

## THE TOLLS (ARMY) ACT.

[INDIA ACT II, 1901.] (1st April, 1901.)

1 [\*           \*           \*           \*]  
1. \*           \*           \*           \*

2. In this Act, unless there is anything repugnant in the subject Definitions, or context,—

- (a) "ferry" includes every bridge and other thing which is a ferry within the meaning of any enactment authorizing the levy of tolls on ferries, but does not include any ferry or other thing which is included in the definition of "railway" in section 3 of the Railways Act ;
- <sup>2</sup> (b) the expression "the Burma forces" shall mean all forces subject to military or air force law and includes the Burma Reserve Forces when subject to military law ;
- (c) "horse" includes a mule and any beast of whatever description which is used for burden or draught or for carrying persons ;
- <sup>2</sup> (d) the expression "Burma Reserve Forces" means the Forces constituted under the Burma Reserve Forces Act and includes persons holding commissions in the Burma Army Reserve of Officers when called out in any military capacity ;
- (e) "landing-place" includes a pier, wharf, quay, jetty and a stage, whether fixed or floating ;
- (f) "local corps" means any corps which may be specified in this behalf by the President of the Union by notification ;
- (g) "public authority" means the Government, the [Railway Administration]<sup>2</sup> or a local authority ; and so far as regards tolls levied by a railway company under section 51 of the Railways Act includes such a railway company ; and
- (h) "tolls" include duties, dues, rates rents, fees and charges, but do not include customs-duties, octroi-duties or town-duties on the import of goods, or fares paid for the conveyance of passengers on a tramway.

3. The following persons and property, namely :—

(a) all officers, soldiers and airmen of—

(i) [the Burma Forces,]<sup>2</sup>

and all officers and soldiers of—

(ii) any local corps,

when on duty or on the march.

(b) all members of a corps of Volunteers when on duty or when proceeding to or returning from duty,

Exemptions  
from tolls.

<sup>1</sup> The Preamble has been omitted by the Union of Burma (Adaptation of Laws) Order, 1948.

<sup>2</sup> Substituted *ibid.*

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- (c) all officers and soldiers of the [Burma Reserve Forces]<sup>1</sup> when proceeding from their place of residence on being called out for training or service or when proceeding back to their place of residence after such training or service,
- (d) all grass-cutters when employed in the service of—
- (i) [the Burma Forces.]<sup>1</sup>
  - (ii) any local corps,
  - <sup>2</sup>(iii) \* \* \* \*
  - (iv) any corps of Volunteers,
- (e) all other authorized followers of—
- (i) [the Burma Forces.]<sup>1</sup>
  - (ii) any local corps,
  - <sup>2</sup>(iii) \* \* \* \*
  - (iv) any corps of Volunteers,  
when they accompany any body of such Forces, \* \* <sup>2</sup> or  
Volunteers or any members of such corps on the march,  
or when they are otherwise moving under the orders of  
military or air-force authority,
- (f) all members of the families of officers, soldiers, airmen or authorized followers of—
- (i) [the Burma Forces.]<sup>1</sup> or
  - (ii) any local corps,  
when accompanying any body of troops, or any officer,  
soldier, airman or authorized follower thereof on duty  
or on the march,
- (g) all prisoners under military or air-force escort,
- (h) the horses and baggage, and the persons (if any) employed in carrying the baggage, of any persons exempted under any of the foregoing clauses, when such horses, baggage or persons accompany the persons so exempted under the circumstances mentioned in those clauses respectively,
- (i) all carriages and horses belonging to [the State]<sup>1</sup> or employed in [the Burma]<sup>1</sup> military or air-force service and all persons in charge of or accompanying the same, when conveying any such persons as hereinbefore in this section mentioned, or when conveying baggage or stores, or when returning unladen from conveying such persons, baggage or stores,
- (j) all carriages and horses, when moving under the orders of military or air-force authority for the purpose of being employed in [the Burma]<sup>1</sup> military or air-force service,
- (k) all animals accompanying any body of troops which are intended to be slaughtered for food or kept for any purpose connected with the provisioning of such troops, and

<sup>1</sup> Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.

<sup>2</sup> Omitted *ibid.*

- (l) all persons in charge of any carriage, horse or animal exempted under any of the foregoing clauses when accompanying the same under the circumstances mentioned in those clauses respectively,

shall be exempted from payment of any tolls—

- (i) on embarking or disembarking, or on being shipped or landed, from or upon any landing-place, or
- (ii) in passing along or over any turnpike or other road or bridge, or
- (iii) on being carried by means of any ferry,

otherwise demandable by virtue of any enactment or any rule or order of any public authority :

Provided that nothing in this section shall exempt any boats, barges or other vessels employed in conveying the said persons or property along any canal from payment of tolls in like manner as other boats, barges and vessels.

4. (1) No tolls shall be leviable by any local authority in respect of—
- (a) any vessel employed by the Government solely for the transport of troops, or
  - (b) the horses, baggage or other effects of any troops embarking or disembarking at any port, or
  - (c) carriages belonging to [the State]<sup>1</sup> or employed in [the Burma]<sup>1</sup> military or air-force service embarking or disembarking at any port.

Tolls on vessels transporting troops and baggage, etc., of troops embarked or disembarked.

(2) In respect of all such vessels or troops, their families, their horses, baggage and their effects, or any such carriages as aforesaid, the local authority concerned shall, in addition to its duties in the embarking and disembarking of the same, perform and supply all such reasonable services and accommodation as may, from time to time, be required by the Government, and shall receive payment for all such services and accommodation on such terms and for such periods as may from time to time be determined by the Government in consultation with such local authority.

5. Any person who demands and receives any toll in contravention of the provisions of section 3 or section 4 shall be punishable with fine which may extend to fifty rupees.

Penalty.

6. (1) If any person claims compensation for any loss alleged to have been incurred owing to the operation of this Act, the claim shall be submitted to the President of the Union.

Compensation.

(2) On receiving any such claim, the President of the Union shall pass such order thereon as justice requires, and shall give all necessary directions for the purpose of ascertaining the facts of the case and of assessing the compensation, if any, to be paid.

<sup>1</sup> Substituted by the Union of Burma (Adaptation of Laws) Order, 1948.

Rules.

7. (1) The President of the Union may make rules to carry out the purposes and objects of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the President of the Union may make rules providing for the form of passes to be given to persons or bodies of persons or in respect of property entitled to exemption from the payment of tolls under this Act.

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

(4) All rules made under this section shall be published in the Gazette and, on such publication, shall have effect as if enacted by this Act.

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## THE FERRIES ACT.

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