

THE



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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 for making Laws and Regulations on the 23rd July 1869, and was referred to a Select Committee with instructions to make their report thereon in a fortnight:—

Bill No. 11 of 1869.

A Bill to shorten the time for landing dutiable goods.

WHEREAS it is provided by the Consolidated Customs' Act (Act No. VI. of 1863), section fifty-two, that if the importer, owner, or consignee of any goods (except as therein excepted), or his agent, shall not land such goods within fifteen working days after the entry of the vessel importing the same, or within such further period as the bill of lading of such vessel shall specify, the master or commander of the vessel, or the officers of customs on his application, may then carry such goods to the Custom House; And whereas it is expedient to shorten the period of fifteen working days so limited; It is hereby enacted as follows:—

1. Sections LII. LIII. and LIV. of the said Act are hereby repealed, and in lieu thereof the following shall be substituted:—

“LII. If the importer, owner, or consignee of any goods (except such as shall have been declared by the master or commander as not to be landed), or the

agent of such importer, owner, or consignee, shall not land such goods within such number of working days, not exceeding fifteen, after the entry of the vessel importing the same, as the local Government, with the previous sanction of the Governor General of India in Council, shall from time to time appoint by notification in the official Gazette, or within such further period as the bill of lading of such vessel shall specify,

The master or commander of the vessel, or the officers of customs, on his application, may then carry such goods to the Custom House.

The officer in charge of the Custom House shall thereupon be bound to take charge of and to grant receipts for such goods;

and if notice in writing shall have been given that the goods are to remain subject to a lien for freight, primage, general average, or other charges of a stated amount, he shall hold such goods until the said charges shall be paid.

“LIII. If the cargo of any vessel, with the exception of a small quantity of goods, shall have been landed within the period so appointed, or such further period as the

And in case of goods being landed in time, with exception of only a small quantity.

bill of lading shall specify, the officers of customs may, on the application of the master or commander of such vessel, direct that such remaining goods shall forthwith be carried in like manner to the Custom House.

Procedure in respect of goods not landed within time allowed.

"LIV. If any period earlier than the number of working days so appointed is specified in the bill of lading of such vessel for the discharge of her cargo or any part thereof, and if

Effect of not discharging cargo in any earlier period specified in the bill of lading.

the importer, owner, or consignee of such cargo, or his agent shall not land the same within such specified period, the master or commander of such vessel, or the officers of customs, on his application, may then carry such goods to the Custom House.

The officer in charge of the Custom House shall thereupon be bound to take charge of and to grant receipts for such goods;

And if notice in writing shall have been given that the goods are to remain subject to a lien for freight, primage, general average, or other charges of a stated amount, he shall hold such goods until the said charges shall be paid."

2. This Act shall be read with and taken as part of the Consolidated Customs' Act.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill, which has been prepared at the request of the Government of Bengal, is to reduce the time (fifteen working days from the date of ship's entry) which the Consolidated Customs' Act, section 52, allows to importers for landing their goods before the commander of the importing vessel can remove such goods to the Custom House, so as to preserve the lien for freight, and

other charges, to which the goods are generally subject.

"The operation of this clause," say the Bengal Chamber of Commerce, "is found in practice to be often attended with the greatest inconvenience, because importers, who are anxious to receive their goods as soon as possible, cannot get delivery of them in consequence of consignees of cargo ready to be discharged not removing their packages as they come to hand, and if the captain lands them before the expiration of fifteen days from date of ship's entry, he cannot have them held by the Custom House for freight and charges due thereon to the ship.

"This compulsory delay further entails a very serious addition to the heavy expenses ships coming to the port have to meet, any diminution of which would greatly benefit commerce."

Considering the various circumstances of the Indian ports, the Bill proposes that the reduced period shall be fixed by each local Government with the previous sanction of the Governor General of India in Council.

(Signed) JOHN STRACHEY.

SIMLA,
The 7th July 1869. }

WHITLEY STOKES,

Secretary to the Council of the Governor General
for making Laws and Regulations.