

Political (1896) Department

ORDINARY MS.

G.O., No. 564

DATED 21-8-96

INDEXED.

[Despatch Abstract.]

Directing the public in the Fort S. Co.
Saz. of the resolution of the Govt
extending the rules under which
permission may be given to British
officers & other persons to cross
the north-west frontier of British
India & all officers & other persons
stationed beyond the north-west
frontier of British India in tracts
under the political control of the
Govt.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

No. 2049-F.

GOVERNMENT OF INDIA.

FOREIGN DEPARTMENT.

NOTIFICATION.

Dated Simla, the 31st July 1889.

CHIEF SECRETARY
14 AUG. 1890
GOVERNMENT OF INDIA

Extract from the Proceedings of the Government of India in the Foreign Department.

Read—Letter from the Government of the Punjab, No. 884, dated the 23rd July 1895 (with enclosures).

Read again—Notification by the Government of India in the Foreign Department, No. 1682-F., dated the 1st November 1889, and connected papers.

Read—Resolution by the Government of India in the Foreign Department, No. 4091-F., dated the 28th October 1895.

OBSERVATION.—The Notification No. 1682-F., dated the 1st November 1889, contains the rules under which permission may be given to British officers and other persons to cross the North-West Frontier of British India. As British troops and officers are now stationed beyond the North-West Frontier of British India in tracts under the political control of the Government of India, it is desirable that similar restrictions should be placed upon the movements of officers and others stationed in such tracts, so as to ensure that they shall not visit places considered unsafe for travellers, without the special permission of the local political authorities and without adequate local arrangements for their protection.

RESOLUTION I.—The Governor-General in Council is accordingly pleased to direct that the Notification No. 1682-F., dated the 1st November 1889, shall be republished for general information, and to order that the rules contained in it shall be held to apply *mutatis mutandis* to all officers and other persons stationed beyond the North-West Frontier of British India in tracts under the political control of the Government of India.

II.—The Resolution No. 4091, dated the 28th October 1895, is hereby cancelled.

No. 1682-F., dated Simla, the 1st November, 1889.

NOTIFICATION—By the Government of India, Foreign Department.

Extract from the Proceedings of the Government of India in the Foreign Department.

Read the undermentioned papers—

Office memorandum of the Government of India in the Foreign Department, No. 2086, dated the 21st October 1885, directing that no person should ever be allowed to go beyond British territory, and more particularly into wild and dangerous tracts without the specific sanction of the Government of India, obtained through this Department.

Resolution of the Government of India in the Foreign Department, No. 2587-P., dated 21st September 1875, withdrawing the restrictions imposed upon officers of Government desirous of visiting Native States, but declaring that the existing orders, prohibiting persons from visiting countries beyond the frontier of British India, shall remain in force.

A letter from the Quarter Master General in India to the Government of India in the Military Department, No. 2552-A., dated the 20th May 1887, stating that in the opinion of His Excellency the Commander-in-Chief, the time has now arrived when the regulations, which prevent officers and others from crossing the North-Western Frontier for the purpose of sporting, of travel, or exploration, might with advantage be modified.

A letter from the Government of the Punjab to the Government of India in the Military Department, No. 758, dated 21st December 1888, stating that while His Honour the Lieutenant-Governor considers that no general permission to cross the frontier can be given, he agrees that it is desirable to relax the existing rules, and submitting revised rules for adoption.

OBSERVATIONS.—The Viceroy and Governor-General in Council observes that the progress of events during recent years has rendered it desirable that on the North-Western Frontier of India some modification should be made in the orders restricting British officers from visiting countries beyond the border. In parts of the North-Western Frontier, more especially south of the Vihowa Pass, the attitude of the frontier tribes towards the British Government has undergone a considerable change for the better; and though this may not be the case in other parts, it has nevertheless become a matter of necessity that the Government should obtain a fuller knowledge of the country beyond the border, and endeavour to establish closer relations with its inhabitants. The restrictions hitherto in force cannot yet be wholly withdrawn, as excursions beyond the border will still in many places be attended with risk, but the Governor-General in Council is of opinion that, with proper local precautions and arrangements, much may be done to decrease this risk, and to promote friendly intercourse between British officers and the border tribes.

