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Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART VI.

BILLS OF THE GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 17th August 1893:—

Bill No. 12 of 1893.

A Bill to make provision for certain matters connected with the Tributary Mahals of Cuttack.

WHEREAS it is expedient to repeal certain enactments relating to the Tributary Mahals of Cuttack, and to indemnify certain persons and validate acts done by them in, or in relation to, the said Mahals, and to admit of certain sentences passed in those Mahals being carried into effect in British India; It is hereby enacted as follows:

1. (1) This Act may be called the Tributary Mahals of Cuttack Act, 1893.
- (2) It extends to the whole of British India; and
- (3) It shall come into force at once.
2. The enactments specified in the schedule are repealed to the extent mentioned in the fourth column thereof.
3. No suit, prosecution or other proceeding shall be begun or continued in respect of any act done before the commencement of this Act.

Indemnity in respect of acts done before the commencement of this Act.

any officer of the Government in respect of any of the Tributary Mahals of Cuttack or any inhabitant thereof, such act purporting to have been done in the exercise of executive or judicial authority, and having, before or after the commencement of this Act, been ratified by the Government; and every such act is hereby confirmed and made valid, and every such officer indemnified and discharged from liability in respect thereof.

4. (1) The Lieutenant-Governor of Bengal may authorise the reception, detention or imprisonment in any place under his government, for the period specified in the sentence, of —

- (a) any person sentenced to imprisonment or transportation for any term by any Court or tribunal acting under the authority of the British Government in, or in respect of, any Tributary Mahal in Cuttack;
- (b) any Native Indian subject of Her Majesty residing in any such Mahal, or any Native subject of a Chief of any such Mahal, when, in either case, such Native subject as aforesaid has been sentenced by such a Chief or by a Subordinate Court of such a Chief to imprisonment for a term exceeding six months.

(2) The place or places within the territories subject to the Lieutenant-Governor of Bengal in which persons may be received, detained or imprisoned under sub-section (1) shall be such as the said Lieutenant-Governor may, by general or special order, direct.

(3) A sentence shall be of the same force and effect in the place in which it may be carried into effect under this section as if it had been passed by a competent Court in that place.

THE SCHEDULE.

Year.	Number.	Subject.	Extent of repeal.
1	2	3	4

PART I.—Act of the Governor General in Council.

1850 ...	XX	For settling the boundaries of the Tributary Mahals in Cuttack.	The whole.
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Year.	Number.	Subject.	Extent of repeal.
1	2	3	4

PART II.—Regulations of the Bengal Code.

1805 ...	XII	Settlement and collection of the public revenue in the Zillah of Cuttack.	In section 36, from Provided also to the end. Section 37.
1805 ...	XIII	Maintenance of the peace and the support and administration of the Police in the Zillah of Cuttack.	In section 13, from Provided to the end.
1816 ...	XI	Receiving, trying and deciding claims to the right of inheritance or succession in certain Tributary Estates in Zillah Cuttack.	The whole.

STATEMENT OF OBJECTS AND REASONS.

It has been decided that the Tributary Mahals of Cuttack, which had been for many years administered under regulations of the Government of India, but whose status had never been formally ascertained, are to be henceforth treated as not being part of British India.

2. This decision involves the repeal of an Act of the Governor General in Council and of the whole or portions of certain Bengal Regulations, and renders it desirable formally to validate the acts of officers of the Government whose validity depended or might depend upon the repealed enactments or some of them.

3. Advantage has been taken of the preparation of the Bill to provide for the imprisonment in Bengal jails of certain convicts who might otherwise have to be detained in such places of confinement as may be maintained by the Chiefs of the Mahals.

The 16th August 1893.

(Signed) ALEX. EDW. MILLER.

S. HARVEY JAMES,
Secretary to the Government of India.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Council of the Governor General of India for the purpose of making Laws and Regulations on the 17th August, 1893:—

No. 13 of 1893.

