their respective jurisdictions.

(2) (a) The proportion of members to be appointed by the District Council and by Municipal Committees shall be determined by the Commissioner in each case.

(b) If any District Council or Municipal Committee is dissatisfied with the decision of the Commissioner under clause (a), such Council or Committee may appeal to the President of the Union, who shall fix the proportion as he thinks fit.

(3) The members appointed under sub-section (1) may co-opt as members of the School Board such other persons as they think fit, provided that the members so co-opted shall not exceed one-third of the number of members of the School Board appointed under sub-section (1).

(4) A School Board may from time to time appoint school committees for the several schools under its control and administration, and shall, as far as may be practicable, conduct the management of any school for which such committee has been appointed through that committee.

(5) Subject to the general control of the Director of Public Instruction, the Inspector of Schools, within whose jurisdiction the district lies, shall act as Adviser to the School Board, and he or any other officer authorized by him in this behalf shall have the same right of being present at a meeting of the School Board and of taking part in its discussions as if he were a member, and may, at any time, make a statement or explanation of facts, but he shall not be at liberty to vote upon, or to make, any proposition at any such meeting.

9A. (1) For every hospital or dispensary within a circle there shall be constituted a Hospital Committee, composed as follows:—

Appointment
of Hospital
Committees.

not more than two members appointed by the Circle Board from among its own members;

not more than two members appointed by the District Council from among its own members ;

not more than two members nominated by the Deputy Commissioner to represent the general public of the vicinity ; and

the medical officer in charge of the hospital and such other local civil officer as the Deputy Commissioner may nominate.

(2) The Hospital Committee shall be responsible for the management, maintenance and visiting of the said hospital or dispensary, and for the construction and repair of all buildings connected therewith and for the appointment and pay of the staff excepting the medical officer in charge who shall be appointed and paid by the President of the Union.

(3) The members of a Hospital Committee shall elect one of their number to be Chairman and one of their number to be Vice-Chairman.

(4) The provisions of sections 12, 13, sub-sections (2), (3) and (4), 14, 15, 17, 18, 20, 21, excluding sub-sections (6) and (8), 22, 45, 46, 57, clauses (b), (c) and (d), 58, 59, 60, 61, 62, 63, 64, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78 and 79 shall apply, *mutatis mutandis*, to Hospital Committees, and to Hospital Funds formed under section 37A.

Appointment
of Joint
Committees
by District
Councils
with other
local bodies.

10. (1) A District Council may combine with any other District Council, or with any Municipal Committee, or with any cantonment or civil station authority, or with more than one such council, committee or authority in appointing, out of their respective bodies, in accordance with rules made in this behalf, a joint committee for any purpose in which they are jointly interested, and in delegating to any such joint committee any power, which might be exercised by either or any of the councils, committees or authorities concerned, and in framing or modifying regulations as to the proceedings of any such joint committee, and as to the conduct of correspondence relating to the purpose for which the joint committee is appointed.

(2) If any dispute arises between two or more District Councils, committees or authorities acting under this section, the decision thereon of the Commissioner, if the councils, committees or authorities are in the same division or, if they are not in the same division, of the Commissioners of the respective divisions, or if the said Commissioners are unable to agree, of the President of the Union, shall be final.

Appointment
of Joint
Committees
by two or
more Circle
Boards.

11. (1) A Circle Board may combine with any other Circle Board in the same district, or with more than one such Board, in appointing, out of their respective bodies, in accordance with rules made in this behalf, a joint committee for any purpose in which they are jointly interested, and in delegating to any such joint committee any power, which might be exercised by either or any of the Boards concerned, and in framing or modifying regulations as to the proceedings of any such joint committee, and as to the conduct of correspondence for which the joint committee is appointed.

(2) A District Council may similarly direct the formation of such a joint committee by two or more of its subordinate Circle Boards.

(3) If any dispute arises between two or more Circle Boards acting under this section, the decision thereon of the District Council of their district shall be final.

12. The term of office of members of District Councils, Circle Boards and School Boards shall be determined by the President of the Union by an order made in this behalf. Term of office.

13. (1) The members of every District Council, Circle Board and School Board, not being co-opted or nominated members, shall elect one of their number to be Chairman, and one of their number to be Vice-Chairman, in accordance with rules made in this behalf. Chairman and Vice-Chairman.

(2) The term of office of a Chairman or Vice-Chairman elected under sub-section (1) shall ordinarily be the residue of his term of office as a member of the District Council, Circle Board or School Board, as the case may be.

(3) The office of Chairman or Vice-Chairman shall be deemed vacant if the Chairman or Vice-Chairman, as the case may be—

(a) resigns, or

(b) is absent without the permission of the Council or Board from all meetings of such Council or Board for a period exceeding three consecutive months.

(4) A District Council, Circle Board or School Board may grant leave of absence to its Chairman or Vice-Chairman for any period not exceeding three months at a time and may elect any of its members, not being a co-opted or nominated member, to carry on the duties of Chairman or Vice-Chairman for the period of such absence.

14. A District Council, Circle Board or School Board may permit any of its members to absent himself from meetings of such Council or Board for any period not exceeding six months. Leave of absence to members.

15. A member of a District Council, Circle Board or School Board may resign by notifying in writing to the Chairman his intention to do so, and, on the acceptance by the Chairman of such resignation, the member shall be deemed to have vacated his seat. Resignation of membership.

16. (a) Any member of a District Council who ceases to be a member of the Circle Board electing him ;
(b) any member of a Circle Board (other than a co-opted member) who ceases to retain the qualifications necessary for election to such Board ;
(c) any member of a School Board who ceases to be a member of the District Council or Municipal Committee appointing him ;
and Disqualification from membership.

(d) any member of a Hospital Committee who ceases to be a member of the District Council or Circle Board appointing him, shall thereupon be deemed to be disqualified from being a member of such District Council, Circle Board, School Board or Hospital Committee, as the case may be.

Termination
of membership
on dis-
qualification
or by
notification
of President.

17. (1) Any member of a District Council, Circle Board or School Board, who, after his entry on office, ceases to be qualified for election as a member under any order, or becomes disqualified under section 16, shall forthwith resign his office as a member of such Council or Board.

(2) The President of the Union, either of his own motion or on the motion of a District Council, Circle Board or School Board, may, by notification, declare that any member of such Council or Board has ceased to be a member if—

- (a) he has been absent from all meetings of the Council or Board for any period exceeding six months ; or
- (b) he has, without the permission of the Council or Board, been absent from all its meetings for any period exceeding three consecutive months ;

and shall make such declaration if such member—

- (i) has refused or neglected to resign his office under sub-section (1); or
- (ii) has acted in contravention of section 20 :

Provided that no notification shall be issued under this sub-section until such member has been given an opportunity of explaining his default.

(3) The President of the Union may by order remove any member of a District Council, Circle Board or School Board, if he considers that his continuance in office is dangerous to the public peace or order.

(4) Any termination of membership under the preceding sub-section shall disqualify such member from re-election or re-appointment to the District Council, Circle Board or School Board of which he was a member for the period during which, but for such termination, he would have been entitled to remain in office.

Further
provisions as
to removal of
members.

17A. (1) Where it appears that the continuance in office of a Chairman or Vice-Chairman, elected under section 13, sub-section (1), or section 9A, or of a member of a District Council, Circle Board, School Board or Hospital Committee, is contrary to the public interest, the President of the Union may, after giving the Chairman, the Vice-Chairman or the member concerned an opportunity to show cause against the holding of an enquiry, subject to the provisions of any rules that may be made in this behalf, appoint a Committee of Enquiry with an officer not below the rank of Commissioner as President, and two members, one being a member of the Council, Board or Committee concerned and the other being an elector on the electoral roll for

any Circle Board in the district who is not in the whole-time or part-time employment of the Government, to enquire into all the circumstances of the case.

(2) Where the President of the Union appoints a Committee of Enquiry under sub-section (1) to deal with the case of a Chairman or Vice-Chairman, the Chairman or Vice-Chairman concerned shall cease to exercise the functions of his office and the President of the Union may appoint any member of the Council, Board or Committee concerned to exercise them in his stead.

When the President of the Union appoints a Committee of Enquiry under sub-section (1) in respect of the continuance in office of a member of a District Council, Circle Board, School Board or Hospital Committee, he shall cease to act as such member.

(3) The Committee of Enquiry shall have power to take evidence on oath, and shall have power to summon witnesses and to enforce the attendance of witnesses and to compel the production of documents, by the same means and, so far as may be, in the same manner as is provided in the case of a civil Court under the Code of Civil Procedure.

