

*Thursday,
20th August, 1896*

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

LAWS AND REGULATIONS

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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 Indian Councils Acts, 1861 and 1892 (24 & 25 Vict., cap. 67, and 55 & 56 Vict., cap. 14).

The Council met at the Viceregal Lodge, Simla, on Thursday, the 20th August, 1896.

P R E S E N T :

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

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

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

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

The Hon'ble J. Woodburn, C.S.I.

The Hon'ble M. D. Chalmers.

The Hon'ble Major-General Sir E. H. H. Collen, K.C.I.E.

The Hon'ble A. C. Trevor, C.S.I.

The Hon'ble Nawab Amir-ud-Din Ahmad Khan, C.I.E., Bahadur, Fakar-ud-doulah, Chief of Loharu.

The Hon'ble C. M. Rivaz, C.S.I.

GOVERNMENT TENANTS (PUNJAB) ACT, 1893, AMENDMENT
BILL.

The Hon'ble MR. RIVAZ moved that the Bill to amend the Government Tenants (Punjab) Act, 1893, be taken into consideration. He said that, as he had already explained, the Bill merely provided for a simple amendment to the present Act, and it was not thought necessary to circulate it for opinion.

The motion was put and agreed to.

The Hon'ble MR. RIVAZ moved that the Bill be passed.

The motion was put and agreed to.

INDIAN POST-OFFICE ACT, 1866, AMENDMENT BILL.

The Hon'ble SIR JAMES WESTLAND moved for leave to introduce a Bill to amend the Indian Post-office Act, 1866. He said :—" This Act, as its title

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implies, is now thirty years old, and it falls very far short of the requirements of the Post-office as at present constituted. We have it in contemplation, at some time or other, to take up the whole Act for amendment; but there is at present one urgent and simple amendment, and it is in respect of this that I ask for leave to propose an alteration in the Act.

“ In 1866 the Post-office had no duties in connection with foreign parcels,—in fact, such duties were not undertaken till a much more recent date than 1866,—and the consequence is that the Act as then passed makes no reference to them and gives the Post-office no legal powers in respect to this part of their business. Now, the Customs Act imposes upon the Customs-officers the task of realising the customs-duties upon parcels as it does upon all other goods which arrive from abroad, the Customs-officers have, in accordance with their duty, to realise that customs-tax before they part with their control over the imported parcels. It would be extremely inconvenient for the public if the Post-office were obliged, on the receipt of their parcels from home, to intimate to the receivers of the parcels that they could only forward them for delivery, after the addressees had paid the duties on them to the Customs-officers. The Post-office has, therefore, undertaken the responsibility of paying the duty, so as to receive delivery of the parcels in order to distribute them over India. In most cases—I may say in all but a few exceptional cases—no difficulty whatever is experienced in recovering the duty thus paid; but, in a few cases, persons who have taken delivery of their parcels have refused to pay the customs-duty due upon them to the Post-office, and the Post-office, as the law at present stands, have no means, or at any rate no summary means, of recovering the amount from the addressee.

“ The simple object, therefore, of the present Bill is to give the Post-office the necessary legal power to recover the duty which it has paid upon the parcels.”

The motion was put and agreed to.

The Hon'ble SIR JAMES WESTLAND introduced the Bill. He said :—“ I may mention that the Bill consists of a single clause, adding a section to the Indian Post-office Act of 1866. The purport of that section is that the customs-duty which has been paid by the postal authorities upon parcels received from abroad shall be recoverable by the Post-office authorities in the same way as postage is recovered. The section of the Act which refers to the recovery of postage is section 28, and it provides two methods of recovery. One is the recovery in the same manner as fines imposed under the Act are

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[*Sir James Westland.*]

recoverable, which is by a distress-warrant, and imprisonment if necessary; and the other is action on the part of the Post-office itself in refusing the delivery of letters or parcels which may subsequently be received addressed to the same individual.

“ It is not intended in the case of a simple Bill like this to circulate it for opinion to the Local Governments, and it will not be made public otherwise than in the regular way of publication in the local official Gazettes. I hope, with Your Excellency's permission, to ask the Council to pass the Bill during the course of the present Simla session. I have the honour, therefore, to move that the Bill and Statement of Objects and Reasons be published in the Gazette of India in English, and in the local official Gazettes in English and in such other languages as the Local Governments think fit.”

The motion was put and agreed to.

The Council adjourned to Thursday, the 10th September, 1896.

S. HARVEY JAMES,

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

SIMLA;

The 21st August, 1896.