

Wednesday,
31st May, 1882

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XXI

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Not to be taken away.

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OF THE

Council of the Governor General of India,

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS.

1882.

VOL. XXI.

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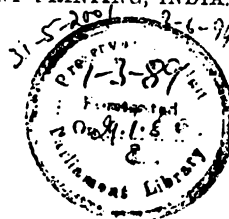


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1883.



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.

The Council met at Government House, Simla, on Wednesday, the 31st May, 1882.

P R E S E N T :

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

His Honour the Lieutenant-Governor of the Panjáb, K.C.S.I., C.I.E.

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

Major the Hon'ble E. Baring, R.A., C.S.I., C.I.E.

Major-General the Hon'ble T. F. Wilson, C.B., C.I.E.

The Hon'ble C. P. Ilbert, C.I.E.

The Hon'ble Sir S. C. Bayley, K.C.S.I., C.I.E.

The Hon'ble C. H. T. Crosthwaite.

The Hon'ble W. O. Plowden.

The Hon'ble W. W. Hunter, LL.D., C.I.E.

PANJÁB UNIVERSITY BILL.

The Hon'ble Mr. ILBERT, on behalf of the Hon'ble Mr. Gibbs, moved for leave to introduce a Bill to establish and incorporate the University of the Panjáb. He said :—

“As the principles of this Bill have been long under consideration, and as its provisions will have to be carefully considered in Select Committee, I think it will suffice if, on the present occasion, I state very shortly the circumstances which have led to its introduction and the main objects at which it aims.

“It appears that, in the year 1869, the Governor General in Council sanctioned the establishment at Lahore of an institution, which was at first styled the Lahore University College, but which subsequently took the name of the Panjáb University College. This sanction was stated to have been given in accordance with the recommendations of the Lieutenant-Governor, and in part

fulfilment of the wishes of a large number of the chiefs, nobles and influential classes of the Panjáb. The special objects of the Lahore University College were stated in its original Statutes to be—

“(1) to promote the diffusion of European science, *as far as possible*, through the medium of the vernacular languages of the Panjáb; and the improvement and extension of vernacular literature generally;

“(2) to afford encouragement to the enlightened study of Eastern classical languages and literature; and

“(3) to associate the learned and influential classes of the Province with the officers of Government in the promotion and supervision of popular education.”

“I am reading now from the *Panjáb Government Gazette* of the 23rd of December, 1869—

“The above are the special objects of the institution; but at the same time every encouragement will be afforded to the study of the English language and literature, and in all subjects which cannot be completely taught in the vernacular, the English language will be regarded as the medium of examination and instruction.”

“The College was to have the power of conferring, after examination, certificates of proficiency in literature and science, but was not to be a University, and was not to have the power—and has not the power—of granting degrees of the same kind as those granted by the Universities of Calcutta, Bombay and Madras. However, expectations were held out by the Government that, if the institution met with due success, it might hereafter be raised to the status of a University.

“Well, the institution grew and prospered. It received, from time to time, very large sums of money from the nobles and influential classes of the Panjáb, and it has increased in numbers and in the efficiency of its education. Under these circumstances, the Government have come to the conclusion that the institution has attained that degree of success which would warrant effect being given to the expectations held out at the time of its establishment; and it is determined, in accordance with what appears to be the almost universal wish of those natives of the Panjáb who are interested in education, to constitute a University for the Panjáb. That is the object of the Bill which I am now asking leave to introduce.

“The Bill establishes the University, and confers upon it the powers of a body corporate. It provides for the transfer to the University of all the property at present held by or in trust for the University College. It deals with the constitution of the University, and provides that the Governor General, for the time being, shall stand to it in the relation either of a patron or visitor—the exact term is not yet settled; that there shall be a Chancellor,

who is to be the Lieutenant-Governor of the Panjáb for the time being, a Vice-Chancellor and a body of Fellows. These Fellows are to be of three classes—first, the holders, for the time being, of certain offices, who are to be *ex officio* Fellows; secondly, persons appointed by the Chancellor as being eminent benefactors of the Panjáb University, original promoters of the movements in favour of the Panjáb University College, or persons distinguished for attainments in literature, science or art, or by zeal in the cause of education; and, thirdly, the representatives for the time being with the Government of the Panjáb of such independent Native Chiefs as the Lieutenant-Governor may, by notification in the Gazette, specify. The Schedule to the Bill contains a list of the persons who are to be deemed to be the first Fellows appointed under the Act. Then there are provisions as to the Senate and matters connected with it. There is a power given to the Senate to appoint and remove all examiners, officers and servants of the University. The Bill empowers the Senate to confer certain degrees; but it restricts the exercise of the power to confer the degrees of Bachelor of Laws, Licentiate of Medicine, Doctor of Medicine and Master of Civil Engineering until the Governor General has given his assent to the exercise of the power. Then there is a further temporary provision enabling the Senate to confer like degrees in the case of persons who may have passed during the month of May in this year such examinations of the Panjáb University College as may correspond to the degree examinations of the Panjáb University. Finally, there is a power to the Senate to levy fees, a power to confer honorary degrees in certain cases, and a power to make bye-laws generally in all matters regarding the University.