(4) On the conclusion of its enquiry, the Committee of Enquiry shall submit a report to the President of the Union, who may then, where the continuance in office of a Chairman or Vice-Chairman is concerned, order his reinstatement, or may declare him to be removed from his office, or to be removed both from his office and from membership of the Council, Board or Committee concerned and of any other local body of which he is a member; and where the continuance in office of a member of a District Council, Circle Board, School Board or Hospital Committee is concerned, may either order his reinstatement as such member, or declare him to be removed from such office, and from membership of any other local body of which he is a member.

(5) Where a person has been removed from membership of a District Council, Circle Board, School Board or Hospital Committee under the provisions of the last preceding sub-section, he shall not, save as provided in sub-section (6), be eligible for five years from the date of the order of removal for election or appointment to any local body constituted under the provisions of this Act or of the Municipal Act.

(6) The President of the Union may in special cases remove the disability imposed by sub-section (5).

(7) The proceedings of a Committee of Enquiry appointed under this section shall not, unless the President of the Union so directs, abate because the term of office of the Chairman or Vice-Chairman or member concerned has come to an end.

17B. Where a District Council, Circle Board, School Board or Hospital Committee has, subject to the provisions of any rules that may be made in this behalf, passed a resolution expressing want of confidence in its Chairman or Vice-Chairman and confirmed it by a majority of two to one at a meeting specially convened to consider the question and held not less than one month

Removal of
Chairman
or Vice-
Chairman.

after the meeting at which the original resolution was passed, the President of the Union may, if he thinks fit—

- (a) record his opinion that the continuance in office of such Chairman or Vice-Chairman is contrary to the public interest and remove him from office : provided that such Chairman or Vice-Chairman shall not be removed from office until he has first been given an opportunity to show cause against such removal, or
- (b) declare the case to be one for enquiry under section 17A, in which case all the provisions of section 17A shall apply.

Filling up
of casual
vacancies.

18. (1) When the place of a member of a District Council, Circle Board or School Board becomes vacant by the resignation, removal or death of the member, or any other cause, such casual vacancy shall be filled up, as soon as conveniently may be, by the election, co-option, nomination or appointment, as the case may be, of a qualified person thereto, who shall hold office so long only as the member whose place he fills would have been entitled to hold it if the vacancy had not occurred.

(2) No act of any District Council, Circle Board or School Board, or of its officers shall be deemed to be invalid by reason only of the fact that the number of members of the Council or Board at the time of such act was less than the prescribed number.

President
to make
rules to
regulate
transaction
of business
by local
bodies.

19. The President of the Union may make rules to regulate the manner in which a District Council, Circle Board, School Board and Hospital Committee shall meet and transact business, and the manner in which the minutes of all meetings shall be kept, and the authorities to whom copies of such minutes shall be forwarded.

Conditions
under which
members
to be
disqualified
from voting
or taking
part in
proceedings.

20. Any member of a District Council, Circle Board or School Board who—

- (a) has directly or indirectly, by himself or by any partner, employer or employee, any share or interest in any contract or employment with, by or on behalf of, such Council or Board, or
- (b) is a director, secretary, manager or other salaried officer of an incorporated company which has any such share or interest, or
- (c) has acted professionally, in relation to any matter, on behalf of any person having therein any such share or interest as aforesaid,

shall not vote or take any other part in any proceeding of the Council or Board, or of any Committee thereof, relating to such matter.

CHAPTER III.

OFFICERS AND SERVANTS.

Employment
of officers
and servants.

21. (1) Subject to the provisions of sub-sections (2) and (3) and to any rules that may be made in this behalf, the District Council or School Board

may employ a Chief Executive Officer and such other officers and servants as may be necessary for the efficient execution of their respective duties. No appointment of a Chief Executive Officer by a District Council or a School Board shall be made without the sanction of the President of the Union.

(2) In the case of the Secretary, the Health Officer or any other officer who may be specified by the President of the Union by rule, no post shall be created or abolished, and no alteration in the emoluments thereof, shall be made without the approval of the Commissioner, and every appointment to, and dismissal or removal from, such post shall be subject to confirmation by the Commissioner.

(3) No other post, the monthly salary of which exceeds three hundred rupees or such other sum as the President of the Union may by general or special order direct, shall be created or abolished, and no alteration in the emoluments thereof be made without the approval of the Commissioner, and every appointment to, and dismissal or removal from, such post shall be subject to confirmation by the Commissioner.

(4) Nothing in the preceding sub-sections shall be deemed to necessitate the confirmation of an order of suspension pending the decision of the Commissioner, but the Commissioner may reverse any such order of suspension.

(5) If in the opinion of the Commissioner any officer of the class specified in or under sub-section (2) or any other officer holding a post, the monthly salary of which exceeds one hundred rupees or such other sum as the President of the Union may by general or special order direct, is incompetent to perform his duties, or the retention of his services is otherwise against the public interest, the District Council shall, on the requirement of the Commissioner, dispense with his services with or without notice.

(6) In any local area in any district to which the President of the Union may by order extend this sub-section the District Council shall employ as District Health Officer an officer appointed by the President of the Union in that behalf: provided that in any such case the pay of the said Health Officer shall be defrayed from the revenues of the Union of Burma.

(7) A District Council or School Board shall not, except with the assent of the President of the Union, dispense with the services of a servant of the Government which have been placed at its disposal, whether in whole or in part, without giving the President of the Union three months' notice in writing to that effect.

(8) A Circle Board may employ such officers or servants and pay them such pay and allowances, and grant them such leave, as the District Council may by bye-laws prescribe; and, with the general or special sanction of the President of the Union, grant them pensions or subscribe on their behalf for pension or gratuity under any general or special orders of the President of the Union for the time being in force.

(9) Subject to rules made in this behalf, every officer or servant of a District Council, Circle Board or School Board who is entrusted with money in the course of his employment shall give such security as may be prescribed by rule.

Provisions
regarding
appointment
of Chief
Executive
Officer.

21A. (1) In any District Council or School Board where there is a Chief Executive Officer appointed under sub-section (1) of section 21, such officer shall exercise such powers of the Council or Board, or of the Chairman or Vice-Chairman under this Act, or any rule or bye-law thereunder, as may be conferred on the said officer by the Council or Board by bye-law.

(2) All other officers and servants of the Council or Board shall, subject to any exceptions and conditions that may be laid down by rule by the President of the Union in this behalf, be subordinate to the Chief Executive Officer.

(3) With the sanction of the Council or Board, a Chief Executive Officer may empower, by general or special order in writing, any officer or servant of the Council or Board to exercise, under his control, any power conferred on him by or under this Act.

(4) An order by the Chief Executive Officer under sub-section (3) may prescribe any condition and impose any restriction in respect of the exercise of any power.

(5) Any order passed by an officer or servant of the Council or Board in the exercise of a power conferred on him under sub-section (3) may be revised by the Chief Executive Officer who shall report any such case to the Council or Board.

(6) The Chief Executive Officer shall have the right to attend all meetings of the Council or Board and of any standing committee or sub-committees and may, with the permission of the Chairman, or in virtue of a resolution passed in this behalf at a meeting of the Council or Board or standing committee or sub-committee, make an explanation in regard to a subject under discussion, but shall not move, second or vote on, any resolution.

(7) Where the President of the Union decides that a District Council or School Board has made persistent default in the performance of the duties imposed upon it by or under this Act, or is exceeding or abusing its powers, the President of the Union may, in lieu of making an order to dissolve or supersede the Council or Board under the provisions of Chapter VIII of this Act, require the Council to appoint a Chief Executive Officer in accordance with rules made under this Act, within such period as he may prescribe in the requisition.

(8) If the Council or Board fails to appoint a Chief Executive Officer within the period fixed in the requisition, or, having appointed a person whose appointment is not approved by the President of the Union, fails, within a further period to be fixed by the President of the Union, to appoint an approved person, the President of the Union may—

(a) select and appoint a person to be Chief Executive Officer;

(b) fix the pay and allowances and general conditions of service of such Chief Executive Officer and if he is a servant of the Government the conditions under which his services are lent to the District Council or School Board.

(9) Where a Chief Executive Officer is appointed under the provisions of sub-section (7) or sub-section (8) the President of the Union shall determine

which powers, if any, of the Council or Board, or of the Chairman or Vice-Chairman, under this Act or any rule or bye-law thereunder shall be exercised by the said Chief Executive Officer, in addition to or to the exclusion of their exercise by the said Council, Board, Chairman or Vice-Chairman.

22. (1) The District Council or School Board may—

- (a) subject to any rules that may be made in this behalf, pay its officers and servants such pay and allowances and grant them such leave as it may think fit;
- (b) subject to such conditions as the President of the Union may by rules prescribe, establish and maintain a provident fund on behalf of its own officers and servants, the officers and servants of any Circle Board within the jurisdiction of the District Council, and the teachers of any school aided by grants from the District School Fund, and may compel any or every such officer or servant to contribute thereto, and may supplement such contributions out of the District Fund or the District School Fund, as the case may be;
- (c) with the general or special sanction of the President of the Union, grant them pensions, or subscribe on their behalf for pension or gratuity under any general or special orders of the President of the Union for the time being in force:

Pay, pension and allowances of officers and servants.

