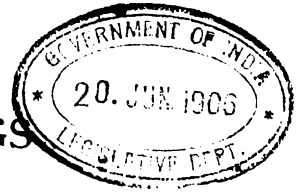


*Friday,  
29th September, 1905*

ABSTRACT OF THE PROCEEDINGS  
OF THE  
Council of the Governor General of India,  
  
**LAWS AND REGULATIONS**

**Vol. XLIV**

**Jan.-Dec., 1905**



# ABSTRACT OF PROCEEDINGS

OF

## THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA

ASSEMBLED FOR THE PURPOSE OF MAKING

### LAWS AND REGULATIONS,

### FROM 1905 TO MARCH 1906.

### VOLUME XLIV



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*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., c. 67, and 55 & 56 Vict., c. 14).*

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The Council met at the Viceregal Lodge, Simla, on Friday, the 29th September, 1905.

PRESENT :

His Excellency Baron Curzon, P.C., G.M.S.I., C.M.I.E., Viceroy and Governor General of India, *presiding*.

His Honour Sir Denzil Ibbetson, K.C.S.I., Lieutenant-Governor of the Punjab.

The Hon'ble Major-General Sir E. R. Elles, K.C.B., K.C.I.E.

The Hon'ble Sir A. T. Arundel, K.C.S.I.

The Hon'ble Mr. H. Erle Richards, K.C.

The Hon'ble Mr. J. P. Hewett, C.S.I., C.I.E.

The Hon'ble Mr. E. N. Baker, C.S.I.

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

The Hon'ble Mr. T. Gordon Walker, C.S.I.

COURT-FEES (AMENDMENT) BILL.

The Hon'ble SIR ARUNDEL ARUNDEL moved that the Report of the Select Committee on the Bill further to amend the Court-fees Act, 1870, be taken into consideration.

The motion was put and agreed to.

The Hon'ble SIR ARUNDEL ARUNDEL moved that the Bill, as amended, be passed.

The motion was put and agreed to.

BENGAL AND ASSAM LAWS BILL.

The Hon'ble MR. RICHARDS moved that the Bill to make certain provisions regarding the application of the law in force in the Province of Eastern Bengal and Assam and in certain territory transferred from the Central Provinces to Bengal be taken into consideration. He said :—" My Lord, I have on a former occasion explained to the Council the object of the Bill which is now

[*Mr. Richards; Mr. Hewett.*]

[29TH SEPTEMBER,

before the Council. I pointed out then that the scope of the Bill was confined to the application of the existing law as distinct from the amendment or alteration of it, and that it was merely ancillary to the proclamation by which the new Province of Eastern Bengal and Assam has been created. The Bill has been published in the usual way in the Gazette of India, the Calcutta Gazette, the Central Provinces Gazette and the Assam Gazette in accordance with the resolution of this Council. No objections have been taken to it and no amendments have been proposed. It is unnecessary therefore for me to do more than formally to move that the Bill be now taken into consideration."

The motion was put and agreed to.

The Hon'ble MR. RICHARDS moved that the Bill be passed.

The motion was put and agreed to.

#### INDIAN FACTORIES (AMENDMENT) BILL.

The Hon'ble MR. HEWETT moved for leave to introduce a Bill further to amend the Indian Factories Act, 1881. He said :—"The Bill is designed to secure additional protection for the health and safety of operatives in factories. The opportunity has been taken to bring within its scope certain small factories which are at present excluded from the operation of the Act, on account of the fact that they are open for short periods only in each year; partly on account of this peculiarity, and partly owing to the fact that such factories are usually owned by small proprietors, they are not infrequently the scenes of serious abuses, and it has been considered desirable to take powers which will enable our officers to supervise such places efficiently in future.

"The amendments contained in the Bill are noticed in detail in the *Notes on Clauses*, and it is only necessary for me to refer to two or three of the proposed changes. Clause 4 requires that a notice regarding the midday stoppage of work, which is provided for by section 5A of the Act, shall be posted up in each factory. This addition has been made with the object of facilitating convictions for breach of the rule, as it has been found that, unless such a notice is posted, direct and satisfactory evidence of a breach of the provisions of section 5A of the Act is seldom obtainable.

"A clause has also been introduced with the object of bringing within the scope of the penalty imposed by section 15 of the Act all acts or omissions

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which are contrary to the provisions of the Act, or of the orders and rules issued thereunder and which are not covered by specific clauses in the existing measure.

" Clause 9 has been framed with the object of securing that there shall always be some responsible person who can be at once proceeded against in respect of breaches of the Act, and experience has shown that a provision of this nature is absolutely essential.

" The occurrence of fires in factories, which resulted in a lamentable loss of life among the operatives, has demonstrated the necessity that power should be taken to prevent smoking, and the use of naked lights in certain circumstances, and to insist on the provision of sufficient means of exit in case of fire. Clause 10 (3) of the Bill provides for these matters.

" With these remarks, my Lord, I beg for leave to introduce the Bill."

The motion was put and agreed to.

The Hon'ble MR. HEWETT introduced the Bill.

The Hon'ble MR. HEWETT moved that the Bill, together with the Statement of Objects and Reasons relating thereto, 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 *sine die*.

H. W. C. CARNDUFF,

SIMLA :	}	<i>Offg. Secretary to the Government of India,</i>
<i>The 29th September, 1905.</i>	}	<i>Legislative Department.</i>