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PART VI.

BILLS OF THE GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 25th July 1888:—

No. 6 of 1888.

A Bill to make an addition to the Indian Telegraph Act, 1885.

WHEREAS it is expedient to make an addition to the Indian Telegraph Act, 1885; It is hereby enacted as follows:—

Addition of section to Act XIII of 1885.

1. The following section shall be added to that Act, namely—

“34. (1) This Act, in its application to the presidency-towns, shall be read as if for the words ‘District Magistrate’ in section 16, sub-section (1), and section 17, sub-sections (2) and (3), for

Application of Act to presidency-towns and Rangoon.

the words ‘Magistrate of the first or second class’ in section 18, sub-section (1) and for the word ‘Magistrate’ in section 18, sub-section (2), there had been enacted the words ‘Commissioner of Police’, and for the words ‘District Judge’ in section 16, sub-sections (3), (4) and (5), the words ‘Chief Judge of the Court of Small Causes.’

(2) Section 16, in its application to the town of Rangoon, shall be read as if for the words ‘District Judge’, wherever they occur in that section, there had been enacted the words ‘Judge of the Court of Small Causes.’

(3) The fee in respect of an application to the Chief Judge of a Presidency Court of Small Causes under sub-section (3) of section 16 shall be the same as would be payable under the Court-fees Act, 1870, in respect of such an application to a District Judge beyond the limits of a presidency-town, and fees for summonses and other processes in proceedings before the Chief Judge under sub-section (3) or sub-section (4) of that section shall be payable according to the scale set forth in the fourth schedule to the Presidency Small Cause Courts Act, 1882.”

VII of 1870.

XV of 1882.

STATEMENT OF OBJECTS AND REASONS.

THE object of this Bill is to add to the Indian Telegraph Act, 1885, a section which is required in order to remedy an oversight. In the absence of such a section certain portions of the Act which were intended to be operative in presidency-towns and Rangoon are inoperative there.

The 25th July 1888.

(Signed) C. A. ELLIOTT.

S. HARVEY JAMES,

Secretary to the Government of India

LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 25th July 1888:—

Bill No. 7 of 1888.

A Bill to regulate the payment of duty in respect of Salt where there has been an alteration of the rate of duty payable in respect thereof.

WHEREAS it is expedient to regulate the payment of duty in respect of salt where the duty payable in respect thereof has been either enhanced or reduced; It is hereby enacted as follows:—

Title and extent. 1. (1) This Act may be called the Salt-duty Act, 1888; and

(2) It shall extend to the whole of British India.

2. In this Act "manufacture", used with reference to salt, has the meaning assigned thereto by the Indian Salt Act, 1882.

XII of 1882. 3. Where the rate of duty payable in respect of salt is enhanced or reduced, the provisions of the following clauses shall apply:—

(1) the rate of duty payable in respect of salt manufactured otherwise than by or on behalf of the Government in any part of British India, or in respect of salt so manufactured beyond British India and imported by land into any part of British India, shall be the rate in force in that part under section 7 of the Indian Salt Act, 1882, on the day on which the duty in respect of the salt is paid to the Government:

(2) the rate of duty payable in respect of salt manufactured by or on behalf of the Government in any part of British India, or in

respect of salt so manufactured beyond British India and imported by land into any part of British India, shall be,—

(a) when the duty payable in respect of the salt has been paid to the Government before the time appointed for the enhancement or reduction of the rate of duty to take effect, then the rate in force in that part as aforesaid on the day on which the duty was so paid to a person having authority to receive it on behalf of the Government on that day, and

(b) in any other case, the rate in force in that part as aforesaid on the day on which the duty in respect of the salt is paid to the Government:

provided, with respect to article (a) of this clause, that, where the rate of duty is reduced, a person who has paid duty in respect of salt on any of the three days immediately preceding the time appointed for the reduction to take effect shall, in respect of so much of the salt as has not before that time been delivered at the place of manufacture either to him or a person authorised to hold the salt on his behalf or to a railway administration or other carrier for carriage to his order, be entitled to a refund of the difference between the duty which he has paid and the reduced duty;

(3) the rate of duty payable in respect of salt imported into any part of British India by sea shall be the rate in force in that part as aforesaid on the day on which entry thereof is made for home-consumption or, in the case of salt of which entry has been made for warehousing, the rate so in force in that part on the day on which the salt is cleared for home-consumption.

4. The provisos to section 37 of the Sea Customs Act, 1878, shall not apply to salt, and this Act shall take effect notwithstanding anything in that Act or in any other enactment for the time being in force.

Exclusion of operation of other enactments. Customs Act, 1878, shall not apply to salt, and this Act shall take effect notwithstanding anything in that Act or in any other enactment for the time being in force. VIII of 1878.

STATEMENT OF OBJECTS AND REASONS.

By the operation of the proviso to section 37 of the Sea Customs Act, 1878, an enhancement of the salt-duty does not come into effect with respect to sea-borne salt for two or three months after it is proclaimed. As the effect upon prices is immediate, the result is that the consumer has to pay as much as if the salt bore the enhanced rate of duty, but the increase which he pays goes not to the Treasury but to the individuals who happen to be the owners of the salt which is at sea on its way to India. The first object of the present Bill is to claim for the Treasury this enhancement of the price which the fiscal action of the Government in enhancing the duty enables the holder to realize from the consumer.

Opportunity has been taken to define the operation of enhancements and reductions of duty with respect to salt manufactured in India. It is the object of the Government to give all possible facilities to the trade for the payment of duty and the purchase of salt. It is necessary to define, with reference to the procedure adopted for this purpose, the exact incidence of an enhancement or reduction of duty, so as to avoid claims and contentions which have arisen on past occasions of the alteration of the rate of duty.

The 25th July 1888.

(Signed) J. WESTLAND.

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

LEGISLATIVE DEPARTMENT.

The following Bill was introduced into the Council of the Governor-General of India for the purpose of making Laws and Regulations on the 25th July 1888 :—

Bill No. 8 of 1888.

A Bill to repeal certain enactments relating to Contagious Diseases.

WHEREAS it is expedient to repeal certain enactments relating to contagious diseases; It is hereby enacted as follows :—

1. The enactments specified in the schedule are repealed to the extent mentioned in the third column thereof.

Repeal.

THE SCHEDULE.
ENACTMENTS REPEALED.

Number and year.	Subject or title.	Extent of repeal.
<i>Acts of the Governor General in Council.</i>		
XIV of 1868.	Indian Contagious Diseases Act, 1868.	So much as has not been repealed.
XXVI of 1868.	Municipal Lock-hospitals.	The whole.
<i>Act of the Governor of Fort St. George in Council.</i>		
IV of 1884	Madras District Municipalities Act, 1884.	The words "the application of the Indian Contagious Diseases Act" in section 113.

STATEMENT OF OBJECTS AND REASONS.

In 1882 the Government of India, after enquiry into the working of the Indian Contagious Diseases Act, 1868, proposed to repeal it. The Secretary of State, however, considered that further experience was desirable before repealing the Act, but he left to the Government of India discretion to suspend its operation. The Act was accordingly withdrawn from operation in Calcutta. Further consideration of the question satisfied the Government of India that it ought also to be withdrawn in the towns of Madras and Bombay and two other towns in British India in which it had been maintained. Orders to this effect were issued on 19th May last. As there is no probability of the Act in its present form being revived, it is proposed to remove it and any subsidiary Acts dependent on it from the Statute-book.

The 25th July 1888.

(Signed) C. U. AITCHISON.

S. HARVEY JAMES,

Secretary to the Government of India.