Provided that—

- (i) the conditions of the grant of leave and of leave allowances, pension or gratuity shall not be more favourable than those prescribed for servants of the Government; and
- (ii) no leave allowances, pension or gratuity shall exceed the sum which, under any general or special orders of the President of the Union for the time being in force, such officer or servant would be entitled to if his service had been under the Government.

(2) In the case of an officer lent by Government, the District Council or School Board shall contribute to any leave allowance, gratuity, or pension, to which he may become entitled, in accordance with any general or special orders of the President of the Union for the time being in force.

(3) If any dispute arises regarding the interpretation of provisos (i) and (ii) to sub-section (1), the decision of the President of the Union thereon shall be final.

23. Subject to the provisions of this chapter and to any rules made in this behalf, two or more District Councils may from time to time conjointly appoint and employ any officers or establishments, and provide for the payment of their salaries and their control-

Employment of officers and establishments by two or more local bodies conjointly.

CHAPTER IV.

CONSTITUTION OF INDEPENDENT CIRCLE BOARDS AND OF VILLAGE COMMITTEES.

Establishment of Circle Boards in areas where there is no District Council and powers and duties of such Boards.

24. (1) In any locality not falling within any of the areas set out in a notification under section 3 and for which no District Council has been established under section 5, the President of the Union may, by notification, direct that Circle Boards shall be established, and that such Boards shall exercise and perform such of the powers and duties conferred and imposed on District Councils by this Act and the orders and rules made thereunder as may be specified in the notification, subject to any rules made under sub-section (2).

(2) The President of the Union may make rules specifying the modifications with which this Act and the orders and rules made thereunder shall apply to such Circle Boards.

Delegation of powers to village committees.

25. (1) * * * *

(2) Where a village committee has been established for any village-tract under the Village Act, the Circle Board may direct that within the village-tract any matter placed under the control and administration of the Circle Board under this Act shall be wholly or partly transferred to the control and administration of the village committee with adequate funds for the purposes of such control and administration.

(3) The village committee, subject to the control of the Circle Board, shall, so far as the funds at its disposal permit, make due provision for all matters transferred to its control and administration by this section. It shall be the duty of the Circle Board to enforce the responsibility imposed on the village committee by this section.

(4) The village committee may exercise all or any of the powers of the Circle Board delegated to it, and shall conform to all the rules and orders to which the Board is subject in respect of such powers.

(5) The village committee shall not incur expenses or undertake liabilities to an amount exceeding the funds placed at its disposal.

(6) The President of the Union may make rules regulating the procedure which such village committees shall follow in the conduct of business and in their relations with District Councils and Circle Boards, the registers of accounts which they shall keep and the reports and returns which they shall submit.

CHAPTER V.

TAXATION, PROPERTY AND FINANCE.

Tax on circumstances and property.

26. (1) A District Council may, with the previous sanction of the President of the Union, levy a tax on persons residing within, or owning or occupying houses, buildings or lands within, its jurisdiction.

(2) Such tax shall be imposed according to the circumstances and property of such persons within the limits of the said jurisdiction, and shall

not apply to circumstances and property outside such limits of a person residing within them.

(3) The rate at which such tax shall be levied shall not average less than rupees two or more than rupees eight *per annum* per person liable to pay it.

(4) In any area in which such tax is levied, no person shall be liable to pay capitation-tax under section 34 of the Land and Revenue Act, or land rate in lieu of capitation-tax under section 35 of the said Act, or *thathameda*-tax under section 22, sub-section (1), of the Upper Burma Land and Revenue Regulation, for the financial year for which such tax is levied.

27. (1) With the previous sanction of the President of the Union, a District Council may levy a tax for the construction and maintenance of any embankment, light railway, canal or other irrigation work or for the payment of charges incurred in connection with any loan raised for such construction, or, in the case of a light railway, for the payment of a guarantee.

Tax in aid of embankment, light railway or irrigation work.

(2) Such tax shall be levied on all occupied lands which lie within the jurisdiction of the District Council and are so situated that their occupiers can derive benefit, direct or indirect, from such embankment, light railway, canal or other irrigation work.

(3) Any person objecting to the levying of such tax on him on the ground that he does not derive or is not likely to derive any benefit, direct or indirect, from such embankment, light railway, canal or other irrigation work, may appeal to the Commissioner whose decision thereon shall be final :

Provided that a District Council shall not raise by such tax any amount in excess of what is required for the construction and maintenance of such embankment, light railway or irrigation work, the repayment of loans with interest thereon and management charges.

28. (1) With the previous sanction of the Commissioner, a District Council may levy a toll or fee—

Imposition of other tax, toll or fee.

- (a) for the right to expose goods or livestock for sale in any public market within the area over which its jurisdiction extends or for the use of any building or structure therein ;
- (b) for the registration of animals sold in such market ;
- (c) for the right to expose goods or livestock for sale on roads or streets within the area over which its jurisdiction extends ;
- (d) for the service of any bull or stallion being the property of the District Council ;
- (e) for the right to exhibit goods or livestock at any fair, show or exhibition held under its authority within the area over which its jurisdiction extends ;
- (f) a tax, toll or fee on any or all of the following, namely— vehicles, boats, animals, menials and domestic servants, trades, professions and callings, private markets ;

(g) a tax, toll or fee for services rendered as respects any of the following, namely—water-supply, lighting, scavenging, sewage, sanitation, drainage, public conveniences ;

(h) a tax on land or buildings or both ;

(i) an octroi :

Provided that not more than one tax shall be imposed under clauses (f) to (h) in respect of the same buildings or land.

(2) * * * *

Maximum
scale of
school fees.

29. A District School Board, subject to the control of the District Council, or a Joint School Board, subject to control of the Commissioner, may fix a maximum scale of fees to be levied in schools under its control.

Scale of fees
for attend-
ance at
hospital.

29A. A Hospital Committee may, subject to the approval of the District Council, fix a scale of fees to be paid by different classes of patients attending a hospital or dispensary under its control.

Rules to
regulate
imposition,
etc., of taxes,
tolls and fees.

30. The President of the Union may make rules to regulate the imposition, assessment, collection, suspension and remission of any taxes, tolls or fees levied under this Act.

Power of
President to
suspend
levy of tax
or toll.

31. If at any time it appear to the President of the Union, on complaint made or otherwise, that any tax, toll or fee imposed under this Act is unfair in its incidence, or that the levy thereof or of any part thereof is injurious to the interests of the public, he may require the District Council to take within a specified period measures to remove the objection, and if within that period such requisition is not complied with to the satisfaction of the President of the Union, the President of the Union may, by notification, suspend the levy of the tax, toll or fee, or any part thereof until the objection has been removed.

Property
to vest in
District
Council.

32. (1) Every road, building or other work constructed by a District Council or a Circle Board subordinate thereto from the District Fund shall vest in the District Council.

(2) All land acquired at the request of a District Council under section 55 shall vest in the District Council on payment by the Council of the cost of acquisition.

(3) On the establishment of a District Council in any district, every road, building or other work constructed or maintained from the District Cess Fund in Lower Burma or from the local fund hitherto known as the District Fund in Upper Burma shall, if situate within the area subject to the authority of the District Council, vest in such Council, subject to such exceptions as the President of the Union may by rule direct.

33. (1) There shall be formed for each district a fund to be called the District Fund, which shall vest in the District Council, and there shall be placed to the credit thereof—

Assets of
District
Fund.

- (a) in Lower Burma, the balance standing to the credit of that district, on the date on which the District Council is established, of all cesses and house-taxes levied under the District Cesses Act, and in Upper Burma, the balance standing likewise to the credit of that district of the sums hitherto appropriated to it for local purposes under the name of the District Fund, subject to all debts, liabilities and obligations affecting such funds: provided that in districts where this Act shall not apply to the whole district such proportionate share of the balance of the local funds as the President of the Union may decide shall remain at the disposal of Government;
- (b) the proceeds of all taxes, tolls and fees levied under this Act;
- (c) all rents and profits accruing from property vested in the District Council, or managed by the District Council or any Circle Board subordinate thereto;
- (d) all sums received by the District Council, or by a Circle Board subordinate thereto, in the discharge of functions exercised by it under this Act, including the proceeds of fees and fines realised under the Ferries Act and the Cattle Trespass Act;
- (e) all sums contributed to the District Fund by Government, or by any local bodies or private persons;
- (f) in Lower Burma—one-half, or such greater portion as the President of the Union may for any district by rule direct, of any of the annual cesses levied in any district under the District Cesses Act; in Upper Burma—such portion, if any, of the land-revenue levied in any district as the President of the Union may by rule direct;
- (g) the proceeds of any other source of income which the President of the Union may by rule direct to be placed at the disposal of the District Council;
- (h) all licence fees received from any pawn-shop licensed under the ¹[Village Act], within the jurisdiction of the District Council;
- (i) all fines recovered from persons convicted of offences committed against this Act or orders, rules or bye-laws made thereunder, and all sums recovered on account of composition for such offences; and
- (j) the proceeds of all loans made to the District Council.

