

THE



# Bombay Government Gazette.

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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 into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th August 1872, and was referred to a Select Committee with instructions to report thereon in a fortnight:—

#### Bill No. 19 of 1872.

*A Bill to repeal Bombay Regulation XIII. of 1827, Section thirty-four, Clause nine.*

Whereas it is expedient to render the practice relating to the payment of subsistence-allowances to witnesses in the Courts of Subordinate Magistrates uniform throughout British India: And whereas it is necessary, for that purpose, to repeal Bombay Regulation XIII. of 1827 to the extent hereinafter mentioned; It is hereby enacted as follows:—

1. Bombay Regulation XIII. of 1827 (*for defining the constitution of Courts of Criminal Justice, and the Functions and Proceedings thereof*), Section thirty-four, Clause nine, is repealed.

#### STATEMENT OF OBJECTS AND REASONS.

Bombay Regulation XIII. of 1827, Section thirty-four, Clause nine, provides that witnesses obliged to leave their homes shall be entitled to an "allowance for subsistence while so detained, not exceeding a quarter of a Rupee per day," to be paid by the Collector to the order of the Court. One result of this is that, so far as regards payment of subsistence-allowances to witnesses in the Courts of Subordinate Magistrates, the practice in Bom-

bay differed from that which prevailed throughout the rest of British India. This is obviously inexpedient, and it had been intended to repeal the clause in question by Act X. of 1872 (*the Code of Criminal Procedure*). This, however, was not done. The Bill simply repeals the clause.

(Signed) A. HOBHOUSE.

SIMLA,  
The 8th August 1872.

WHITLEY STOKES,  
Secretary to the Government of India.

The following Bill was introduced into the Council of the Governor General of India for the purpose of making Laws and Regulations on the 29th August 1872, and was referred to a Select Committee with instructions to report thereon in two months:—

#### Bill No. 20 of 1872.

*A Bill to amend the Law relating to the Transshipment of goods imported by Steamer.*

Whereas it is expedient to amend the law relating to the transshipment of goods imported by steamer; It is hereby enacted as follows:—

Short title. 1. This Act may be called "The Transshipment of Goods Act, 1872":

It extends to the ports of Calcutta, Madras, Bombay, Karáchi, Aden, Rangoon, Maulmain, Akyab, and to such other British Indian ports as the Governor General in Council may from time to time, by notification in the *Gazette of India*, direct in this behalf;

Commencement.

And it shall come into force on the passing thereof.

2. Act No. XX. of 1867 (to authorize the transshipment without payment of duty of goods imported into Calcutta, Madras, and Bombay by Steamers) is repealed. But all rules, rates, and regulations prescribed under the said Act shall be deemed to have been prescribed under this Act.

3. Subject to the provisions hereinafter contained, the chief officer of customs of every port to which this Act extends for the time being may, on application of any person interested as owner, agent, consignee, or otherwise, in any goods imported by steamer into such port, grant leave to tranship the same without payment of duty at the port of transshipment, and without any security or bond for the due arrival and entry of the goods at the ports of destination :

Provided that such goods have been specially and distinctly manifested or declared at the time of import as for transshipment to some other British Indian or foreign port.

4. The power conferred by section three shall be exercised subject to such rules as the Local Government may from time to time prescribe by notification in the official Gazette.

5. A transshipment fee on each bale or package of goods transhipped under this Act shall be levied at such rates and under such regulations as the Local Government, with the previous sanction of the Governor General in Council, may from time to time prescribe by notification in the official Gazette.

6. The Governor General in Council may from time to time, by notification in the Gazette of India, prohibit the transshipment at any specified port of any specified class of goods, and may, by like notification, withdraw any such prohibition.

7. Opium imported by sea into any British Indian port may, if the Local Government think fit, but not otherwise, be re-exported by sea from the same port on payment of a duty equal in amount to the fee to which it would have been liable if it had been transhipped at such port.

8. This Act shall be read as part of the Consolidated Customs Act, and shall not be construed as in any respect limiting the power of the Customs Officers to levy duty or to require such bonds or other securities as are authorized by the same Act.

#### STATEMENT OF OBJECTS AND REASONS.

Under the provisions of Act XX. of 1867, the Chief Customs Officers in the ports of Calcutta, Madras, or Bombay, may, under certain circumstances, and subject to rules issued by the Local Government, grant leave to tranship goods imported by steamer, without payment of duty and without the security required by section one hundred and ten of Act VI. of 1863, the Consolidated Customs Act.

It is desirable that the Government should have the power to authorize the same practice in Aden, Karáchi, the ports of Burma, and elsewhere; and the present Bill accordingly repeals Act XX. of 1867, and re-enacts its provisions making them applicable, not only to Calcutta, Madras, and Bombay, but also to Karáchi, Aden, the Burmese ports, and such other ports as the Government of India notifies in the Gazette.

Power is also given to prohibit the transshipment of any specified class of goods; and the Bill contains a clause declaring that opium imported by sea may, if the Local Government think fit, be re-exported on payment of a duty equivalent to the fee which would have been payable, if it had been transhipped.

(Signed) R. TEMPLE.

SIMLA,  
The 20th August 1872.

WHITLEY STOKES,  
Secretary to the Government of India.