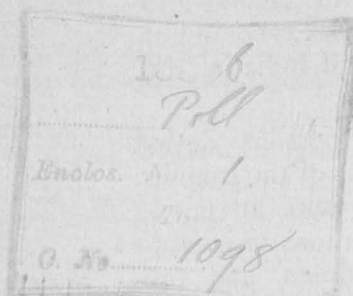
RESOLUTION.—The Governor-General in Council is accordingly pleased, in modification of the previous orders on the subject, to issue the following rules. It will be understood that they relate only to the North-Western Frontier of the Punjab:

Rules.

I.—Long expeditions into or across foreign territory, or short excursions into disturbed districts, which obviously involve considerable personal risk, should not be undertaken without the previous consent of the Government of India in the Foreign Department.

II.—In cases not covered by Rule I, British officers or other persons desiring to cross the frontier, must lay before the Deputy Commissioner of the frontier district from which they propose to start a clear statement of the route intended, the object of the journey, the time to be spent upon it, the precautions proposed, the dependence, if any, to be placed upon guides or tribal headmen, and the reasons for supposing that the journey can be made with safety.

III.—Applicants should not address the Deputy Commissioner until they have first obtained from superior authority written permission to do so, and this permission must be laid before the Deputy Commissioner when the application is made. It should be obtained, if the applicants are not in the service of Government, from a Secretary to a Local Government; if they are in the Army, from



the General Officer Commanding the District in which they are serving; and if they are in the service of Government in any other capacity, from the Head of the Department to which they belong. It must be clearly understood that the permission gives no authority to cross the border until the consent of the Local District officers has been obtained in the manner prescribed by these rules.

IV.—South of the Vihowa Pass, on receipt of an application in the prescribed form, the Deputy Commissioner may himself allow the applicants to cross the frontier, provided he is satisfied that the risk they will incur is small and that satisfactory arrangements can be made for tribal escort or protection. If he is of opinion that the journey should not be allowed, or is unwilling to take the responsibility of authorising it, he should proceed as described in Rule V.

V.—North of the Vihowa Pass, the Deputy Commissioner on receipt of the application will record his opinion and advice, and forward the papers to the Commissioner of the division for orders.

VI.—The Commissioner of the division can grant permission for the journey to be made when he feels assured that there is no risk, even if there is no stronger reason than the desirability of cultivating intercourse with the tribesmen, and accustoming them to visits by Europeans. If, however, he considers that there is some risk, he should not grant permission without the sanction of the Local Government, unless the risk is, in his opinion, slight, the object sufficient, and the officer proposing to make the expedition trustworthy, and unless delay is likely to prejudice the success of the expedition.

VII.—It should be distinctly understood that permission to cross the frontier under these rules should only be given to persons who are thoroughly trustworthy; who may be relied on not to pass the limits, if any, within which permission to travel is given; who speak the language of the country they propose to visit; and who have some practical experience in dealing with frontier tribes. Ordinarily also permission should not be allowed to these excursions except when it is clearly desirable to obtain information of a practical character.

VIII.—In any case in which a Deputy Commissioner or Commissioner grants permission to any person to cross the frontier under these rules, a report should be sent to the Local Government, by whom it should be forwarded to the Government of India in the Foreign Department for information.

IX.—Nothing in this Resolution will affect the provisions of the Punjab Frontier Crossing Regulation, VII of 1873, or the special rules prescribed for travelling in Kashmir, or will warrant any person in entering the territories of the Amir of Afghanistan without the special permission of the Government of India.

The Punjab Frontier Crossing Regulation, VII of 1873, is herewith republished for general information:

"Whereas by a Resolution passed by the Secretary of State in Council on the 6th day of October 1870, the provisions of the 33rd of Vict., chapter 3, section 1, were declared applicable to the districts of Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan, and Dera Ghazi Khan: And whereas the Lieutenant-Governor of the Punjab has proposed to the Governor-General in Council a draft of the following Regulation, together with the reasons for proposing the same; And whereas the Governor-General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor-General's assent: In pursuance of the direction contained in the said section, the said draft is now published in the *Gazette of India*, and will be published in the local gazette, and will thereupon have the force of law:

Regulation.

"1. No person duly warned in the manner hereinafter described shall pass out of British territory across the frontier of the districts of Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan, and Dera Ghazi Khan.