(2) The balance standing to the credit of the District Fund shall be kept in the Government Treasury of the district or, with the previous sanction of the President of the Union, in such bank at the headquarters of the district as may be approved by the President of the Union in this behalf.

¹ The words " Village Act " were substituted for the words and figures " Burma Village (Amendment) Act, 1921 " by Act II, 1945.

Investment
of funds by
District
Council.

34. A District Council may, from time to time, with the previous sanction of the President of the Union, invest any portion of its District Fund in [* * * *]¹ Union of Burma Government securities, or in such other securities (including fixed deposits in recognised banks) as the President of the Union may approve in this behalf, and may exchange such investments for others of the like nature, and the income resulting from the securities and proceeds of the sale of the same shall be credited to the District Fund.

Raising of
loans by
District
Council.

35. It shall be lawful for a District Council, subject to the provisions of any law relating to the raising of loans by local authorities for the time being in force, to raise loans, from time to time, for the purpose of carrying out any of the provisions of this Act, and to guarantee the payment of interest on such loans and to form a sinking fund.

Objects
on which
District
Fund to be
expended.

36. The District Fund shall, subject to any rules which may be made in this behalf, be applicable to the payment by the District Council or by a Circle Board subordinate thereto of the charges and expenses incidental to the matters under the control and administration of the District Council and incurred within the area subject to the authority of the District Council, and, with the sanction of the Commissioner, outside that area when such application of the Fund is for the benefit of the inhabitants of that area, and also to the following purposes, namely :—

- (a) contributions for the maintenance of agricultural, industrial, medical and educational institutions;
- (b) expenses incidental to the audit of the accounts of the District Council or Circle Boards within the district;
- (c) payment of expenses of pauper lunatics and pauper lepers sent to public asylums from the area under the authority of the District Council;
- (d) payment of any sums which the District Council may be liable to pay as interest upon loans raised by it under section 35 for the purposes of this Act, and the formation of a sinking fund when required;
- (e) payment, at such rates and subject to such conditions and limitations as the President of the Union may by rule direct, of the travelling expenses of members of District Councils and Circle Boards;
- (f) payment of—
 - (i) expenses incurred by the District Council, subject to any rules that may be made by the President of the Union, in the acquisition by purchase or otherwise of lands and buildings, and in the construction and maintenance of buildings, for offices of the District Council or of Circle Boards subordinate thereto, or for the residence of any member of the

¹ The words " securities of the Government of India or " were deleted by Act XXIX, 1950.

establishment employed by the District Council or in its behalf ;

- (ii) advances granted to members of the establishment employed by the District Council or by a Circle Board subordinate thereto or on its behalf for the purpose of enabling them to acquire or construct residences for themselves, or for any other purpose for which advances may be made to servants of the Government ;
- (g) payment of any expenses that may be incurred through the default of the District Council in carrying out any of the duties imposed on it under this Act ;
- (h) with the previous sanction of the Commissioner, payment of contributions in aid of distress caused by fire, drought, flood or similar calamity within the district ;
- (i) payment of salaries to officers and servants employed by the District Council or by a Circle Board subordinate thereto ;
- (j) payment of commission, fee or other remuneration to persons employed by the District Council or by a Circle Board subordinate thereto ;
- (k) expenses and charges incidental to the matter specified in sections 21 and 22 ;
- (l) placing of funds at the disposal of Circle Boards under section 53, sub-section (1) ;
- (m) payment of any other sums which the District Council may, with the sanction of the Commissioner, declare to be an appropriate charge on the District Fund.

37. (1) There shall be formed for each circle constituted under section 4 a fund to be known as the Circle Fund, which shall vest in the Circle Board, and to which shall be credited all moneys made over to it by the District Council to which it is subordinate, to meet the expenses incidental to the control and administration of all matters delegated to the Circle Board under section 53. 4 Assets of Circle Fund.

(2) The balance standing to the credit of the Circle Fund shall be kept in the Government Treasury of the district or in such sub-treasury as the District Council may direct or, with the previous sanction of the President of the Union, in such bank at the headquarters either of the district or of the circle as may be approved by the President of the Union in this behalf.

37A. (1) There shall be formed for every hospital or dispensary for which a Hospital Committee has been appointed under section 9A of this Act a fund to be known as the Hospital Fund, to meet the expenses incidental to the control and administration of all matters for which the Hospital Committee is responsible under section 9A. This fund shall vest in the Hospital Committee, and there shall be placed to the credit thereof— Assets of Hospital Fund.

- (a) all sums contributed to the Hospital Fund by the District Council or other local bodies, or by Government, or by private persons ;

(b) all sums received from patients under section 29A.

(2) The balance standing to the credit of the Hospital Fund shall be kept in the Government Treasury of the district or in such sub-treasury as the District Council may direct or, with the previous sanction of the President of the Union, in such bank at the headquarters either of the district or of the circle within which the hospital or dispensary concerned is situate as may be approved by the President of the Union in this behalf.

Assets of
District
School Fund.

38. (1) There shall be formed for each district in which a School Board has been established under section 9 of this Act a fund to be known as the District School Fund, which shall vest in the case of a District School Board in the District Council, or in the case of a Joint School Board jointly in the District Council and the Municipal Committee or Committees which has or have combined with such Council for the appointment of such Board, and there shall be placed to the credit thereof—

(a) all sums contributed to the District School Fund by local bodies, or by Government, or by private persons ;

(b) all school fees or other money received by the School Board in the discharge of any functions exercised by it under this Act, or the orders and rules made thereunder.

(2) The balance standing to the credit of the District School Fund shall be kept in the Government Treasury of the district or, with the previous sanction of the President of the Union, in such bank at the headquarters of the district as may be approved by the President of the Union in this behalf.

Objects on
which
District
School
Fund to be
expended.

39. The District School Fund shall, subject to rules made by the President of the Union in this behalf, be applicable to—

(a) expenses incidental to the maintenance and development of vernacular schools under the management of the School Board ;

(b) grants-in-aid payable to vernacular schools under private management ;

(c) payment of scholarships to pupils in vernacular schools ;

(d) grants for the encouragement of school games and athletics ;

(e) expenses incidental to the several matters specified in section 9 ;

(f) expenses incidental to the audit of the Fund ;

(g) payment, at such rates and subject to such conditions and limitations as the President of the Union may by rule direct, of the travelling expenses of members of School Boards ;

(h) advances granted to officers and servants of the School Board for the purpose of enabling them to acquire or construct residences for themselves, or for any other purpose for which advances may be made to servants of the Government ;

(i) payment of any expenses that may be incurred through the default of the School Board in carrying out any of the duties imposed on it by this Act, or the orders and rules made thereunder ;

- (j) payment of any other expenses which the District School Board with the sanction of the District Council, or the Joint School Board with the sanction of the Commissioner, may declare to be an appropriate charge on the District School Fund.

40. When District Councils cannot agree as to the apportionment of the cost of works or undertakings, which benefit more districts than one, the Commissioner of the division, if the districts are in the same division, or, when the districts are in different divisions, the Commissioners of the respective divisions, or, if the Commissioners cannot agree, the President of the Union may determine what proportion of the expenses of the work or undertaking shall be borne by each of the district funds of the districts benefited thereby, and such proportion shall be payable out of the several district funds accordingly.

Decision of disputes as to apportionment of expenditure between districts.

41. (1) Every District Council shall appoint a finance committee of not less than three of its members.

Annual budget estimates of District Councils.

(2) Every District Council shall, on or before such date in each year as may be prescribed either generally or specially by the Commissioner, hold a meeting, at which the finance committee shall submit to the District Council an estimate of the income and expenditure of the District Council for the next ensuing financial year, in such form as the President of the Union may by rule direct.

(3) The District Council shall consider the estimate, and may provisionally approve it with or without modification.

(4) The District Council shall, on or before such date in each year as may be prescribed either generally or specially by the Commissioner, cause copies of the estimate, as provisionally approved by it, to be sent through the Deputy Commissioner to the Commissioner.

(5) The Commissioner may object to the estimate on the ground that any particular contained therein appears to him to be unnecessary, defective, excessive or outside the purposes of this Act.

(6) If no objection is received from the Commissioner within six weeks from the date of its despatch the estimate shall be taken as approved. If the Commissioner disapprove of the estimate he shall signify in writing to the Council his disapproval of the estimate and state the nature of his objection. The Council shall then modify the estimate in terms of the Commissioner's decision.

