

*Friday,
10th August, 1906*

ABSTRACT OF THE PROCEEDINGS

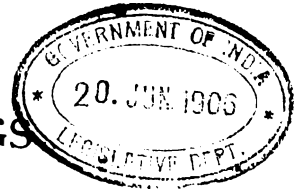
OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XLV

April 1906 - March 1907



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OF

THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA

ASSEMBLED FOR THE PURPOSE OF MAKING

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April 1906 - March 1907

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1907

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 Viceregal Lodge, Simla, on Friday, the 10th August, 1906.

PRESENT :

His Excellency the Earl of Minto, P.C., G.C.M.G., G.M.S.I., G.M.I.E.,
Viceroy and Governor General of India, *presiding*.
His Honour Sir C. M. Rivaz, K.C.S.I., Lieutenant-Governor of the
Punjab.
His Excellency General Viscount Kitchener of Khartoum, G.C.B., O.M.,
G.C.M.G., Commander-in-Chief in India.
The Hon'ble Sir A. T. Arundel, K.C.S.I.
The Hon'ble Sir Denzil Ibbeston, K.C.S.I.
The Hon'ble Mr. H. Erle Richards, K.C.
The Hon'ble Mr. E. N. Baker, C.S.I.
The Hon'ble Major-General C. H. Scott, C.B., R.A.
The Hon'ble Sir C. L. Tupper, K.C.I.E.
The Hon'ble Mr. T. Gordon Walker, C.S.I.

NEW MEMBER.

The Hon'ble MR. GORDON WALKER took his seat as an Additional Member of Council.

EXCISE (AMENDMENT) BILL.

The Hon'ble MR. BAKER moved for leave to introduce a Bill to amend the Excise Act, 1896. He said :—“ My Lord, the object of the Bill is to give power to the Local Governments of the Provinces to which the Act applies to control the trade in cocaine. During the last few years we have received evidence that the consumption of this drug in various parts of India is spreading to an extent far beyond what can be ascribed to legitimate medicinal purposes. Thus, while the Bombay Government have reported that a large firm of chemists in Bombay only sell about six ounces of cocaine annually for purely medicinal purposes, we have lately had information of single consignments of hundreds of ounces supplied to chemists and others in various places in the Punjab. The Local Government of the latter Province has

reported that the spread of the cocaine habit especially in the larger cities 'constitutes a most serious danger to avert which both European and Native opinion agree that prompt action should be taken.' The cocaine thus procured appears to be used largely as a stimulant, as an intoxicant, and occasionally as an aphrodisiac. We know from medical authorities that its use for these purposes is deleterious and may even, in the case of persons of delicate constitution, cause risk of death. Our object is therefore to enable cocaine to be dealt with as an 'intoxicating drug' within the purview of the Excise law and thus to enable the strict control which that law allows in respect of persons licensed to sell it and in regard to the amount which buyers may possess. Now, the wording of the Excise Acts of Madras, Bombay, and Bengal has already enabled this action to be taken. Cocaine has been notified as an intoxicating drug within one or other of these Acts since 1900 in Bengal, since 1903 in Bombay, and since 1905 in Madras; and its sale has been confined in those Provinces to approved chemists, druggists, or medical practitioners with the intention that they shall supply it only for medicinal purposes. It is now most desirable that similar action should be taken under the Indian Excise Act (XII of 1896) which applies to the rest of India. Unfortunately, while this Act gives full powers of control in respect to 'intoxicating drugs,' these, as defined in its section 3 (1) (j), are hemp drugs only. We now propose to amend the definition so as to include any other drug which the Local Government may by notification declare to be included therein. This will empower the Governments of the Provinces to which the Act applies to deal with cocaine in the same way as is done in the three large Provinces of Bengal, Bombay and Madras.

"The remaining provisions of the Bill are formal and technical and their object is sufficiently explained in the Statement of Objects and Reasons which I shall lay on the table."

The motion was put and agreed to.

The Hon'ble MR. BAKER also introduced the Bill.

The Hon'ble MR. BAKER also moved that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English and in the local official Gazettes of the United Provinces, the Punjab, Burma, the Central Provinces and Coorg in English and in such other languages as the Local Governments think fit.

The motion was put and agreed to.

LAND IMPROVEMENT AND AGRICULTURISTS' LOANS
(AMENDMENT) BILL.

The Hon'ble SIR DENZIL IBBESTON moved for leave to introduce a Bill to amend the Land Improvement Loans Act, 1883, and the Agriculturists' Loans Act, 1884. He said :—" My Lord, the purport of the Bill, which I think will be welcomed by everybody, is set forth in the Statement of Objects and Reasons."

The motion was put and agreed to.

The Hon'ble SIR DENZIL IBBESTON also introduced the Bill.

The Hon'ble SIR DENZIL IBBESTON also moved that the Bill, together with the Statement of Objects and Reasons relating thereto, 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 Friday, the 31st August, 1906.

SIMLA :
The 10th August, 1906. }

J. M. MACPHERSON,
Secretary to the Government of India,
Legislative Department.