"2. A warning for the purpose of this Regulation, if addressed to an individual, shall be in writing under the hand of the Commissioner of the division, or of the Magistrate of the district, within which such individual dwells or may be found, and shall be served upon him in such manner as the Local Government may from time to time prescribe; if addressed to a class of persons or to the public generally, the previous sanction of the Governor-General in Council must be obtained, and this warning shall be notified in the *Punjab Government Gazette*, and be otherwise published in such manner as may be directed by the Local Government.

"3. Whoever disobeys, or attempts to disobey, or abets, within the meaning of the Indian Penal Code, another person in disobeying, or attempting to disobey, the prohibition contained in the first section of this Regulation, shall be punishable with fine not exceeding five hundred rupees.

"The provisions of sections sixty-four, sixty-seven, sixty-eight, sixty-nine and seventy of the Indian Penal Code shall apply to all fines imposed under this section.

"4. If any person disobeys, or attempts to disobey, or abets, within the meaning of the Indian Penal Code, another person in disobeying, or attempting to disobey the said prohibition, the Local Government may order him to remove to such place under the Government of the Lieutenant-Governor of the Punjab as the Local Government in each case directs.

"5. If any person contravenes any such order, the Commissioner of the division or Magistrate of the district within which he is dwelling or may be found, may cause him to be apprehended and detained in custody until he is released upon such conditions as the Local Government thinks fit.

"6. If the Commissioner of the division or Magistrate of the district within which any person (whether an European British subject or not) is dwelling or may be found, reasonably suspects that he intends to disobey the prohibition contained in the first section of this Regulation, such Commissioner or Magistrate may require such security for his good behaviour, for a period not exceeding six months, as the Commissioner or Magistrate may seem sufficient.

"The provisions of the Code of Criminal Procedure, sections five hundred and seven to five hundred and sixteen (both inclusive) shall apply *mutatis mutandis* to all cases under this section."

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The Chief Secretary to the Government of Bombay.
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The Chief Secretary to the Government of the North-Western Provinces and Oudh.
The Chief Commissioner of the Central Provinces.
The Chief Commissioner of Burma.
The Chief Commissioner of Assam.
The Chief Commissioner of Ajmere-Merwara.
The Resident at Hyderabad.
The Resident in Mysore.
The Agent to the Governor-General in Central India.
The Agent to the Governor-General in Rajputana.
The Agent to the Governor-General in Baluchistan.
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The Political Officer in charge of Sardar Muhammad Ayub Khan.
The Commissioner and Superintendent of the Peshawar Division.
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The Assistant Quarter Master General, Intelligence Branch.
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ORDERED.—That a copy of the foregoing Resolution be forwarded to the Government of the Punjab and to the Military Department, and that it be communicated* also to the other Departments of the Government of India, and to Local Governments and to the Administrations and Political Officers under the Foreign Department, and that it be published in the *Gazette of India*.

[True Extract.]

H. H. Barnes

Offg. Secretary to the Government of India.

To The Chief Secretary to the Government of Fort St. George.

with before copies

NOTIFICATION—By the Government of India, Foreign Department.

Extract from the Proceedings of the Government of India in the Foreign Department.

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“The provisions of the Code of Criminal Procedure, sections five hundred and seven to five hundred and sixteen (both inclusive) shall apply *mutatis mutandis* to all cases under this section.”

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ORDERED.—That a copy of the foregoing Resolution be forwarded to the Government of the Punjab and to the Military Department, and that it be communicated* also to the other Departments of the Government of India, and to Local Governments and to the Administrations and Political Officers under the Foreign Department, and that it be published in the *Gazette of India*.

[True Extract.]

H. S. BARNES,

Offg. Secretary to the Government of India.

NOTIFICATION—By the Government of India, Foreign Department.

Extract from the Proceedings of the Government of India in the Foreign Department.

Read the undermentioned papers—

Office memorandum of the Government of India in the Foreign Department, No. 2086, dated the 21st October 1865, directing that no person should ever be allowed to go beyond British territory, and more particularly into wild and dangerous tracts without the specific sanction of the Government of India, obtained through this Department.

Resolution of the Government of India in the Foreign Department, No. 2587-P., dated 21st September 1875, withdrawing the restrictions imposed upon officers of Government desirous of visiting Native States, but declaring that the existing orders, prohibiting persons from visiting countries beyond the frontier of British India, shall remain in force.