(7) If within six weeks from the date of the despatch no objection has been received, or if the estimate has been modified in accordance with the Commissioner's decision, the estimate shall be deemed to be finally sanctioned.

(8) No expenditure which is not provided for in the estimate shall be incurred during the year to which the estimate relates, and no funds provided under one or more head or heads of expenditure in the estimate shall be transferred to any other head or heads of expenditure except in accordance with rules made in this behalf.

Minimum
balance to
be kept in
District
Funds.

42. Except with the sanction of the President of the Union, no estimate shall be approved unless provision is made therein for the District Council having to its credit at the end of the financial year a balance of not less than such amount as the President of the Union may by rule direct.

Annual
budget
estimates
of Circle
Boards.

43. (1) Every Circle Board shall submit annually to the District Council to which it is subordinate, in such manner and on or before such date as the District Council may by bye-law prescribe in this behalf, a statement of its requirements, and an estimate of its expenditure for the coming financial year, and shall submit, as often as the District Council may by bye-law require, accounts of its receipts and expenditure.

(2) The District Council shall signify in writing to the Circle Board its approval of an estimate submitted under this section, after modifying it in such manner as it may think fit, and no expenditure not provided for in the estimate shall be incurred by the Circle Board during the year for which such estimate has been framed except with the previous approval of the District Council.

Annual
budget
estimates of
School
Boards.

44. (1) Every School Board shall appoint a finance committee of not less than three of its members.

(2) Every School Board shall, on or before such date in each year as may be prescribed either generally or specially by the Commissioner, hold a meeting, at which the finance committee shall submit to the School Board an estimate of the income and expenditure of the School Board for the next ensuing financial year, in such form as the President of the Union may by rule direct.

(3) The School Board shall consider the estimate and may provisionally approve it with or without modification.

(4) The School Board shall, on or before such date in each year as may be prescribed either generally or specially by the Commissioner, cause copies of the estimate, as provisionally approved by it, to be sent to the District Council, and, if the School Board is a Joint School Board, to the Municipal Committee or Committees which is or are represented on the School Board.

(5) In the case of a District School Board, the District Council shall signify in writing its approval or disapproval of the estimate. If it disapprove of the estimate it shall modify it accordingly. In the case of a Joint School Board, the District Council and the Municipal Committee or Committees, as the case may be, shall consider the estimate and on their approving the same in its entirety or with modification, shall signify their approval, as the case may be, in writing to the Joint School Board. In the event of any disagreement between the District Council and the Municipal Committee or Committees, the matter shall be referred to the Commissioner, whose decision shall be final.

(6) When the estimate has been finally approved, no expenditure which is not provided for therein shall be incurred during the year for which such estimate has been framed except with the previous approval of the local bodies represented on the School Board.

44A. (1) Every Hospital Committee shall submit annually to the District Council on such date as may be prescribed by the Commissioner an estimate of its income and expenditure for the ensuing financial year.

Annual budget estimates of Hospital Committees.

(2) The District Council shall signify in writing to the Hospital Committee its approval of an estimate under this section, after modifying it in such manner as it may think fit, and no expenditure not provided for in the estimate shall be incurred by such Hospital Committee during the year for which such estimate has been framed except with the previous approval of the District Council.

45. Accounts of the receipts and expenditure of every District Council, Circle Board and School Board shall be made up periodically to such days and in such form as the President of the Union may by rule direct and shall be examined and audited by such persons as the President of the Union may appoint in this behalf.

Periodical audit of accounts.

46. Every District Council, Circle Board and School Board shall keep at its office a copy of every estimate as approved under sections 41, 43 and 44, respectively, and of every account made up under section 45, and any person may, at any reasonable time, inspect such estimate or account without payment of any fee.

Inspection of budget estimates.

47. An abstract of every annual account of a District Council showing the income of the District Fund under each head of receipts, the charges for establishment, the works undertaken, the sums expended on each work and the balance, if any, of the fund remaining unspent shall be prepared by the District Council and shall be published annually in such manner as the President of the Union may by rule direct.

Annual publication of accounts.

CHAPTER VI.

DUTIES AND POWERS OF DISTRICT COUNCILS, CIRCLE BOARDS AND SCHOOL BOARDS.

48. In addition to appointing a School Board for the purposes mentioned in section 9, a District Council shall, subject to such exceptions and conditions as the President of the Union may by general or special order make and impose, be responsible for the proper carrying out of the following matters within the area subject to its authority:—

Matters to be administered by District Councils.

- (a) the management of all property vested in the District Council;
- (b) the construction, repair and maintenance of all public roads, other than roads declared by the President of the Union to be main roads, including the planting and preservation of roadside trees along such roads;
- (c) the construction, repair and maintenance of public waterways other than waterways declared by the President of the Union to be main waterways

- (d) the improvement of sanitation and the protection of the public health, including the prevention of the spread of contagious and infectious diseases among human beings ;
- (e) the protection of the health and well-being of cattle, including the prevention of the spread of contagious and infectious diseases among cattle ;
- (f) the regulation of the slaughter of cattle ;
- (g) the establishment, visiting and maintenance of public hospitals and dispensaries, and of veterinary dispensaries, the construction and repair of all buildings connected with such institutions, and the appointment and pay of the necessary subordinate establishment ;
- (h) the establishment, visiting, maintenance and management of markets, slaughter-houses, cattle-pounds, ferries, drains, public latrines, tanks, wells and other public works of a similar nature, and the construction and repair of all buildings connected therewith ;
- (i) the institution, holding and management of public fairs, agricultural shows and industrial exhibitions.

Powers which may be given to District Councils under certain Acts.

49. (1) Notwithstanding anything contained in any of the undermentioned Acts, the President of the Union may, by notification, extend to all or any of the areas for which a District Council has been established, or to any portion thereof, all or any of the provisions of the following Acts which apply or may be declared to apply to a municipality, and may declare that in any such area the District Council shall exercise all or any of the powers which are or may be exercised by Municipal Committees under the said Acts :—

- (a) the Hackney Carriage Act ;
- (b) the Vaccination Act, Part I ;
- (c) the Ferries Act ;
- (d) the Vaccination Act, Part III.

Other matters administration of which may be made over to District Councils.

50. The President of the Union may, by order, direct that any of the following matters shall, subject to such exceptions and conditions as may be specified in such order, be under the control and administration of a District Council within the area subject to its authority :—

- (a) the construction and maintenance of a light railway ;
- (b) the construction, maintenance and repair of embankments and canals and the supply, storage and control of water for agricultural purposes ;
- (c) the preservation and reclamation of soil and the drainage and reclamation of swamps ; and
- (d) any other matter affecting the public health, safety, comfort and convenience, or the agricultural or industrial prosperity of the district.

51. A District Council shall, so far as the funds at its disposal permit, make due provision for all matters placed under its control or administration by or under sections 48, 49 and 50.

Provision to be made by District Council for matters administered by it.

52. (1) Where a public market is vested in or has been established by a District Council, such Council may frame bye-laws for its regulation, and for the levy of fees for the right to sell goods or occupy stalls or buildings in such market.

Establishment of public and licensing of private markets by bye-law.

(2) A District Council may also—

(a) frame bye-laws for the regulation of private markets, and for the prohibition of the opening of any new private market after the date of the commencement of this Act, except in accordance with the terms and conditions of a licence granted by itself, and

(b) frame bye-laws for the regulation or prohibition of the exposure of goods for sale on roads and streets within half a mile of a public or private market, and for the levy of fees from persons setting up stalls or otherwise exposing goods for sale on such roads and streets.

(3) In making a bye-law under this section the District Council may direct that a breach thereof shall be punishable with fine not exceeding fifty rupees and, if the breach is a continuing breach, with a further fine not exceeding five rupees for every day after the first during which the breach is proved to have been persisted in.

(4) The power conferred under this section to make bye-laws is subject to the condition of previous publication in such manner as the President of the Union may by rule direct and to the control of the Commissioner.

53. (1) A District Council may, subject to the control of the Commissioner, direct that, within the area subject to the authority of a Circle Board, any matter placed under the control and administration of the District Council by or under sections 48, 49 and 50 shall be transferred to the control and administration of the Circle Board, with adequate funds for the purposes of such control and administration.

Delegation by District Councils to Circle Boards.

(2) A Circle Board, subject to the control of the District Council, shall, so far as the funds at its disposal permit, make due provision for all matters so transferred to its control and administration.

(3) It shall be the duty of the District Council to enforce the responsibility so imposed on a Circle Board.

(4) A District Council may reverse or vary resolutions of any Circle Board within the district.

(5) If a Circle Board makes default in the performance of any duty imposed on it by or under this section, the District Council may, by order in writing, fix a period for the performance of the duty.

