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**CALCUTTA BURIAL BOARDS ACT, 1881****5 of 1881****[20th July, 1881]****CONTENTS**

1. Short title
2. State Government may appoint a Burial Board
3. Constitution of Board
4. Chairman to be appointed by State Government
5. State Government may place Government burial-grounds under the Board
6. Board to receive and account for fees and grants
7. Board may appoint subordinate establishment
8. Power to make rules
9. Power to withdraw burial-grounds from control of Board
10. Provision for making over private cemeteries to charge of Board

**CALCUTTA BURIAL BOARDS ACT, 1881****5 of 1881****[20th July, 1881]**

An Act to provide for the appointment of a burial Board in Calcutta and its Suburbs. Preamble WHEREAS it is expedient to make better provision for the general management, regulation and control of the Government burial- grounds in the town of Calcutta and its suburbs; It is hereby enacted as follows

**1. Short title :-**

This Act may be called the Calcutta Burial<sup>1</sup> [Boards] Act, 1881. (Commencement) Rep. by Act 1 of 1903.

1. Word subs, for the word "Board's" by Ben. Act 1G of 1946.

**2. State Government may appoint a Burial Board :-**

The <sup>1</sup>[State Government] of <sup>2</sup>[West Bengal] may, by a notification published in the <sup>3</sup> [Official Gazette], appoint a Burial Board for the Town and Suburbs of Calcutta.

1. Words subs, by the Government of India [Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950.

2. Words subs, for the word "Bengal" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.
3. Words subs, for the words "Calcutta Gazette" by the Government of India (Adaptation of Indian Laws) Order, 1937.

### **3. Constitution of Board :-**

The Board shall be constituted as follows: <sup>1</sup>[the Executive Officer of the Corporation of Calcutta] the Health Officer of Calcutta an Officer of the Public Works Department, to be appointed by the <sup>2</sup>[State Government] of <sup>3</sup>[West Bengal] the Senior Chaplain of St. John's Church in Calcutta ; a clergyman of the Church of Rome to be nominated by the Archbishop and Vicar Apostolic of Western Bengal ; a Protestant Non-conformist Minister, to be nominated by the <sup>4</sup>[State Government] of <sup>3</sup>[West Bengal] not less than three and not more than six other members to be nominated by the <sup>2</sup>[State Government] of <sup>3</sup>[Wcst Bengal]. The <sup>2</sup>[State Government] may, from time to time, relieve any member of the Board nominated by <sup>4</sup> [it] of his functions as such member.

1. Words subs, for the words "Chairman of the Calcutta Corporation" by Ben. Act 1 of 1939.
2. Words subs, by the Government of India [Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950.
3. Words subs, for the word "Bengal" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.
4. Word subs, for the words "him" by the Government of India (Adaptation of Indian Laws) Order, 1937.

### **4. Chairman to be appointed by State Government :-**

The Chairman of the Board shall be nominated by the <sup>1</sup>[State Government] of <sup>2</sup> [West Bengal].

1. Words subs, by the Government of India [Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950.
2. Words subs, for the word "Bengal" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

### **5. State Government may place Government burial-grounds under the Board :-**

The <sup>1</sup>[State Government] of <sup>2</sup>[West Bengal] may, by a notification published in the <sup>3</sup> [Official Gazette], place under the control of the Board all or so many of the Government burial-grounds (not being military burial-grounds) situate in the town or Suburbs of Calcutta as to 7[it] shall seem fit ; and the general management, regulation and control of such burial-grounds shall, subject to the provisions of this Act, be thereupon vested in, and exercised by, the Board.

1. Words subs, by the Government of India [Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950.
2. Words subs, for the word "Bengal" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.
3. Words subs, for the words "Calcutta Gazette" by the Government of India (Adaptation of Indian Laws) Order, 1937.

#### **6. Board to receive and account for fees and grants :-**

The Board shall receive all fees and other moneys paid or given in respect of the use of such burial-grounds, and the erection of monuments therein, and such grants as <sup>1</sup>[any Government] may from time to time place at their disposal, and shall pay thereout all charges and expenses incurred by them in the management of the same, and shall submit accounts of such receipts and expenditure once in every year to the <sup>2</sup>[State Government] of <sup>3</sup>[West Bengal], in such form and manner as the <sup>2</sup> [State Government] may direct.

1. Words subs, for the word "Government" by the Adaptation of Laws Order, 1950.
2. Words subs, by the Government of India (Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950.
3. Words subs, for the word "Bengal" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948,

#### **7. Board may appoint subordinate establishment :-**

The Board may from time to time appoint all such overseers, clerks, subordinate officers and servants as they shall think necessary and proper to assist in carrying out the purposes of this Act, and may from time to time remove any of such persons and appoint others in their place.

#### **8. Power to make rules :-**

The Board may, with the sanction of the <sup>1</sup>[State Government] of <sup>2</sup>[West Bengal], from time to time make such rules consistent with the purposes of this Act, as they may think necessary for any of the following purposes ; that is to say :

- (a) for regulating the times when the Board shall meet and the procedure to be observed at such meetings ;
- (b) for securing the preservation, repair or removal of existing monuments and for regulating the dimensions and erection of new monuments, in any burial-grounds under their charge ;
- (c) for regulating the mode of payment of fees, charges and other dues in respect of interments in any such burial-ground and for the

expenditure of the same ;

(d) for directing the manner in which and the persons by whom all works within any such burial-ground shall be executed ; and

(e) for otherwise carrying out the purposes of this Act; and may from time to time, with the sanction aforesaid vary, alter or revoke any such rules so made. <sup>3</sup> [Official Gazette].

1. Words subs, by the Government of India (Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950.

2. Words subs, for the word "Bengal" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948,

3. Words subs, for the words "Calcutta Gazette" by the Government of India (Adaptation of Indian Laws) Order, 1937.

### **9. Power to withdraw burial-grounds from control of Board**

**:-**

The <sup>1</sup>[State Government] of <sup>2</sup>[West Bengal] may <sup>3</sup> \*\* at any time withdraw any burial-ground from the control and management of the Board.

1. Words subs, by the Government of India (Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950.

2. Words subs, for the word "Bengal" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

3. Words "in his discretion" om. by the Government of India (Adaptation of Indian laws Order)1937.

### **10. Provision for making over private cemeteries to charge of Board :-**

It shall be lawful for the proprietors of any Christian burial- ground, with the sanction of the <sup>1</sup>[State Government] of <sup>2</sup>[West Bengal], to place the same under the management, regulation and control of the Board, on such terms and conditions as the <sup>1</sup> [State Government] may approve : and such burial-ground shall thereupon be managed in all respects as a Government burial-ground subject to the provisions of this Act.

1. Words subs, by the Government of India (Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950.

2. Words subs, for the word "Bengal" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.