

*Thursday,
3rd August, 1893*

ABSTRACT OF THE PROCEEDINGS
OF THE
Council of the Governor General of India,

LAWS AND REGULATIONS

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ABSTRACT OF THE PROCEEDINGS
OF
THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA,
ASSEMBLED FOR THE PURPOSE OF MAKING
LAWS AND REGULATIONS,

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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 Acts of Parliament 24 & 25 Vict., cap. 67, and 55 & 56 Vict., cap. 14.

The Council met at Vicergal Lodge, Simla, on Thursday, the 3rd August, 1893.

P R E S E N T :

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

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

His Excellency the Commander-in-Chief, K.C.B., G.C.I.E., V.C.

The Hon'ble Sir P. P. Hutchins, K.C.S.I.

The Hon'ble Sir D. M. Barbour, K.C.S.I.

The Hon'ble Sir A. E. Miller, Kt., Q.C.

The Hon'ble Lieutenant-General H. Brackenbury, C.B., R.A.

The Hon'ble Sir O. B. Pritchard, K.C.I.E., C.S.I.

The Hon'ble J. L. Mackay, C.I.E.

EXCISE ACT, 1881, AMENDMENT BILL.

The Hon'ble SIR DAVID BARBOUR moved for leave to introduce a Bill to amend the Excise Act, 1881. He said :

" It is proposed to amend the Act in two respects, and both the amendments are very simple and not likely to meet with opposition.

" Under section 7 of the Act as it now stands the Local Government may from time to time fix the rate of duty to be levied on spirit passed out of a distillery licensed under section 5 of the Act or established under section 6.

" It has been held, and no doubt correctly held, that under the law as it now stands the Local Government can only fix one rate of duty for spirit passed out of such distillery no matter what the destination of spirit may be. This state of things is found to produce inconvenience, as spirit may be passed out for consumption in another province or in a different district where the duty on spirit is either higher or lower than it is in the province or district where the distillery is situated. To meet this difficulty it is proposed to modify the Act in such manner as to permit the Local Government to fix different rates of duty according to the place to which the spirit is removed for consumption.

[*Sir David Barbour ; Sir Alexander Miller.*] [3RD AUGUST,

"A difficulty has also arisen in Upper Burma in connection with the import of spirit and other excoiseable articles from beyond the frontier. There is at present no power to impose a duty on the import of such spirit. To meet this difficulty power is given to the Governor General in Council to impose, by notification in the Gazette of India, such duty as may be considered proper on any spirit, fermented liquor or intoxicating drug brought by land from beyond the limits of British India into any territory to which the Excise Act. 1881, extends."

The Motion was put and agreed to.

The Hon'ble SIR DAVID BARBOUR also introduced the Bill.

The Hon'ble SIR DAVID BARBOUR also moved that the Bill and Statement of Objects and Reasons be published in the Gazette of India in English, and that the Bill be taken into consideration on the 10th instant.

The Hon'ble SIR ALEXANDER MILLER suggested that the Bill should be taken into consideration on the 17th instant. He thought that the Bill might require to be looked over, and that some discussion with the Hon'ble Member about a point which he had already called his attention to might be advisable.

The Motion that the Bill be taken into consideration on the 17th instant was put and agreed to.

INDIAN TARIFF ACT, 1882, AMENDMENT BILL.

The Hon'ble SIR DAVID BARBOUR also moved for leave to introduce a Bill to amend the Indian Tariff Act, 1882, as amended by subsequent Acts. He said :

"The proposed amendments are of a very simple nature.

"In 1888 the duty on salt in Burma was raised from three annas a maund to one rupee a maund. Salted fish is largely produced and consumed in Burma, and the raising of the rate of duty on salt unfairly handicaps the local manufacture as compared with manufacture in countries where no duty on salt is levied.

"The extent to which the local manufacture is handicapped is shown by the fact that since the raising of the salt-duty in 1888 the quantity of dry salted fish annually imported has more than doubled, and a new trade, the

*AMENDMENT OF INDIAN TARIFF ACT, 1882; AMENDMENT 293.
OF INDIAN PORTS ACT, 1889.*

1893.]