(6) If the duty is not performed within that period, the District Council may appoint some person to perform it, and may provide for the expenses of, and incidental to, its performance out of the funds appropriated to or for the purposes of the Circle Board.

Incorporation and common seal of, and transfer of property by, District Council.

54. Every District Council shall be a body corporate by the name of the District Council of its district, and shall have perpetual succession and a common seal, with power to acquire and hold property, both moveable and immoveable, and, subject to any rules that may be made by the President of the Union in this behalf, to transfer any such property held by it, and to contract and to do all other things necessary for the purposes of this Act, and may sue and be sued in its corporate name.

Acquisition of land for District Council.

55. When any land is required for the purposes of this Act, the President of the Union may, at the request of the District Council, and on payment by the Council of the cost of acquisition, proceed to acquire it under the provisions of the Land Acquisition Act.

Local bodies may enter into contracts.

56. (1) A District Council, Circle Board, School Board or Hospital Committee may enter into and perform all such agreements and contracts as it may consider necessary for carrying out the purposes of this Act.

(2) Any such contract may be entered into on behalf of a District Council or of a School Board by the Chairman thereof if the value of such contract does not exceed two thousand rupees, or such other amount as the President of the Union may by general or special order direct, and on behalf of a Circle Board or Hospital Committee by the Chairman thereof if the value of such contract does not exceed five hundred rupees, or such other amount as the President of the Union may by general or special order direct.

Approval of plans and estimates before work is commenced.

57. No new work shall be commenced and no contract in respect thereof shall be entered into, if the estimated cost of such work exceeds—

- (a) in the case of a work to be carried out by a District Council, or by a School Board, two thousand rupees or such other amount as the President of the Union may by general or special order direct, until the plan and estimate therefor shall have been determined on and approved by the District Council or by the School Board, as the case may be;
- (b) in the case of a work to be carried out by a Circle Board, five hundred rupees or such other amount as the President of the Union may by general or special order direct, until the plan and estimate therefor shall have been determined on and approved by the District Council;
- (c) fifty thousand rupees or such other amount as the President of the Union may by general or special order direct, until the plan and estimate therefor shall have been submitted to and approved by the Commissioner;

- (d) one lakh of rupees or such other amount as the President of the Union may by general or special order direct, until the plan and estimate therefor shall have been submitted to and approved by the President of the Union.

58. (1) The Chairman of any District Council, Circle Board or School Board may execute on behalf of such Council or Board any contract which he is competent to enter into on behalf of such Council or Board under section 56. Execution of contracts.

(2) All other contracts shall be executed by the Chairman and one member, and shall be sealed with the common seal of the Council or Board.

(3) No contract, which is not executed in accordance with the provisions of this section, shall be binding upon a District Council, Circle Board or School Board.

59. (1) No contract for the execution of any work which a Chairman is not competent under section 56 to enter into on behalf of a District Council, Circle Board or School Board shall be given to any person except after tenders have been called for. Tenders to be called for.

(2) All tenders so received shall be placed before the District Council, Circle Board or School Board, and such Council or Board shall not be bound to accept any tender, and may accept any tender which appears upon a view of all the circumstances to be the most advantageous.

60. The Chairman of a District Council, Circle Board or School Board, as the case may be, shall see that sufficient security is taken for the due performance of any contract, the value of which exceeds five hundred rupees or such other amount as the President of the Union may by general or special order direct. Security for performance of contracts.

CHAPTER VII.

CONTROL.

61. (1) It shall be the duty of the President of the Union and of all Commissioners and Deputy Commissioners acting under his orders to see that the proceedings of District Councils, Circle Boards and School Boards are in conformity with this Act, and with the orders and rules in force thereunder. Duty and powers of President and officers subordinate to him to supervise, annul and inspect.

(2) The President of the Union may annul any proceeding which he considers not to be in conformity with law and with the orders or rules, and may do all things necessary to secure such conformity.

62. The Commissioner or the Deputy Commissioner may—

- (a) enter on and inspect, or authorize any qualified person to enter on and inspect any immoveable property vested in or occupied by a District Council, Circle Board or School Board or any work in progress under its direction;
- (b) make a written request for and inspect any document which may be, for the purpose of this Act, in the possession of or under the control of such Council or Board,

Supervision by Commissioners and Deputy Commissioners of District Councils, Circle Board and School Boards.

- (c) make a written request to such Council or Board to furnish such statements, accounts and reports as may be thought necessary ;
- (d) record in writing for the consideration of such Council or Board any observations he may think proper in regard to its proceedings or duties.

Powers of Deputy Commissioner to suspend execution of any order and of Commissioner to pass orders in any such case.

63. (1) If, in the opinion of the Deputy Commissioner, the execution of any order or resolution of a District Council, Circle Board or School Board, or the doing of any act which is about to be done or is being done in pursuance of or under cover of this Act, is likely to cause injury or annoyance to the public, or to any class or body of persons, or is likely to lead to a breach of the peace, he may, by order in writing, suspend the execution of such order or prohibit the doing of such act.

(2) If a Deputy Commissioner makes any order under sub-section (1), he shall forthwith forward to the Commissioner a copy of the order with a statement of the reasons for making it, and it shall be in the discretion of the Commissioner to rescind the order or to direct that it continue in force, with or without modification, indefinitely or for such period as he may think fit.

(3) A District Council may appeal to the Commissioner against any order passed under sub-section (1) within two months of the date of the passing of such order, and the decision of the Commissioner thereon shall be final.

Powers of Commissioner to order local body to carry out any duty.

64. (1) If at any time it appears to the Commissioner that a District Council, Circle Board or School Board has made default in performing, or has inefficiently performed, any duty imposed on it by this Act, he may, by order in writing, direct such Council or Board to perform that duty, or to take such measures as he may think proper for the performance thereof, and may fix a time within which the duty shall be performed or the measures shall be taken.

(2) If the order is not obeyed to his satisfaction within the time fixed, the Commissioner may appoint some person to execute it, and may direct that the expense of executing it shall be paid by such Council or Board, within such time as he may fix, to the person so appointed.

(3) If the expense is not so paid, the Commissioner may make an order directing the person having the custody of the balance of the District Fund or of the District School Fund, as the case may be, to pay the expense, or so much thereof as is from time to time possible, from that balance in priority to any or all other charges against the same.

(4) The Commissioner shall report to the President of the Union every case in which he uses the powers conferred by this section.

(5) A District Council may appeal to the President of the Union against any order passed by the Commissioner under this section within two months of the date of the passing of such order, and the President of the Union may confirm, modify or rescind any such order as he may think fit.

Powers of Deputy Commissioner

65. (1) In case of emergency, the Deputy Commissioner may provide for the execution of any work or the doing of any act, which a District Council is empowered to execute or do, and the immediate execution or doing of which

is, in his opinion, necessary for the service or safety of the public, and may direct that the expense of executing the work or doing the act shall be forthwith paid by such Council.

to order execution of emergent work.

(2) If the expense is not so paid, the Deputy Commissioner may make an order directing the person having the custody of the balance of the District Fund to pay the expense, or so much thereof as is from time to time possible, from that balance in priority to any or all other charges against the same.

(3) The Deputy Commissioner shall, except in cases of extreme urgency or danger, obtain the previous sanction of the Commissioner to the use of the powers conferred on him by this section, and shall report forthwith to the Commissioner every case in which he uses these powers. The Commissioner shall in like manner report forthwith to the President of the Union all instances in which either he or a Deputy Commissioner uses the powers conferred by this section. The President of the Union may, on receipt of such report, confirm, modify or rescind any order passed under this section.

65A. (1) In the event of any district or part of a district in which a District Council has been established being at any time visited or threatened with an outbreak of any dangerous disease, or in the event of any infectious disease breaking out or being likely to be introduced into the said district or part of a district amongst men or animals, the Deputy Commissioner may in his discretion—

Powers of Deputy Commissioner to take measures in case of outbreak of dangerous disease.

- (a) take any special measures,
- (b) employ any staff maintained by the District Council,
- (c) employ any additional staff, and
- (d) by public notice prescribe temporary regulations to be observed by the public or by any person or classes of persons in the above area,

for the purpose of preventing the outbreak of such disease or the spread thereof.

(2) Any expense so incurred shall be paid by the District Council and shall be recoverable in the manner prescribed in section 65.

66. In all matters connected with this Act, the Commissioner shall have and exercise the same authority over Deputy Commissioners subordinate to him as he has and exercises over them in the general and revenue administration of his division.

Control of Commissioner over Deputy Commissioners.

CHAPTER VIII.

DISSOLUTION OR SUPERSESSION IN CASE OF DEFAULT.

67. If a District Council, Circle Board or School Board is not competent to perform, or persistently makes default in the performance of the duties imposed on it by or under this or any other Act, or exceeds or abuses its powers, the President of the Union may, by order—

Dissolution or supersession of local body by President in case of persistent default or abuse of powers.