A letter from the Quarter Master General in India to the Government of India in the Military Department, No. 2552-A., dated the 20th May 1887, stating that in the opinion of His Excellency the Commander-in-Chief, the time has now arrived when the regulations, which prevent officers and others from crossing the North-Western Frontier for the purpose of sporting, of travel, or exploration, might with advantage be modified.

A letter from the Government of the Punjab to the Government of India in the Military Department, No. 758, dated 21st December 1888, stating that while His Honour the Lieutenant-Governor considers that no general permission to cross the frontier can be given, he agrees that it is desirable to relax the existing rules, and submitting revised rules for adoption.

OBSERVATIONS.—The Viceroy and Governor-General in Council observes that the progress of events during recent years has rendered it desirable that on the North-Western Frontier of India some modification should be made in the orders restricting British officers from visiting countries beyond the border. In parts of the North-Western Frontier, more especially south of the Vihowa Pass, the attitude of the frontier tribes towards the British Government has undergone a considerable change for the better; and though this may not be the case in other parts, it has nevertheless become a matter of necessity that the Government should obtain a fuller knowledge of the country beyond the border, and endeavour to establish closer relations with its inhabitants. The restrictions hitherto in force cannot yet be wholly withdrawn, as excursions beyond the border will still in many places be attended with risk, but the Governor-General in Council is of opinion that, with proper local precautions and arrangements, much may be done to decrease this risk, and to promote friendly intercourse between British officers and the border tribes.

RESOLUTION.—The Governor-General in Council is accordingly pleased, in modification of the previous orders on the subject, to issue the following rules. It will be understood that they relate only to the North-Western Frontier of the Punjab:

Rules.

I.—Long expeditions into or across foreign territory, or short excursions into disturbed districts, which obviously involve considerable personal risk, should not be undertaken without the previous consent of the Government of India in the Foreign Department.

II.—In cases not covered by Rule I, British officers or other persons desiring to cross the frontier, must lay before the Deputy Commissioner of the frontier district from which they propose to start a clear statement of the route intended, the object of the journey, the time to be spent upon it, the precautions proposed, the dependence, if any, to be placed upon guides or tribal headmen, and the reasons for supposing that the journey can be made with safety.

III.—Applicants should not address the Deputy Commissioner until they have first obtained from superior authority written permission to do so, and this permission must be laid before the Deputy Commissioner when the application is made. It should be obtained, if the applicants are not in the service of Government, from a Secretary to a Local Government; if they are in the Army, from

the General Officer Commanding the District in which they are serving; and if they are in the service of Government in any other capacity, from the Head of the Department to which they belong. It must be clearly understood that the permission gives no authority to cross the border until the consent of the Local District officers has been obtained in the manner prescribed by these rules.

IV.—South of the Vihowa Pass, on receipt of an application in the prescribed form, the Deputy Commissioner may himself allow the applicants to cross the frontier, provided he is satisfied that the risk they will incur is small and that satisfactory arrangements can be made for tribal escort or protection. If he is of opinion that the journey should not be allowed, or is unwilling to take the responsibility of authorising it, he should proceed as described in Rule V.

V.—North of the Vihowa Pass, the Deputy Commissioner on receipt of the application will record his opinion and advice, and forward the papers to the Commissioner of the division for orders.

VI.—The Commissioner of the division can grant permission for the journey to be made when he feels assured that there is no risk, even if there is no stronger reason than the desirability of cultivating intercourse with the tribesmen, and accustoming them to visits by Europeans. If, however, he considers that there is some risk, he should not grant permission without the sanction of the Local Government, unless the risk is, in his opinion, slight, the object sufficient, and the officer proposing to make the expedition trustworthy, and unless delay is likely to prejudice the success of the expedition.

VII.—It should be distinctly understood that permission to cross the frontier under these rules should only be given to persons who are thoroughly trustworthy; who may be relied on not to pass the limits, if any, within which permission to travel is given; who speak the language of the country they propose to visit; and who have some practical experience in dealing with frontier tribes. Ordinarily also permission should not be allowed to these excursions except when it is clearly desirable to obtain information of a practical character.

VIII.—In any case in which a Deputy Commissioner or Commissioner grants permission to any person to cross the frontier under these rules, a report should be sent to the Local Government, by whom it should be forwarded to the Government of India in the Foreign Department for information.

