

*Friday,
11th September, 1908*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XLVII

April 1908 - March 1909

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OF
THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA

ASSEMBLED FOR THE PURPOSE OF MAKING

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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 11th September 1908.

P R E S E N T :

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 Louis W. Dane, K.C.I.E., C.S.I., Lieutenant-Governor of the Punjab.

His Excellency General Viscount Kitchener of Khartoum, G.C.B., O.M., G.C.M.G., G.C.I.E., Commander-in-Chief in India.

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

The Hon'ble Major-General C. H. Scott, C.B., R.A.

The Hon'ble Sir Harvey Adamson, Kt., C.S.I.

The Hon'ble Mr. J. O. Miller, C.S.I.

The Hon'ble Mr. W. L. Harvey, C.I.E.

The Hon'ble Mr. J. S. Meston, C.S.I.

The Hon'ble Munshi Madho Lal.

The Hon'ble Dr. Rashbehary Ghose, C.I.E., D.L.

INDIAN SALT-DUTIES BILL.

The Hon'ble MR. MESTON moved that the Bill to make special provision for the payment of duty on salt in certain cases be taken into consideration. He said:—"My Lord, when the Bill was introduced it was explained that the intention of the measure is to permit of the issue of Government salt under a system of limited credit for the duty instead of upon payment in cash, which is the case in most provinces. The object is to provide cheap credit for the business of distributing salt and thereby to help in cheapening the cost of salt to the consumer. The Bill has been generally approved by the Local Governments

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and Administrations to whom it was referred for opinion. A few suggestions have been put forward regarding the details of the system, but all these can be dealt with when the time comes for framing the rules, and none of them affect the principle of the measure itself. The only criticism of major importance has been the expression of some anxiety that the credit system will drive the wholesale trader into the hands of the big capitalist and in this way tend to frustrate the object which we have in view. We all agree that this result is one to be deprecated, although it seems possible to avert it by fixing a moderate limit to the amount of credit which may be given under the rules. But the real answer to the objection is that the Bill is an entirely permissive one; there will be no compulsion whatever to apply it to any area where an existing system is working satisfactorily; and even if it is applied and found subsequently to be unsuited to local conditions it can always be withdrawn without further legislation. There seems therefore no necessity to alter the Bill as it stands or to ask that it be referred to a Select Committee."

motion The motion was put and agreed to.

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

The motion was put and agreed to.

ASSAM LABOUR AND EMIGRATION (AMENDMENT) BILL.

The Hon'ble MR. HARVEY moved that the Bill to amend the Assam Labour and Emigration Act, 1901, be taken into consideration. He said:—"My Lord, the only criticisms we have received on the draft Bill have been in connection with the term 'labourer' as defined in section 2 (1)(c) of Act VI of 1901 and with the modifications to be introduced in contractors' recruitment under Chapter III.

"With regard to the former, it has been pointed out that, as it is intended to dispense with the taking of a labour-contract, persons recruited under the revised procedure of the Bill will not be labourers under the Act, and any provisions of Chapters III and IV relating to labourers which may be retained by the notification of the Local Government to govern their recruitment, will not apply to such persons. The Bill, however, enables the Local Government to prescribe any conditions it pleases when relaxing any of the requirements of these Chapters,

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and in issuing the notification the Local Government may make it a condition that such provisions of the Chapters as it desires to retain shall apply to the persons recruited under the Bill as if they were labourers.

“ With regard to the second point there is no intention of in any way relaxing the procedure under which recruitment is carried on by contractors, further than to enable the actual placing of the emigrant under a contract to be foregone. The emigrant will have to be placed before a Registering Officer, who will satisfy himself that no coercion, undue influence or misrepresentation has been used. It is of importance that control should be kept over the operations of contractors, and the Bill will make no alteration in the existing procedure in this respect.”

The motion was put and agreed to.

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

The motion was put and agreed to.

CENTRAL PROVINCES FINANCIAL COMMISSIONER'S BILL.

The Hon'ble MR. MILLER moved for leave to introduce a Bill to provide for the appointment of a Financial Commissioner for the Central Provinces and to amend the Central Provinces Land-revenue Act, 1881. He said :— “ My Lord, the necessity for the appointment of a Financial Commissioner in the Central Provinces to relieve the Chief Commissioner of much detailed work and of much work of a judicial character which now falls on him has long been recognised and the need for strengthening the administration in this way has become more urgent since the work of the province of Berar was added to that of the Central Provinces. The Secretary of State has now sanctioned the appointment of a Financial Commissioner and the Bill makes the necessary legal provision for the appointment and the regulation of the functions to be performed by the officer holding the post.

“ It was at first proposed to proceed by amending the Central Provinces Land-revenue Act, but it has been thought better to follow the precedent adopted in Burma when a similar measure was required in that Province, and to draft an independent Bill which makes the required provision for the delegation of

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the powers and functions necessary to enable the Financial Commissioner to deal with the duties to be assigned to him.”

The motion was put and agreed to.

The Hon'ble MR. MILLER introduced the Bill.

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

The motion was put and agreed to.

The Council adjourned to Friday, the 30th October 1908.

SIMLA :
The 11th September 1908. }

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