

Thursday, August 19, 1875

**ABSTRACT OF THE PROCEEDINGS**

**COUNCIL OF THE GOVERNOR GENERAL OF INDIA**

**LAWS AND REGULATIONS.**

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ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS.

1875.

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1876.

*Abstract of the Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament 24 & 25 Vic., Cap. 67.*

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The Council met at Simla on Thursday, the 19th August 1875.

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**P R E S E N T :**

His Excellency the Viceroy and Governor General of India, G. M. S. I., *presiding.*

His Excellency the Commander-in-Chief, G. C. B., G. C. S. I.

Major-General the Hon'ble Sir H. W. Norman, K. C. B.

The Hon'ble Arthur Hobhouse, Q. C.

The Hon'ble Sir W. Muir, K. C. S. I.

The Hon'ble Ashley Eden, C. S. I.

The Hon'ble Sir A. J. Arbuthnot, K. C. S. I.

Colonel the Hon'ble Sir Andrew Clarke, R. E., K. C. M. G., C. B.

The Hon'ble Sir Douglas Forsyth, K. C. S. I.

The Hon'ble T. C. Hope.

**CENTRAL PROVINCES LAWS BILL.**

The Hon'ble Sir D. Forsyth introduced the Bill to declare and amend the law in force in the Central Provinces, and moved that it be referred to a Select Committee with instructions to report in two months. He said that when he had asked for leave to introduce the Bill, he explained that the Central Provinces were composed of various territories, the different Regulations applying to which were in some confusion, and that the present Bill, which was now prepared at the desire of the Local Government and to a great extent by the Judicial Commissioner, was intended to remove all doubts and difficulties with reference to the application of those laws.

The Bill was exceedingly short, and contained only ten sections. It repealed certain obsolete enactments, and declared what laws were in force throughout the Central Provinces. In order to preclude doubts which might arise from the way in which additions had from time to time been made to those Provinces, section 4 made the following declaration :—

“Every Act of the Governor General in Council which extends, or can by notification be extended, to the territories which were under the administration of the said

Chief Commissioner at the time of the passing thereof, shall extend, or may by notification be extended, as the case may be, to all the territories now under the administration of the said Chief Commissioner.”

There were no special laws applicable to the Central Provinces, as was the case in the Panjab, such as the law of pre-emption, or the law relating to vagrants and the work of the Committee, to whom he trusted this Bill would be referred, would consist chiefly in overhauling the different Acts and Regulations in the Schedules to see that they were correct. The Bill left untouched the revenue system of the Central Provinces, which would probably be dealt with by some other enactment.

The Motion was put and agreed to.

The Hon'ble SIR D. FORSYTH moved that the Bill be published in the *Central Provinces Gazette* in English and such other languages as the Local Government might think fit.

The Motion was put and agreed to.

#### OPIUM BILL.

The Hon'ble SIR W. MUIR moved for leave to introduce a Bill to amend the law relating to Opium. He said that the law was defective in various parts of India in respect of the control which the Government should have over the growth, manufacture, possession and transport of opium. In Bombay the cultivation of opium was prohibited, and its transport was practically under check but the legal power for enforcing the action of the State in the matter was imperfect. In Madras where the same practice prevailed, the state of things was still more defective, there being no law to enable the State to interpose in respect to the cultivation, manufacture, possession and transport of opium. Both these Administrations had had it in contemplation to introduce projects of law to remedy the want ; but the subject of opium being an imperial one, it was thought better that the law should be uniform throughout India, and they were therefore requested to stay, their action in respect to the introduction of the Bills which they had before them. The law was also in some respects uncertain in other parts of British India, that was to say, with regard to the new Administrations which had been formed in recent times. Advantage would be taken in the Bill to remove these doubts by having a uniform law which would be applicable to the whole country, and which would give the authorities the necessary power to interpose in the matter as he had explained,

Opium being the subject of imperial revenue, there appeared no doubt that the proposed legislation should be by this Council, and should be also of an imperial character. At their next meeting he would take the opportunity of introducing the Bill and of explaining the provisions of the proposed measure.

The Motion was put and agreed to.

The following Select Committee was named :—

On the Bill to declare and amend the law in force in the Central Provinces  
—The Hon'ble Messrs. Hobhouse and Hope and the Mover.

The Council then adjourned to Thursday, the 2nd September 1875.

S I M L A, }  
*The 19th August 1875.*

WHITLEY STOKES,  
*Secretary to the Government of India,*  
*Legislative Department.*