A Bill to amend the Code of Criminal Procedure, 1882, and the Indian Penal Code.

X of 1882. WHEREAS it is expedient to amend the Code of
XLV of 1860. Criminal Procedure, 1882, and the Indian Penal Code; it is hereby enacted as follows:

Code of Criminal Procedure, 1882.

X of 1882. 1. To section 44 of the Code of Criminal
Addition to section 44 of Procedure, 1882, the following shall be added, namely:

XLV of 1860. "Explanation.—In this section any act committed in any place out of British India, which, if committed in British India, would be punishable under any of the following sections of the Indian Penal Code, namely, 302, 395, 396, 397, 398, 399, and 402, shall be deemed to be an offence punishable under that section."

X of 1882. 2. For the *Explanation* appended to section
Substitution of new Explanation to section 45 of same Code. 45 of the Code of Criminal Procedure, 1882, the following shall be substituted, namely:

XLV of 1860. "Explanation.—In this section—
(i) 'village' includes village-lands;
(ii) the word 'offence' includes an act committed at any place out of British India, which, if committed in British India, would be punishable under any of the following sections of the Indian Penal Code, namely, 302, 395, 396, 397, 398, 399 and 402; and
(iii) the expression 'proclaimed offender' includes any person proclaimed as an offender in any part of India by any Court established by the Governor General in Council in respect of any such act."

Indian Penal Code.

XLV of 1860. 3. To section 177 of the Indian Penal Code
Addition to section 177 of Indian Penal Code. the following shall be added, namely:

"Explanation.—In section 176 and in this section the word 'offence' includes any act committed, or intended to be committed, at any place out of British India, which, if committed in British India, would be punishable under any of the fol-

lowing sections, namely, 302, 395, 396, 397, 398, 399 and 402; and the word 'offender' includes any person who is alleged to have been guilty of of any such act."

4. To section 203 of the said Code the following shall be added, namely:

"Explanation.—In sections 201 and 202 and in this section the word 'offence' includes any act committed at any place out of British India, which, if committed in British India, would be punishable under any of the following sections, namely, 302, 395, 396, 397, 398, 399 and 402."

5. For the second paragraph of section 216 of the same Code, as inserted by section 23 of Act X of 1886, the following shall be substituted, namely:

"In section 212 and in this section—

(i) the word 'offence' includes any act of which a person is alleged to have been guilty out of British India, which, if it had been committed in British India, would have been punishable under any of the following sections of this Code, namely, 302, 395, 396, 397, 398, 399 and 402; and every such act shall, for the purposes of section 212 and of this section, be deemed to be punishable as if the accused had been guilty of it in British India; and

(ii) the word 'harbours' includes the supplying a person with food, clothes, arms or ammunition, and the assisting a person in any way to escape from apprehension."

6. After section 216 of the said Code the following shall be inserted, namely:

216A. Whoever, knowing or having reason to believe that five or more persons are assembled for the purpose of committing dacoity, or after having committed dacoity, supplies all or any of such persons with food, clothes, arms or ammunition, shall be punished with rigorous imprisonment for a term which may extend to seven years, and shall also be liable to fine.

"Explanation.—For the purposes of this section it is immaterial whether the dacoity has been committed, or is intended to be committed, within British India or not."

STATEMENT OF OBJECTS AND REASONS.

THIS Bill has been rendered necessary by the operations of dacoits who, after committing dacoity in Central India and other States, come into British territory for shelter. Our law needs strengthening for the prevention of the harbouring of these brigands in any way.

Men who have committed dacoity in British India have, on the other hand, been harboured by confederates in Central India and other States.

These States have been, and are, actively co-operating with the British Government in the suppression of the evil which so seriously affects both their own and British subjects.

Advantage has been taken of this opportunity to explain what is meant by the expression "harbouring."

The 3rd August 1893.

(Signed) PHIL P. HUTCHINS.

S. HARVEY JAMES,
Secretary to the Government of India.