- (a) direct that all the members of such Council or Board shall cease to hold office as and from such date as may be appointed, and that a re-election or re-appointment shall take place as if such

date were the day of expiration of their term of office in accordance with the provisions of this Act, in so far as they may be applicable, and fix the term of office of members so elected or appointed, or

- (b) supersede such Council or Board either indefinitely or for a period to be specified in such order.

On a re-election or re-appointment under clause (a) the members who cease to hold office shall be eligible for election or appointment.

Consequence
of super-
session.

68. When a District Council, Circle Board or School Board is superseded under the last foregoing section, the following consequences shall ensue :—

- (a) All members constituting such Council or Board shall, from the date of the order, vacate their offices as such members.
- (b) All powers and duties of such Council or Board may, until such Council or Board is reconstituted, be exercised and performed by such person or persons as the President of the Union may, from time to time, appoint in that behalf, and such person or persons may utilise the balance standing to the credit of the District Fund or of the District School Fund, as the case may be, for the performance of such duties.
- (c) When a District Council is superseded, all property vested in it shall, pending the reconstitution of the Council, be vested in the President of the Union.

On the expiration of the period of supersession specified in the order, such Council or Board shall be re-established, and the persons who vacated their offices under clause (a) shall be eligible to become members thereof.

CHAPTER IX.

LEGAL PROCEEDINGS AND RECOVERY OF DUES.

Powers of
Chairman to
institute,
compound
and defend
cases and to
take legal
advice.

69. The Chairman of any District Council, Circle Board or School Board may, in respect of any matter falling within the jurisdiction of, and on behalf of and subject to the control of, such Council or Board—

- (a) institute, defend or withdraw from legal proceedings under this Act, or any order, rule or bye-law ;
- (b) subject to any conditions and exceptions prescribed by rules made in this behalf, compound any offences against any order, rule or bye-law ;
- (c) admit, compromise or withdraw any claim made under this Act, or any order, rule or bye-law, and
- (d) obtain such legal advice and assistance as he may from time to time think necessary or expedient to obtain, for any of the purposes referred to in clauses (a), (b) and (c), or for securing the

lawful exercise or discharge of any power or duty vested in or imposed upon such Council or Board, or in or upon any officer or servant of such Council or Board.

70. No suit shall be maintainable against a District Council, Circle Board or School Board, or against any member, officer or servant of such Council or Board, or against any person acting under the direction of such Council or Board, or of the Chairman or of any officer or servant thereof, in respect of anything lawfully and in good faith and with due care and attention done under this Act or any order, rule or bye-law. Indemnity.

71. (1) No suit shall be instituted against a District Council, Circle Board or School Board, or against any member, officer or servant of such Council or Board, or against any person acting under the direction of such Council or Board, or of the Chairman or of any officer or servant thereof, in respect of any act purporting to be done under this Act or any order, rule or bye-law, until the expiration of one month after written notice has been delivered or left at the office of the Council or Board, or at the office or the place of abode of such officer, servant or person, stating the cause of action, the name and place of abode of the intending plaintiff, and the relief which he claims. Institution of suits against local bodies.

(2) Every such suit shall be dismissed unless it is instituted within three months from the date of the accrual of the alleged cause of action, and unless service of notice as aforesaid is admitted or proved.

(3) If it is proved to the satisfaction of the Court that, before the suit was instituted, tender of sufficient amends has been made to the plaintiff, the plaintiff shall not recover his costs nor any relief not included in such tender, and shall defray the costs of the defendant in the suit.

(4) Nothing in this section shall be deemed to apply to any suit instituted under section 54 of the Specific Relief Act or to any suit instituted under section 76 of this Act.

72. A Judge or Magistrate shall not be deemed to be within the meaning of section 556 of the Code of Criminal Procedure a party to, or personally interested in, any prosecution under this Act or any order, rule or bye-law made thereunder, merely because he is a member of the District Council or of a Circle Board or School Board. Judge or Magistrate when not to be deemed personally interested in prosecution.

73. (1) Any sum of money or any tax, toll or fee due to, or claimable by, a District Council, Circle Board or School Board, may be recovered by such Council or Board as if it were an arrear of land-revenue, or in such other manner as the President of the Union may by rule direct. Mode of recovery of money, tax, toll or fee.

(2) Subject to any rules made by the President of the Union in this behalf, all applications for the recovery of such money, tax, toll or fee shall be made under the orders of the Chairman of the Council or Board, and by the Secretary or by such other officer as the Council or Board may generally or specially direct.

CHAPTER X.

SUPPLEMENTARY PROVISIONS.

Members, ...
etc., deemed
to be public
servants.

74. Every member, and every officer and servant of a District Council, Circle Board or School Board shall be deemed to be a public servant within the meaning of section 21 of the Penal Code.

Acts not
to be
questioned
by reason
of technical
irregularity.

75. No act done or proceeding taken under this Act or any order, rule or bye-law shall be questioned on the ground merely of the existence of any vacancy in any District Council, Circle Board or School Board, or on account of any defect or irregularity not affecting the merits of the case.

Liability of
members for
loss, waste
or mis-
application.

76. Every person shall be liable for the loss, waste or misapplication of any money or other property belonging to the District Council, Circle Board or School Board, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct while a member of a District Council or of a Circle Board or of a School Board, and a suit for compensation for the same may be instituted against him by the District Council or School Board, as the case may be, or by the Government.

Members
not to be
interested in
contracts.

77. If any member, officer or servant of a District Council, Circle Board or School Board is, otherwise than with the permission in writing of the Commissioner, directly or indirectly interested in any contract made with that District Council, Circle Board or School Board, he shall be deemed to have committed an offence under section 168 of the Penal Code :

Provided that—

- (i) a person shall not, by reason of being a shareholder in, or a member of any incorporated or registered company, or of having a share or interest in any newspaper in which any advertisement relating to the affairs of the local authority may be inserted, be held to be interested in any contract between such company or the manager or publisher of such newspaper and the local authority of which he is a member, but he shall not take part in any proceedings of the local authority relating to such contract ;
- (ii) nothing in this section shall apply to the payment of fees to a legal or medical practitioner for services rendered by him in his professional capacity ;
- (iii) nothing in this section shall apply to any member of a District Council by reason of his holding a debenture, or being otherwise concerned, in any loan raised by or on behalf of such Council ;
- (iv) nothing in this section shall apply to any member of a local authority who undertakes or executes on behalf of that authority any work in a fiduciary capacity without deriving therefrom any pecuniary profit.

CHAPTER XI.

ORDERS, RULES AND BYE-LAWS.

78. (1) The President of the Union may make orders consistent with this Act, and with reference, if necessary, to the varying circumstances of different local areas—

Powers of President to make orders.

- (a) * * * *
- (b) declaring the departments, the officers of which may be co-opted as members of District Councils and Circle Boards ;
- (c) prescribing the qualifications of electors and the qualifications for being elected members of Circle Boards ;
- (d) determining the term of office of members of District Councils, Circle Boards and School Boards ;
- (e) removing a member of a District Council, Circle Board or School Board from office under section 17, sub-section (3) ;
- (f) varying the limit of salary fixed in section 21, sub-section (3) ;
- (g) varying the limit of salary fixed under section 21, sub-section (5) ;
- (gg) extending sub-section (6) of section 21 to any local area ;
- (h) making and imposing exceptions and conditions in respect of matters placed under the control and administration of District Councils under section 48 ;
- (i) placing under the control and administration of District Councils any of the matters specified under section 50 ;
- (j) varying the value of contracts below which such contracts may be entered into by the Chairman of a District Council, Circle Board or School Board under section 56 ;
- (k) varying the value of contracts in respect of which work may be commenced without the plan and estimate having to be determined on and approved by the authorities specified under section 57 ;
- (l) fixing the value of contracts for which the Chairman has to take security under section 60 ;
- (m) dissolving or superseding a District Council, Circle Board or School Board under section 67 ;
- (n) delegating to any person or persons, subject to any conditions which may be prescribed, the powers conferred on the President of the Union or on a Commissioner under this Act.

(2) A draft of any order proposed to be made under this section shall be published in not less than four successive issues of the Gazette, and shall then be laid before both Chambers of the Union Parliament, which may confirm it with or without amendment, or may reject it.

Previous publication of draft orders.

(3) Any order, which has been confirmed under sub-section (2), shall have effect as if enacted in the body of this Act, unless or until it is amended or annulled by both Chambers of the Union Parliament, either without amendment or with amendments to which both the Chambers agree.

Confirmation of orders.

First orders
to be in the
Schedule
II.

(4) The orders set out in Schedule II¹ when this Act came into force shall be deemed to have been made under this section on the 6th March, 1922.