IX.—Nothing in this Resolution will affect the provisions of the Punjab Frontier Crossing Regulation, VII of 1873, or the special rules prescribed for travelling in Kashmir, or will warrant any person in entering the territories of the Amir of Afghanistan without the special permission of the Government of India.

The Punjab Frontier Crossing Regulation, VII of 1873, is herewith republished for general information:

"Whereas by a Resolution passed by the Secretary of State in Council on the 6th day of October 1870, the provisions of the 33rd of Vict., chapter 3, section 1, were declared applicable to the districts of Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan, and Dera Ghazi Khan: And whereas the Lieutenant-Governor of the Punjab has proposed to the Governor-General in Council a draft of the following Regulation, together with the reasons for proposing the same; And whereas the Governor-General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor-General's assent: In pursuance of the direction contained in the said section, the said draft is now published in the *Gazette of India*, and will be published in the local gazette, and will thereupon have the force of law:

Regulation.

"1. No person duly warned in the manner hereinafter described shall pass out of British territory across the frontier of the districts of Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan, and Dera Ghazi Khan.

"2. A warning for the purpose of this Regulation, if addressed to an individual, shall be in writing under the hand of the Commissioner of the division, or of the Magistrate of the district, within which such individual dwells or may be found, and shall be served upon him in such manner as the Local Government may from time to time prescribe; if addressed to a class of persons or to the public generally, the previous sanction of the Governor-General in Council must be obtained, and this warning shall be notified in the *Punjab Government Gazette*, and be otherwise published in such manner as may be directed by the Local Government.

"3. Whoever disobeys, or attempts to disobey, or abets, within the meaning of the Indian Penal Code, another person in disobeying, or attempting to disobey, the prohibition contained in the first section of this Regulation, shall be punishable with fine not exceeding five hundred rupees.

"The provisions of sections sixty-four, sixty-seven, sixty-eight, sixty-nine and seventy of the Indian Penal Code shall apply to all fines imposed under this section.

"4. If any person disobeys, or attempts to disobey, or abets, within the meaning of the Indian Penal Code, another person in disobeying, or attempting to disobey the said prohibition, the Local Government may order him to remove to such place under the Government of the Lieutenant-Governor of the Punjab as the Local Government in each case directs.

"5. If any person contravenes any such order, the Commissioner of the division or Magistrate of the district within which he is dwelling or may be found, may cause him to be apprehended and detained in custody until he is released upon such conditions as the Local Government thinks fit.

"6. If the Commissioner of the division or Magistrate of the district within which any person (whether an European British subject or not) is dwelling or may be found, reasonably suspects that he intends to disobey the prohibition contained in the first section of this Regulation, such Commissioner or Magistrate may require such security for his good behaviour, for a period not exceeding six months, as the Commissioner or Magistrate may seem sufficient.

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[True Extract.]

H. S. BARNES,

Offg. Secretary to the Government of India.

No. 2049-F.

GOVERNMENT OF INDIA.
FOREIGN DEPARTMENT.
NOTIFICATION.

Dated Simla, the 31st July 1896.

Extract from the Proceedings of the Government of India in the Foreign Department.

Read—Letter from the Government of the Punjab, No. 884, dated the 23rd July 1895 (with enclosures).

Read again—Notification by the Government of India in the Foreign Department, No. 1682-F., dated the 1st November 1889, and connected papers.

Read—Resolution by the Government of India in the Foreign Department, No. 4091-F., dated the 28th October 1895.

OBSERVATION.—The Notification No. 1682-F., dated the 1st November 1889, contains the rules under which permission may be given to British officers and other persons to cross the North-West Frontier of British India. As British troops and officers are now stationed beyond the North-West Frontier of British India in tracts under the political control of the Government of India, it is desirable that similar restrictions should be placed upon the movements of officers and others stationed in such tracts, so as to ensure that they shall not visit places considered unsafe for travellers, without the special permission of the local political authorities and without adequate local arrangements for their protection.

RESOLUTION I.—The Governor-General in Council is accordingly pleased to direct that the Notification No. 1682-F., dated the 1st November 1889, shall be republished for general information, and to order that the rules contained in it shall be held to apply *mutatis mutandis* to all officers and other persons stationed beyond the North-West Frontier of British India in tracts under the political control of the Government of India.

II.—The Resolution No. 4091, dated the 28th October 1895, is hereby cancelled.

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