

The Tolls Act, 1851

(ACT NO. VIII OF 1851)

An Act for enabling Government to levy Tolls on Public Roads and Bridges.

Preamble

WHEREAS it is expedient to enable Government to levy tolls upon roads and bridges;

It is enacted as follows:-

[Repealed]

1. [Repealed by the Repealing Act, 1870 (Act XIV of 1870).]

Extent

1A. ¹[This Act extends to the whole of Bangladesh].

Power to cause levy of tolls on roads and bridges, and to appoint collectors

2. The ²[* * *] Government may cause such rates of toll, as it thinks fit, to be levied upon any road or bridge which has been, or shall hereafter be, made or repaired at the expense of the ³[* * *] Government; and may place the collection of such tolls under the management of such persons as may appear to it proper: and all persons employed in the management and collection of such tolls shall be liable to the same responsibilities as would belong to them if employed in the collection of the land-revenue.

Recovery of tolls

3. In case of non-payment of any such toll on demand, the officer appointed to collect the same may seize any of the carriages or animals on which it is chargeable, or any part of their burden of sufficient value to defray the toll; and, if any toll remains undischarged for twenty-four hours, with the cost arising from such seizure, the case shall be brought before the officer appointed to superintend the collection of the said toll, who may sell the property seized for discharge of the toll, and all expenses occasioned by such non-payment, seizure and sale, and cause any balance that may remain to be returned, on demand, to the owner of the

property; and the said officer, on receipt of the property, shall forthwith issue a notice that, at noon of the next day, exclusive of Sunday, or any closed holiday, he will sell the property by auction:

Release of seized property on tender of dues

Provided that, if, at any time before the sale has actually begun, the person whose property has been seized shall tender the amount of all the expenses incurred, and of double the toll payable by him, the said officer shall forthwith release the property seized.

Exemption from payment of tolls

4. The following persons and things shall be exempt from payment of tolls:

(a) Government Stores and persons in charge thereof;

(b) Public servants travelling on duty, and the vehicles and animals employed by the persons aforesaid;

(c) Any other class of persons or things which may be exempted by order of the ⁴[Government] provided that no exemption shall be granted during the currency of a lease.

Assistance by Police-officers

5. All Police-officers shall be bound to assist the toll-collectors, when required, in the execution of this Act; and, for that purpose, shall have the same power which they have in the exercise of their common police-duties.

Penalty for offences. Compensation to person aggrieved, etc

6. Every person, other than the persons appointed to collect the tolls under this Act, who shall levy or demand any toll on any public road or bridge, or for passing through any bazar situated thereon, and also every person who shall unlawfully and extortionately demand, or take any other or higher toll than the lawful toll, or under colour of this Act seize or sell any property knowing such seizure or sale to be unlawful, or in any manner unlawfully extort money or any valuable thing from any person under colour of this Act, shall be liable on conviction before a Magistrate to imprisonment for any term not exceeding six calendar months, or to fine not exceeding two hundred ⁵[Taka], any part of which fine may be awarded