Power of
President to
make rules.

79. (1) The President of the Union may, in addition to making rules in respect of the matters mentioned in sections 19, 24, sub-section (2), 25, sub-section (6) and 30, make rules² consistent with this Act, and with any orders made thereunder, and with reference, if necessary, to the varying circumstances of different local areas—

- (a) for the election of members of District Councils and Circle Boards under sections 6 and 7, the investigation of allegations of corrupt practices or intimidation at such elections, the making void of any election at which such corrupt practices or intimidation have been proved to have taken place, and the making incapable of membership, either indefinitely or for a period of years, of any person who is proved to have been guilty of such corrupt practices or intimidation or of the abetment thereof ;
- (b) regulating the appointment of School Boards ;
- (c) for the appointment by a District Council, Circle Board or School Board of any Committee, and the manner in which such Committee shall transact business ;
- (d) for the appointment of Joint Committees under sections 10 and 11 ;
- (e) for the election of Chairmen and Vice-Chairmen under section 13 ;
- (ee) regulating generally the procedure at meetings at which a resolution is moved expressing want of confidence in a Chairman or Vice-Chairman or at which such a resolution is brought up for confirmation ; in particular, prescribing a quorum ; imposing a time-limit on the debate ; forbidding or regulating adjournments ; providing for the appointment of a Chairman to preside at such meetings and prescribing the action to be taken if there is no quorum, or if the resolution is not carried or confirmed, as the case may be ;
- (f) regulating the employment of officers and servants by District Councils and School Boards, the grant of leave and the payment of allowances and advances to all such officers and servants, and the establishment and maintenance of provident funds for their benefit ;
- (ff) regulating the appointment and removal of a Chief Executive Officer and the management by him of District Council or School Board business ;
- (g) fixing security to be given by officers or servants of District Councils, Circle Boards or School Boards ;

¹ For the first Orders contained in Schedule II to this Act, see the Rural Self-Government Manual.

² For rules made under section 79, see Local Government (Administration) Department (Ministry of Education) Notification No. 198, dated 7th November, 1936.

- (h) prescribing the special appointments referred to in section 21, sub-section (2) ;
- (i) regulating the appointment and employment of officers and establishments by two or more District Councils conjointly under section 23 ;
- (j) prescribing the exceptions subject to which the works mentioned in section 32, sub-section (3), shall vest in District Councils ;
- (k) regulating the portion of cesses and land-revenue as specified in section 33, sub-section (1), clause (f) ;
- (l) appropriating the proceeds of any source of income to the District Fund ;
- (m) regulating the charges and expenses to the payment of which District Funds and Circle Funds shall be applicable ;
- (n) prescribing the rates at which and the conditions and limitations subject to which the travelling expenses of members of District Councils and Circle Boards shall be payable under section 36, clause (e) ;
- (o) regulating the incurring of expenditure on any of the matters referred to in section 36, clause (f) ;
- (p) regulating the charges and expenses to the payment of which District School Funds shall be applicable ;
- (q) prescribing the rates at which and the conditions and limitations subject to which the travelling expenses of members of School Boards shall be payable under section 39, clause (g) ;
- (r) prescribing the form in which the annual budget estimates of District Councils and School Boards shall be prepared ;
- (s) regulating the incurring of expenditure not provided for in the budget estimate and the transfer of funds under section 41, sub-section (8) ;
- (t) regulating the minimum balance to be kept under section 42 ;
- (u) prescribing the dates up to which, and the form in which, accounts of the receipts and expenditure of District Councils, Circle Boards and School Boards shall be made up under section 45, and the form in which abstracts of such accounts shall be published under section 47 ;
- (v) regulating the transfer of property by District Councils under section 54 ;
- (w) prescribing the conditions under which offences against this Act, or any order, rule or bye-law thereunder, may be compounded under section 69, clause (b) ;
- (x) regulating the manner in which any money, tax, toll or fee shall be recovered, and the persons under whose orders and by whom application for such recovery shall be made under section 73 ;
- (y) prescribing the cases in which, the authorities to whom, and the conditions subject to which, orders and decisions made or

given under the provisions of this Act, or of the orders or rules thereunder, shall be appealable, when no express provision therefor has been made in the Act ;

(z) defining the manner, place and time of publishing for criticism any bye-laws proposed to be made under section 80 or section 81, and of their publication after they have been made ;

(aa) regulating generally the manner in which District Councils, Circle Boards and School Boards shall exercise their powers, perform their duties, and conduct their business under this Act.

Previous publication of draft rules.

(2) The power of the President of the Union to make rules under this section is subject to the condition of the rules being made after previous publication.

Rules to take effect as if enacted in Act.

(3) All rules made under this Act shall be published in the Gazette and shall thereafter have effect as if enacted in this Act.

Power of District Councils to make bye-laws.

80. (1) A District Council may, in addition to making bye-laws under section 52, make bye-laws consistent with this Act, and with any orders or rules made thereunder—

- (a) regulating the employment of officers and servants by Circle Boards, the grant of leave and the payment of allowances and advances to all such officers and servants, and the establishment and maintenance of provident funds for their benefit ;
- (b) regulating the powers and procedure of Circle Boards and School Boards in respect of matters not otherwise specifically provided for in this Act, or in the orders or rules made thereunder ;
- (c) regulating the assessment and collection of any tax, toll or fee levied under section 28, in respect of which no rules have been made by the President of the Union under section 30 ;
- (d) for the efficient performance of its duties in connection with all matters which are, or may be, placed under its control and administration under sections 48, 49 and 50 ;
- (e) for the delegation of powers to, and the distribution of duties among, the members, officers and servants of the District Council, Circle Board and School Board ;
- (f) for the custody of the common seal, and the purposes for which it shall be used ;
- (g) defining the persons by whom receipts may be granted on behalf of the District Council, Circle Board or School Board for money paid under this Act, and
- (h) generally for carrying out all or any of the purposes of this Act.

Penalty which may be attached.

(2) In making a bye-law under this section, the District Council may direct that a breach thereof shall be punishable with fine not exceeding fifty rupees, and, if the breach is a continuing breach, with a further fine not exceeding five rupees for every day after the first during which the breach is proved to have been persisted in.

(3) The power conferred under this section to make bye-laws is subject to the condition of previous publication in such manner as the President of the Union may by rule direct, and to the control of the Commissioner.

Previous publication of, and control of Commissioner over bye-laws.

81. (1) The District School Board with the approval of the District Council, or the Joint School Board with the approval of the Commissioner, may make bye-laws consistent with this Act and with the orders and rules made thereunder, for carrying out any of the functions entrusted to it under this Act.

Power of School Board to make bye-laws.

(2) In particular, and without prejudice to the generality of the foregoing power, such bye-laws may make provision--

- (a) for regulating the time and place of meeting of the School Board, the business to be transacted at such meetings, and the manner in which notice of meetings shall be given;
- (b) for regulating the appointment, powers and proceedings of local school committees and of sub-committees of the School Board;
- (c) for the delegation of powers to and the distribution of duties among the members, officers and servants of the School Board;
- (d) for the levying and collection of school fees;
- (e) for determining the scale of remuneration of teachers and the scale of grants-in-aid authorized by this Act or the orders made thereunder;
- (f) for determining the person by whom receipts may be granted for money paid under this Act;
- (g) for prescribing the accounts, registers and records to be kept, and the reports to be submitted, by teachers and by servants of the School Board.

(3) The power conferred under this section to make bye-laws is subject to the condition of previous publication in such manner as the President of the Union may by rule direct, and to the control of the Commissioner.

Previous publication of, and control of Commissioner over, bye-laws.

82. (1) No Court shall take cognizance of any offence punishable under this Act or any order, rule or bye-law thereunder except on the complaint of the District Council or, in the case of an offence arising out of matters delegated to the Circle Board, the Circle Board, as the case may be.

Prosecutions.

(2) The District Council or Circle Board may by resolution authorize persons to prosecute, either generally in regard to all offences against this Act and the orders, rules and bye-laws thereunder, or specially in regard only to specified offences, or offences of a specified class. The person authorized may be authorized by office or personally. The authority must in all cases be in writing, and may at any time by resolution be cancelled.

Exemption
from provi-
sions of sec-
tion 200 of
Code of
Criminal
Procedure.

83. It shall not be necessary in respect of any offence punishable under this Act or any order, rule or bye-law thereunder to examine the complainant, when the complaint is presented in writing, notwithstanding anything contained in section 200 of the Code of Criminal Procedure.

SCHEDULE I.

* * * *

SCHEDULE II.¹

FIRST ORDERS.

[Section 78, sub-section (4).]

¹ For the First Orders made under s. 78 (4) of this Act and their subsequent amendments, see the Rural Self-Government Manual. They are not reprinted here as they are in the nature of rules.