“This is an outline of the Bill which I ask leave to introduce.”

The Motion was put and agreed to.

INDIAN PORTS ACT AMENDMENT BILL.

The Hon'ble MR. ILBERT also presented the Report of the Select Committee on the Bill to exempt certain vessels from the Indian Ports Act, 1875, section 38.

PETROLEUM BILL.

The Hon'ble MR. ILBERT also moved for leave to introduce a Bill to modify temporarily certain provisions of the Petroleum Act, 1881. He said:—

“This is a temporary and provisional measure, the object of which is to meet certain unexpected difficulties which have suddenly arisen in connection with the provisions of the Petroleum Act, VIII of 1881. That Act regulates the conveyance, transport and storage of petroleum and other inflammable

oils, and it draws a distinction between two kinds of petroleum—one kind which is called ‘dangerous petroleum,’ and another kind which I may call ‘ordinary petroleum.’ Then petroleum is defined in the Act as including various kinds of liquids, such as rock-oil, Rangoon-oil, kerosine, and so on; but it does not include any oil used for lubricating purposes, and having its flashing point at or above 250° of Fahrenheit’s thermometer. And then follows an explanation as to what is meant by the flashing point of petroleum. The flashing point means ‘the lowest temperature at which the petroleum yields a vapour which will furnish a momentary flash or flame when tested with the apparatus and in the manner described in the schedule’ of the Act, and that schedule describes elaborately the test to be applied and the mode of applying it. Then comes the definition of ‘dangerous petroleum.’ It is defined as meaning ‘petroleum having its flashing point below 73° of Fahrenheit’s thermometer.’

“Now the difficulty which has arisen is this. It appears that communications received by the Government of India by telegraph within the last two or three weeks afford ground for apprehending that petroleum which, when tested in America and elsewhere in the manner prescribed by the Petroleum Act, 1881, flashes at a point above 73° Fahrenheit may, when tested in the same manner on its arrival here, flash at a point below 73° Fahrenheit, and consequently have to be placed under the restrictions to which ‘dangerous petroleum’ is subject. These restrictions are of course much more stringent than those which apply to ‘ordinary petroleum.’ It has been suggested that this is probably due, not to any want of care on the part of those applying the test in either country, but to the difference of climate. Steps have been taken with a view to having the matter fully inquired into; but as this will take some time, and as it is but fair that importers should in the meanwhile be relieved from the hardship to which they are exposed, it is proposed for the present to exclude from the class of dangerous petroleum all petroleum covered by a certificate granted at the place of export and of such a description that, in the opinion of the Governor General, it may be accepted as proving that the petroleum it refers to, if tested at the place of export according to our method, would be found to have a flashing point above 73° Fahrenheit.

“Well, the object of the Bill is to provide temporarily, if this should be found necessary, for the admission of petroleum of this particular kind under the direction of the Governor General, pending the prosecution of further experiments as to what is the best test to apply; and as the Bill is short, I will ask the Secretary to read it to the Council.”

MR. FITZPATRICK, the Secretary, having read the Bill,

The Motion was put and agreed to.

The Hon'ble MR. ILBERT also introduced the Bill. He said:—

“Perhaps I may take this opportunity of stating that the Bill is introduced to the Council at the special request of the Secretary of State. It may be necessary that it should become law within a short space of time; but I do not propose on the present occasion to apply for a suspension of the Rules of Business in order to carry the Bill through the Council now. The introduction of the Bill will place it at such a stage as will enable us to pass it into law at the earliest opportunity, should the necessity for doing so arise.”

His Excellency THE PRESIDENT said:—“I think that the course which my hon'ble friend proposes to adopt is the correct one. Some representations in respect to this Bill have been made to the Government of India only quite recently—in the course of yesterday; and, although the Bill is introduced at the request of the Secretary of State, I think the circumstances are not such as to justify its being passed with the extreme rapidity which would result from the suspension of the Standing Orders of the Council. The introduction of the Bill will have brought it to such a stage as will admit of its passing, if necessary, at the next sitting of the Council. That I think will be sufficient to meet all the requirements of the case, and will give the public and the Government a somewhat longer time to consider the nature of the arrangements to be made under it.”

The Hon'ble MR. ILBERT asked for leave to postpone the Motion that the Bill be taken into consideration, and the Motion that the Bill be passed.

Leave was granted.

The Council adjourned to Wednesday, the 7th June, 1882.

SIMLA ;
The 31st May, 1882. }

D. FITZPATRICK,
Secretary to the Government of India,
Legislative Department.