

*Thursday,
8th March, 1894*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. XXXIII

Jan.-Dec., 1894

ABSTRACT OF THE PROCEEDINGS
OF
THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA,
ASSEMBLED FOR THE PURPOSE OF MAKING
LAWS AND REGULATIONS,

1894

VOLUME XXXIII



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1895

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 Indian Councils Acts, 1861 and 1892 (24 & 25 Vict., cap. 67, and 55 & 56 Vict., cap. 14).

The Council met at Government House on Thursday, the 8th March, 1894.

PRESENT :

His Excellency the Viceroy and Governor General of India, P.C., L.L.D.,
G.M.S.I., G.M.I.E., *presiding.*

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

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

The Hon'ble Sir A. E. Miller, K.T., Q.C.

The Hon'ble Lieutenant-General H. Brackenbury, C.B., R.A.

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

The Hon'ble J. Westland, C.S.I.

The Hon'ble Sir A. P. MacDonnell, K.C.S.I.

The Hon'ble Dr. Rashbehary Ghose.

The Hon'ble Fazulbhai Vishram.

The Hon'ble C. C. Stevens.

The Hon'ble A. S. Lethbridge, M.D., C.S.I.

The Hon'ble Gangadhar Rao Madhav Chitnavis.

The Hon'ble H. F. Clogstoun, C.S.I.

The Hon'ble W. Lee-Warner, C.S.I.

The Hon'ble P. Playfair.

The Hon'ble Mahárájá Partab Narayan Singh of Ajudhiá.

PRISONS BILL.

The Hon'ble SIR ANTONY MACDONNELL said:—"With Your Excellency's permission I should like to make a representation to the Council.

"The Select Committee on the Bill to amend the law relating to Prisons have now completed their alterations, the Bill has been amended, and the Report of the Committee is being drafted. It is usual not to publish a Bill which comes from the Select Committee until it has been presented to Council, but, if the usual procedure is followed in the present instance, the Bill if passed into law this session will be before the public for a week less than it would

[*Sir Antony MacDonnell; the President; Mahārājā Partab* [8TH MARCH
Narayan Singh of Ajudhiā; Sir Charles Pritchard; Mr. Westland.]

be if a departure from the usual procedure were sanctioned and the Bill published before its presentation to the Council. I therefore beg Your Excellency and the Council to sanction a departure from the usual custom upon this occasion, and allow the Bill to be published in the Gazette of India on Saturday next, though the Report will not, by that date, have been presented."

His Excellency THE PRESIDENT said that he thought it would be for the convenience of the public that the suggestion of the Hon'ble Member should be adopted.

The proposal to publish the Bill as suggested in the Gazette of India of Saturday, the 10th March, was put and agreed to.

QUESTION AND ANSWER.

The Hon'ble MAHARAJA PARTAB NARAYAN SINGH OF AJUDHIA asked :—

Whether the Government of India will reconsider the question of providing closet accommodation in each passenger train by attaching a latrine carriage for the benefit of the third class passengers, who, under the existing system, are put to considerable discomfort and inconvenience.

The Hon'ble SIR CHARLES PRITCHARD replied :—

"The question of the extent to which the provision of latrine accommodation on passenger trains should be made compulsory was carefully examined by this Council at the time when the Indian Railways Act, 1890, was under its consideration, and the result of the Council's deliberations is embodied in section 64 of that Act. Latrine accommodation is now provided on all railways to the full extent required by law. The Government of India, as at present advised, does not propose to proceed to fresh legislation on the subject."

INDIAN STAMP ACT, 1879, AMENDMENT BILL.

The Hon'ble MR. WESTLAND moved that the Report of the Select Committee on the Bill to amend the Indian Stamp Act, 1879, with respect to Policies of Sea-insurance and Sale-certificates, be taken into consideration.

The Motion was put and agreed to.

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[*Mr. Westland; Sir Alexander Miller.*]

The Hon'ble MR. WESTLAND also moved that in division (a) of article 49 of Schedule I of the Act proposed to be substituted by section 3 of the Bill, as amended, for the figures "0 3 0" where they occur opposite the words "where the insurance shall be made for any time not exceeding six months" the figures "0 2 0" be substituted; and for the figures "0 6 0" where they occur opposite the words "where the insurance shall be made for any time exceeding six months and not exceeding twelve months" the figures "0 4 0" be substituted. He said:—

"I have, with the consent of the Members of the Select Committee, to propose an amendment in the rates of stamp-duty specified in the Bill, which it was considered desirable should be proposed in Council and not effected in Committee.

"The whole object of the Bill is to remove all inducement to insurers to place their insurances with Companies in England instead of with Companies in this country, and with that object we copied, in the differentiation of the stamp-duties on the policies, the words of the English Act. In the two last specified cases—those applicable to time insurance—the rates in the English Act are 3*d.* per £100 for insurances up to six months, and 6*d.* for insurances up to twelve months, being respectively one eight-thousandth and one four-thousandth of the maximum insurable at each rate. The corresponding rates in India would be 2 annas and 4 annas per ₹1,000 insured, and the Select Committee agreed that it was desirable, on the principle on which the Bill is based, that these should be adopted in lieu of the higher rates of 3 annas and 6 annas stated in the Bill.

"I propose, therefore, that the amendment be made."

The Motion was put and agreed to.

The Hon'ble MR. WESTLAND also moved that the Bill, as amended, be passed.

The Motion was put and agreed to.

PRISONERS ACT, 1871, AMENDMENT BILL.

The Hon'ble SIR ALEXANDER MILLER moved that the Report of the Select Committee on the Bill to amend the Prisoners Act, 1871, be taken into consideration. He said:—"When I moved for leave to introduce this Bill I mentioned that it was only intended to meet two or three difficulties which had been found in the working of the Prisoners Act as regarded the dealings

with British Courts and Tribunals in Native States. However, when it came before the Select Committee it was thought desirable somewhat to extend the scope of the Bill, but not, I think, in any manner not germane to its original intention; and accordingly two clauses have been put in at the end, and substituted for sections 30 and 32 of the Act as it stands, in order that those sections may apply not only to persons sentenced to imprisonment but to persons sentenced to transportation, as to the removal of whom from one place to another some difficulty has been experienced. With that exception, and also that we have, in deference to a suggestion of the Hon'ble Member in the Home Department, acquiesced in by the Foreign Department of the Government of India, substituted the expression 'under the suzerainty of Her Majesty', in speaking of the subordinate Princes and States, for the expression 'in alliance with Her Majesty', the Bill is practically the same as it was when referred to the Select Committee."

The Motion was put and agreed to.

The Hon'ble SIR ALEXANDER MILLER also moved that the Bill, as amended, be passed.

The Motion was put and agreed to.

The Council adjourned to Saturday, the 10th March, 1894.

CALCUTTA; }
The 12th March, 1894. }

S. HARVEY JAMES,
Secretary to the Government of India,
Legislative Department.