

*Wednesday,  
24th August, 1887*

ABSTRACT OF THE PROCEEDINGS  
OF THE  
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

VOLUME XXVI



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1888.

*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 Viceregal Lodge, Simla, on Wednesday, the 24th August, 1887.

PRESENT:

His Excellency the Viceroy and Governor General of India, K.P., G.C.B., G.C.M.G., G.M.S.I., G.M.I.E., P.C., *presiding*.  
His Honour the Lieutenant-Governor of the Punjab.  
His Excellency the Commander-in-Chief, Bart., R.A., V.C., G.C.B., G.C.I.E.  
The Hon'ble Sir T. C. Hope, K.C.S.I., C.I.E.  
The Hon'ble Lieutenant-General G. T. Chesney, R.E., C.B., C.S.I., C.I.E.  
The Hon'ble A. R. Scoble, Q.C.  
The Hon'ble J. B. Peile, M.A., C.S.I.  
The Hon'ble J. Westland.  
The Hon'ble J. W. Quinton, C.S.I.  
The Hon'ble Colonel E. G. Wace.  
The Hon'ble Nawáb Nawazish Ali Khan, C.I.E.

INLAND BONDED WAREHOUSES BILL.

The Hon'ble MR. SCOBLE moved that the Hon'ble Mr. Westland be substituted for the Hon'ble Sir Auckland Colvin as a member of the Select Committee on the Bill to provide for the establishment of bonded warehouses at places other than customs-ports.

The Motion was put and agreed to.

REVENUE RECOVERY BILL.

The Hon'ble MR. QUINTON moved for leave to introduce a Bill to make better provision for recovering certain public demands. He said:—

“The object of this Bill is to enable the Collector of any district in British India to recover from a person who at the time is or has property in that district arrears of revenue for which that person has become liable as principal or surety in another district, on being duly certified that the arrear has accrued there.

“Hon'ble members are aware that the powers of Collectors for realizing land-revenue are strictly defined by law, and that arrears of numerous other

[*Mr. Quinton.*]

[24TH AUGUST,

sources of revenue are made by law recoverable as arrears of land-revenue. The law for the realization of land-revenue in British India is embodied for the larger provinces in Acts passed by the local legislatures, and for the smaller in local Acts passed by this Council or Regulations made by the Executive Council.

"The operation of these Acts and Regulations is limited to the provinces to which they extend, and there is at present no legal authority enabling a Collector of one province to recover arrears of revenue which have accrued in another. In some cases it is even open to doubt whether the same disability does not apply to Collectors of districts in the same province.

"The difficulties arising from this state of the law have been more or less felt for many years. For obvious reasons they are experienced in a less degree in the maritime presidencies than in inland provinces surrounded by British territory. It would rarely pay a defaulter anxious to avoid his liabilities to incur the trouble and expense of a sea voyage from Ratnagari to Aden or from Masulipatam to Rangoon, but it is an easy matter for him to cross over from the North-Western Provinces into Oudh or from Orissa into Ganjam.

"Collectors of border districts have hitherto by a sort of inter-provincial comity rendered mutual assistance to each other in dealings with such defaulters, but in an affair of such importance as the realization of the public revenue a more certain and more legal basis for the action of our executive officers is called for, especially as, in consequence of the improvement of communications and the rapid extension of railways, facilities for the evasion of the Collector's powers are daily increasing.

"This Bill has therefore been drawn so as to regulate and legalize that action, and, should the Council sanction its introduction, I shall explain its provisions at a later stage.

"A minor object aimed at by the Bill is to enable certain public officers and local authorities, who have been vested by law with the power of recovering arrears of rates and taxes or other public moneys as if they were arrears of land-revenue, to call on the Collector of the district to perform this duty. It is a duty which in many cases such officers or bodies are not well fitted to discharge; for instance, the head of any office in which a public accountant has shown loss or defalcation in his accounts, or the Port Commissioners of Rangoon, are not necessarily acquainted with the law for the recovery of arrears of land-revenue or the circumstances and qualifications under which it should be

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[ *Mr. Quinton.* ]

applied, and yet Acts passed by the legislature require them to enforce it. The principle of calling in the aid of the Collector in such cases has been already adopted by this Council in the Punjab Municipalities Act passed three years ago."

The Motion was put and agreed to.

The Hon'ble MR. QUINTON also introduced the Bill.

The Hon'ble MR. QUINTON also moved that the Bill and Statement of Objects and Reasons be published in the Gazette of India in English, and in the local official Gazettes in English and in such other languages as the Local Governments think fit.

The Motion was put and agreed to.

The Council adjourned to Wednesday, the 7th September, 1887.

SIMLA;  
The 26th August, 1887.

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S. HARVEY JAMES,  
*Offg. Secretary to the Govt. of India,*  
*Legislative Department.*