

THE



Bombay Government Gazette.

Published by Authority.

THURSDAY, 13TH JANUARY 1898.

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 Report of the Select Committee on the Bill to further amend the Stage-Carriages Act, 1861, was presented to the Council of the Governor General of India for the purpose of making Laws and Regulations on the 7th January 1898 :—

We, the undersigned, members of the Select Committee to which the Bill to further amend the Stage-Carriages Act, 1861, was referred, have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report, with the Bill as amended by us annexed thereto.

From Chief Commissioner, Ajmere-Merwara, No. 1019—690, dated the 29th September 1897 [Paper No. 1].
 From Government, Burma, No. 788—L-23, dated 29th September 1897 [Paper No. 2].
 From Chief Commissioner, Central Provinces, No. 8274, dated 23th October 1897 [Paper No. 3].
 From Chief Commissioner, Coorg, No. 1686, dated 3rd November 1897 [Paper No. 4].
 From Resident, Hyderabad, No. 326, dated 4th November 1897 and enclosures [Papers No. 5].
 From Government, Bengal, No. 1459-J. D., dated 8th November 1897 [Paper No. 6].
 From Chief Commissioner, Assam, No. 119-L & L.—1928-J., dated 10th November 1897, and enclosures [Papers No. 7].
 From High Court, Calcutta, No. 2801, dated 2nd December 1897 [Paper No. 8].
 From Government, Bombay, No. 8811, dated 3rd December 1897 [Paper No. 9].
 From Government, Punjab, No. 1619, dated 9th December, 1897, and enclosures [Papers No. 10].
 From Agent, Governor General, Baluchistan, Telegram No. 647, dated 22nd December 1897 [Paper No. 11].
 From Government, Madras, No. 1824, dated 24th December 1897, and enclosures [Papers No. 12].
 From Government, North-Western Provinces and Oudh, No. 4157, dated 27th December 1897, and enclosures [Papers No. 13].

2. On the recommendation of some of the Local Governments we have amended section 4 of Act XVI of 1861 so as to enable a fee not exceeding five rupees to be charged for a license under the Act instead of a fixed fee of five rupees.

3. We have added words to the rule-making power which will enable the Local Government to fix different fees for the different classes of carriages and to provide for the inspection of animals as well as carriages.

4. As there are various local enactments regulating hackney-carriages in municipalities, cantonments and other places, we have provided for the repeal of section 2 of Act XVI of 1876, and proposed a new extent clause for Act XVI of 1861 which will prevent any conflict between the provisions of that Act as now amended and those local enactments.

5. We have also given power to the Local Governments to exempt carriages or classes of carriages from the Act. Owing to the repeal of the twenty miles stage limit, the Act might be held to extend to various classes of carriages to which it did not formerly apply and to which there is no sufficient reason for applying it.

6. The publication ordered by the Council has been made as follows :—

<i>In English.</i>				<i>Date.</i>
<i>Gazette.</i>				
Gazette of India	...	...	...	4th September 1897.
Fort Saint George Gazette	...	...	...	21st September 1897.
Bombay Government Gazette	...	...	...	9th September 1897.
Calcutta Gazette	...	...	...	15th September 1897.
North-Western Provinces and Oudh Government Gazette	...	...	...	11th September 1897.
Punjab Government Gazette	...	...	...	9th September 1897.
Burma Gazette	...	...	...	25th September 1897.
Central Provinces Gazette	...	...	...	11th September 1897.
Assam Gazette	...	...	...	25th September 1897.
Coorg District Gazette	...	...	...	1st October 1897.
Sind Official Gazette	...	...	...	30th September 1897.

<i>In the Vernaculars.</i>				
<i>Province.</i>		<i>Language.</i>		<i>Date.</i>
Madras	...	Telugu	...	12th October 1897.
	...	Hindustani	...	12th October 1897.
	...	Kanarese	...	12th October 1897.
	...	Malayalam	...	12th October 1897.
	...	Tamil	...	9th November 1897.
Bombay	...	Marathi	...	14th October 1897.
	...	Kanarese	...	14th October 1897.
	...	Gujarathi	...	21st October 1897.
Bengal...	...	Bengali	...	28th September 1897.
	...	Hindi	...	28th September 1897.
	...	Uriya	...	7th October 1897.
Punjab	...	Urdu	...	30th September 1897.
Assam	...	Bengali	...	25th September 1897.
Coorg	...	Kanarese	...	1st October 1897.
Sindh	...	Sindhi	...	7th October 1897.

7. We do not think that the measure has been so altered as to require re-publication, and we recommend that it be passed as now amended.

(Signed) C. M. RIVAZ.
 („) M. D. CHALMERS.
 („) BISHAMBAR NATH.
 („) JOY GOBIND LAW.
 („) F. A. NICHOLSON.

The 5th January 1898.

No. II.

A Bill to amend the Stage-Carriages Act, 1861.

WHEREAS it is expedient to amend the Stage-Carriages Act, 1861; It is hereby enacted as follows:—

1. This Act may be called the Stage-Carriages Act (1861) Amendment Act, 1898.
- Short title.
2. The proviso to section 1 of the Stage-Carriages Act, 1861, and of section 2, Act XVI, 1876. *section 2 of the Stage-Carriages Act (1861) Amendment Act, 1876, are hereby repealed.*
3. *The first paragraph of section 4 of the Stage-Carriages Act, 1861, is hereby repealed, and the following paragraph is substituted therefor, namely:—*

“For every such license there shall be paid by the proprietor of the stage-carriage the sum of five rupees or such less sum as the Local Government may fix, and such license shall be in force for one year from the date thereof.”

4. After section 20 of the said Act the following section shall be added, namely:—

“20 A. (1) The Local Government may, by notification in the official Gazette, make rules to carry out the purposes and objects of this Act in the territories under its administration or any part of the said territories.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may—

- (a) prescribe forms for licenses under this Act, the sums payable for the same and the conditions on which they may be granted, and the cases in which they may be revoked;
- (b) provide for the inspection of stage-carriages, and of the animals employed in drawing them; and
- (c) regulate the number and length of the stages for which animals may be driven in stage-carriages, and the manner in which they shall be harnessed and yoked.
- (3) In making any rule under this section the Local Government may direct that a breach thereof shall be punishable with fine which may extend to one hundred rupees.”

5. After section 21 of the said Act the following sections shall be added, namely:—

“22. This Act, as amended by subsequent Acts, extends to the whole of British India; but it shall not apply to carriages ordinarily plying for hire within the limits of any municipality or cantonment or other place in which any law for the regulation of carriages is for the time being in force.

23. The Local Government may, by notification in the official Gazette, exempt any carriages or class of carriages from all or any of the provisions of this Act.”

J. M. MACPHERSON,

Secretary to the Government of India.