[*Sir David Barbour.*]

import of wet salted fish or *ngapi*, has come into existence. Last year nearly 14 million pounds of wet salted fish were imported. By the Bill which I am now about to introduce power is given to the Governor General in Council to impose a duty on imported salted fish not exceeding twelve annas a maund. The imposition of such a duty will remove the disadvantage under which the local manufacture at present labours, and it will also prevent the import of salt free of duty in the form of salted fish.

“Advantage has been taken of the opportunity to remove a doubt which arisen as to the interpretation of the Tariff Act in another respect. As this Council is aware, an export-duty is now chargeable upon the export of rice. Doubts have arisen as to whether this duty is leviable on rice-flour or ground rice. These doubts will be removed by specifically declaring rice-flour or ground rice to be liable to payment of duty.”

The Motion was put and agreed to.

The Hon'ble SIR DAVID BARBOUR also introduced the Bill.

The Hon'ble SIR DAVID BARBOUR also moved that the Bill and Statement of Objects and Reasons be published in the Gazette of India in English, and that the Bill be taken into consideration on the 10th instant. He explained that it was desirable that the Bill should be taken into consideration on this date, because, if any great delay were to occur in the passing of the Bill, large quantities of salt-fish would be imported in order to escape the duty.

The Motion was put and agreed to.

INDIAN PORTS ACT, 1889, AMENDMENT BILL.

The Hon'ble SIR DAVID BARBOUR also moved for leave to introduce a Bill to amend the Indian Ports Act, 1889. He said :

“There is a group of small ports in the Balasore District in Bengal, and the maximum rate of port-dues payable is four annas per ton, with a special exemption in the case of mail-steamers and coasting-vessels, which are not chargeable with port-dues oftener than once in sixty days.

“It so happens that the trade of these ports is chiefly with Calcutta, small vessels making frequent trips to and from Calcutta.

“Under these circumstances a limit of sixty days is quite unsuitable, and the port-dues amount only to a very small fraction of the yearly expenditure which is incurred in keeping up the ports.

294 *AMENDMENT OF INDIAN PORTS ACT, 1889; POSTPONE-
MENT OF BILLS.*

[*Sir David Barbour; Sir Alexander Miller; Sir Philip
Hutchins.*]

[3RD AUGUST, 1893.]

"Before the passing of the Act of 1889 the limit was thirty days, and not sixty day. It is now proposed to restore the old limit of thirty days. Even with the reduced limit the receipts will not nearly cover the expenditure, and the balance of expenditure must, as before, be met from the Provincial revenues of the Government of Bengal."

The Motion was put and agreed to.

The Hon'ble SIR DAVID BARBOUR also introduced the Bill.

The Hon'ble SIR DAVID BARBOUR also moved that the Bill and Statement of Objects and Reasons be published in the Gazette of India in English, and in the Calcutta Gazette in English and in such other languages as the Local Government thinks fit.

The Motion was put and agreed to.

POSTPONEMENT OF BILLS.

The Hon'ble SIR ALEXANDER MILLER moved for leave to postpone, until the next meeting of the Council, his Motion for leave to introduce a Bill relating to the Tributary Mahals of Cuttack. He explained that the Bill had not been placed in his hands until he had entered the Council room. He had, therefore, been unable to see what was in it, or whether it was in the form in which he should like to introduce it.

The Motion was put and agreed to.

The Hon'ble SIR PHILIP HUTCHINS asked that the Motion down in his name, to ask for leave to introduce a Bill to amend the Code of Criminal Procedure and the Indian Penal Code, might be allowed to stand over. He explained that there was some difficulty as to the best way of carrying out the objects of the Bill, and it was desirable to have a little more time for discussion as to the precise form which it should take.

The Motion was put and agreed to.

The Council adjourned to Thursday, the 10th August, 1893.

S. HARVEY JAMES,

SIMLA ;
The 4th August, 1893. }

Secretary to the Government of India,
Legislative Department.