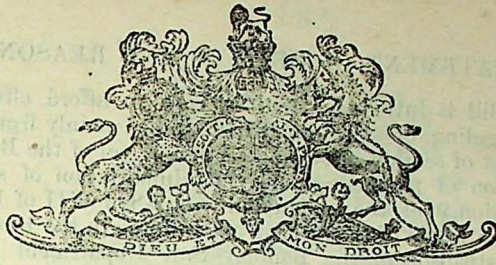


THE



Bombay Government Gazette.

Published by Authority.

TUESDAY, 5TH FEBRUARY 1901.

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

PART V.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

(To be translated into Maráthi, Gujaráti and Kánaresé, and the translations to be published in the "Bombay Government Gazette." To be translated also into Sindhu, and the translation to be published in the "Sind Official Gazette." The dates of publication to be reported.)

The following Bill, together with the Statement of Objects and Reasons accompanying it, is published in accordance with Rule 22 of the Rules for the conduct of Business at Meetings of the Council of His Excellency the Governor of Bombay for making Laws and Regulations:—

Bombay Bill No. II of 1901.

A Bill to amend the Bombay Salt Act (Bombay Act II of 1890).

Whereas it is expedient to amend the Bombay Salt Act, 1890; it is hereby enacted as follows:—

1. For section 3, clause (n) of the said Act, there shall be substituted the following, namely:

"(n) 'contraband salt' means:

A. Salt or salt-earth removed from a salt-work or from a Government warehouse or store, or manufactured, excavated, collected, packed, stored, landed, transported or had in possession, in contravention

(i) of this Act, or of any other enactment relating to the salt revenue at the time being in force; or

(ii) of any rule or order made under this Act or under any other such enactment as aforesaid; or

(iii) of any license or permit issued under this Act, or under any other such enactment as aforesaid; and

B. Salt which has evaded payment of any duty imposed under section 7 (a) of the Indian Salt Act, 1882, or of any duty leviable under any Tariff Act in force for the time being."

2. In clause (c) of section 47 of the said Act there shall be inserted between the words "receives" and "or, without lawful excuse," the words "or is in possession of".

STATEMENT OF OBJECTS AND REASONS.

This short Bill is introduced with a view to afford effective protection against the smuggling of salt into British India, mainly from Goa territories, by the amendment of section 3 (m) and section 47 (c) of the Bombay Salt Act, 1890. The evasion of payment of duty on importation of salt by land is an offence under section 9 of the Indian Salt Act, 1882 (XII of 1882), but, owing to the fact that the whole of that Act is not in force in the Bombay Presidency, and that the constitution of the Bombay Salt Department varies materially from that of Northern India, with reference to the conditions of which the Act was framed, great difficulty is felt in complying with the requirements of that Act as to the procedure to be followed in the enforcement of its penal provisions. Possession of salt which has evaded the payment of duty has hitherto been dealt with as contraband salt under the provisions of the Bombay Salt Act, 1890 (Bombay Act II of 1890), but as it has recently been held that the definition of 'contraband' salt in section 3 (m) of that Act, is not wide enough to cover salt 'imported' in contravention of the terms of the Indian Salt Act, it is considered that this defect should be remedied without delay, in order that offenders in that behalf may be rendered liable to punishment under the provisions of section 47 of the Bombay Salt Act. Opportunity is also taken at the same time to render penal under the same section the possession of salt which has evaded the payment of duty on importation by sea.

(Signed) J. MONTEATH.

5th February 1901.

By order of His Excellency the Right Honourable the Governor,

R. J. C. LORD,

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

Bombay Castle, 5th February 1901.