

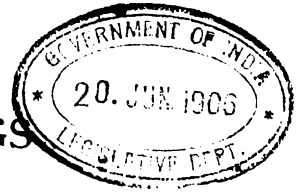
*Friday,
8th September, 1905*

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

LAWS AND REGULATIONS

Vol. XLIV

Jan.-Dec., 1905



ABSTRACT OF PROCEEDINGS

OF

THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS,

FROM 1905 TO MARCH 1906.

VOLUME XLIV



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1906.

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., c. 67, and 55 & 56 Vict., c. 14).

The Council met at the Viceregal Lodge, Simla, on Friday, the 8th September, 1905.*

PRESENT :

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

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

The Hon'ble Major-General Sir E. R. Elles, K.C.B., K.C.I.E.

The Hon'ble Sir A. T. Arundel, K.C.S.I.

The Hon'ble Mr. H. Erle Richards, K.C.

The Hon'ble Mr. J. P. Hewett, C.S.I., C.I.E.

The Hon'ble Mr. E. N. Baker, C.S.I.

The Hon'ble Sir C. L. Tupper, K.C.I.E., C.S.I.

The Hon'ble Mr. T. Gordon Walker, C.S.I.

COURT-FEES (AMENDMENT) BILL.

The Hon'ble SIR ARUNDEL ARUNDEL presented the Report of the Select Committee on the Bill further to amend the Court-fees Act, 1870. He said :—
“Only two slight alterations of an unimportant character have been made in the Bill. I have nothing further to add.”

BENGAL AND ASSAM LAWS BILL.

The Hon'ble MR. RICHARDS moved for leave to introduce a Bill to make certain provision regarding the application of the law in force in the Province of Eastern Bengal and Assam and in certain territory transferred from the Central Provinces to Bengal. He said :—“By a recent proclamation, the Chief Commissionership of Assam has been created a Lieutenant-Governorship under the title of the Province of Eastern Bengal and Assam. At the same time certain territories have been transferred from Bengal to the new Province, and the district of Sambalpur with some small exceptions has been transferred from the Central Provinces to Bengal. Under the provisions of the Indian Councils Acts, the existing law continues in force in the new Province until repealed or

* NOTE.—The Meeting of Council which was fixed for the 11th August, 1905, was subsequently postponed to the 8th September, 1905.

[*Mr. Richards.*]

[8TH SEPTEMBER, 1905.]

altered, and in order to make that law applicable to the changed conditions some modifications and adaptations are required. It is for this purpose that the Bill which I have the honour to introduce has been framed. It is little more than formal and follows the precedent of the Acts passed on the severance of Assam and Sylhet from Bengal in 1874.

"The Bill consists of seven clauses and some Schedules. The first and last of these clauses are entirely formal. They deal with the short title, date of commencement and repeal. The second is a purely drafting clause. The third provides for the substitution of the authorities of the new Province for the existing authorities in the construction of Statutes and other enactments. The fourth creates a Board of Revenue for the portions of Bengal transferred to the new Province corresponding in all respects to the Board which at present exercises jurisdiction over the territory transferred. The fifth clause gives powers to the Courts and to the Local Government to make minor modifications in the construction of enactments if any such are found necessary. The sixth clause saves pending proceedings.

"It will be observed that the Bill makes no change of substance in the law, except in so far as it creates a new Board of Revenue for the part of Bengal transferred to the new Province. But in doing that it only sets up a Board corresponding in every particular to the Board of Revenue which at present exercises jurisdiction over those territories. In fact the scope of the Bill is confined, as its title implies, to the application as distinct from the amendment or alteration of the existing law."

The motion was put and agreed to.

The Hon'ble MR. RICHARDS introduced the Bill.

The Hon'ble MR. RICHARDS moved that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in English in the Gazette of India, the Calcutta Gazette, the Central Provinces Gazette and the Assam Gazette.

The motion was put and agreed to.

The Council adjourned to Friday, the 29th September, 1905.

H. W. C. CARNDUFF,

SIMLA ;
The 8th September, 1905. }

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