

Thursday, August 1, 1878

ABSTRACT OF THE PROCEEDINGS

COUNCIL OF THE GOVERNOR GENERAL OF INDIA

LAWS AND REGULATIONS.

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ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Government of India,

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS.

1878.

WITH INDEX.

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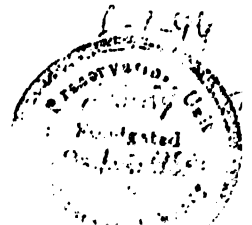


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1879.



Abstract of the Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 24 & 25 Vic., cap. 67.

The Council met at Government House on Thursday, the 1st August, 1878.

PRESENT :

His Excellency the Viceroy and Governor General of India, G.M.S.I., *Presiding.*

His Honour the Lieutenant-Governor of the Panjab, C.S.I.

The Hon'ble Sir A. J. Arbuthnot, K.C.S.I.

Colonel the Hon'ble Sir Andrew Clarke, R.E., K.C.M.G., C.B.

The Hon'ble Whitley Stokes, C.S.I.

The Hon'ble A. R. Thompson, C.S.I.

Lieutenant-General the Hon'ble R. Strachey, R.E., C.S.I., F.R.S.

The Hon'ble B. W. Colvin.

The Hon'ble Mumtaz-ud-Daula Nawab Sir Muhammad Faiz Ali Khan Bahadur,
K.C.S.I.

The Hon'ble T. H. Thornton, D.C.L., C.S.I.

The Hon'ble F. R. Cockerell.

The Hon'ble G. H. M. Batten.

NEW MEMBER.

The Hon'ble G. H. M. Batten took his seat as an Additional Member.

ASSIMILATION OF POWERS (NORTH-WESTERN PROVINCES AND OUDH) BILL.

The Hon'ble MR. STOKES presented the Report of the Select Committee on the Bill to assimilate certain powers of the Local Governments of the North-Western Provinces and Oudh, and moved that it be taken into consideration. He said that the Governments of the two Provinces were now united under the administration of a single officer, and the object of this Bill, which Sir Edward Bayley had obtained leave to introduce some time ago, was to assimilate, as far as possible, the powers of the Lieutenant-Governor of the North-Western Provinces and the Chief Commissioner of Oudh under certain Acts relating to Rent, Land-revenue and other matters of primary administrative importance.

The Committee had only made four changes, which he would briefly describe to the Council.

In the Oudh Civil Courts Act, 1871, the Committee had made certain modifications, the effect of which would be to render the powers of the Chief Commissioner as regards the Courts in Oudh as nearly as possible similar to those of the Lieutenant-Governor as regards the Courts in the North-Western Provinces. For instance, the Commissioners, Deputy Commissioners, Civil Judge of Lucknow and Assistant Commissioners would henceforward be appointed by the Chief Commissioner instead of, as hitherto, by the Governor General in Council. The Judicial Commissioner of Oudh would continue to be appointed by the Government of India.

The second alteration had been made at the suggestion of the Home Department. The Committee had declared that, for the purposes of the Reformatory Schools Act, Oudh and the North-Western Provinces should be deemed to be subject to the same Local Government. There was little hope that more than one reformatory could for many years be established in the United Provinces; and under the existing law the Jail Authorities would be unable to comply with directions of the Criminal Courts under the Code of Criminal Procedure, section 318.

Thirdly, the Committee had given the Chief Commissioner the same power to alter the limits of Districts and Sub-divisions in Oudh which the Lieutenant-Governor had in the North-Western Provinces under Act XIX of 1873, section 14.

The last amendment, which had also been made at the suggestion of the Home Department, would preclude doubts as to the legality of certain appointments which had been made, and acts which had been done, since the union of the two Provinces, by the Chief Commissioner or without the sanction of the Governor General in Council. In the absence of some such amendment the validity of these appointments and acts might possibly be called in question.

The Motion was put and agreed to.

The Hon'ble Mr. STOKES also moved that the Bill as amended be passed. It was not one of much public importance: but it would greatly diminish the correspondence between the Government of India and the local Government of Oudh; and it would facilitate the transfer of officials from Oudh to the North-Western Provinces and *vice versa*.

The Motion was put and agreed to.

INDIAN RAILWAY BILL.

Colonel the Hon'ble SIR ANDREW CLARKE presented the preliminary Report of the Select Committee on the Bill to consolidate and amend the law relating to Railways in India. He said that the Committee had made certain amendments and modifications in the original Bill as presented to the Council, and it was proposed to publish their Report, and to re-publish the Bill. The Report was very full, and the reasons and the authorities by which the Committee had been guided in making those amendments were stated by it in detail. He would not therefore, at present, trouble the Council with any additional remarks on the Bill, as it was not proposed to go on with it until the Council met at Calcutta, when he would take the opportunity of answering any objections, and remarking on any proposals or suggestions, which might have been made regarding the measure.

NORTH-WESTERN PROVINCES LAND-REVENUE ACT AMENDMENT
BILL.

The Hon'ble Mr. COLVIN moved that the Hon'ble Nawab Sir Faiz Ali Khan be added to the Select Committee on the Bill to amend the North-Western Provinces Land-Revenue Act, 1873.

The Motion was put and agreed to.

The Council adjourned to Thursday the 15th August, 1878.

D. FITZPATRICK,
*Secretary to the Government of India,
Legislative Department.*

SIMLA ;
The 1st August, 1878.

NOTE.—The Meeting which was originally fixed for Thursday, the 18th July, 1878, was adjourned to Thursday, the 1st August, 1878.