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COLLECTION

OF

THE ACTS

OF

**THE INDIAN LEGISLATURE AND
OF THE GOVERNOR GENERAL**

FOR THE YEAR

1935

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1935.**

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SHORT TITLES OF ACTS

PASSED BY

THE INDIAN LEGISLATURE AND MADE BY THE
GOVERNOR GENERAL

IN THE YEAR 1935.

- I. The Indian Naturalization (Amendment) Act, 1935.
 - II. The Indian Tariff (Amendment) Act, 1935.
 - III. The Indian Tea Cess (Amendment) Act, 1935.
 - IV. The Salt Additional Import Duty (Extending) Act, 1935.
 - V. The Indian Mines (Amendment) Act, 1935.
 - VI. The Aligarh Muslim University (Amendment) Act, 1935.
 - VII. The Indian Army (Amendment) Act, 1935.
 - VIII. The Central Provinces Courts (Supplementary) Act, 1935.
 - IX. The Provincial Small Cause Courts (Amendment) Act, 1935.
 - X. The Provincial Insolvency (Amendment) Act, 1935.
 - XI. The Factories (Amendment) Act, 1935.
 - XII. The Repealing and Amending Act, 1935.
 - XIII. The Jubbulpore and Chhattisgarh Divisions (Divorce Proceedings Validation) Act, 1935.
 - XIV. The Indian Coffee Cess Act, 1935.
- * The Indian Finance Act, 1935.
- * The Criminal Law Amendment Act, 1935.

* No number was given to this Act which was made by the Governor General under section 67B of the Government of India Act.

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ACT No. I OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 26th
February, 1935.)

An Act to amend the Indian Naturalization Act, 1926, for
certain purposes.

VII of 1926. **W**HEREAS it is expedient to amend the Indian Naturalization Act, 1926, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Indian Naturalization (Amendment) Act, 1935. Short title and commencement.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

VII of 1926. 2. In sub-section (1) of section 7 of the Indian Naturalization Act, 1926 (hereinafter referred to as the said Act), the words "the wife of any such person" shall be omitted, and to the said sub-section the following words shall be added, namely:— Amendment of section 7, Act VII of 1926.

"and the wife of any such person to whom a certificate of naturalization is granted after the commencement of the Indian Naturalization (Amendment) Act, 1935, shall, if not already a British subject, in like manner be so deemed and be so entitled and so subject, if within one year, or such longer period as the Local Government may in special circumstances allow, from the date of the taking and subscribing of such oath by her husband, she makes to the Local Government a declaration that she desires to be deemed to be a British subject".

3. In sub-section (2) of section 9 of the said Act,—

(a) before the proviso the following proviso shall be inserted, namely:— Amendment of section 9, Act VII of 1926.

"Provided that no such order shall be made in the case of a wife unless by reason of the acquisition

by

Price anna 1 or 1½d.

Indian Naturalisation. [Act 1 of 1985.]

by her husband of a new nationality she has also acquired that nationality:”; and

(b) in the existing proviso, after the word “Provided” the word “further” shall be inserted.

Amendment
of section 10,
Act VII of
1926.

4. To sub-section (2) of section 10 of the said Act the following proviso shall be added, namely:—

“Provided that the wife of any such person shall not cease to be deemed to be a British subject under this sub-section, unless by reason of the acquisition by her husband of a new nationality she has also acquired that nationality.

Act I of 1935.]
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ACT No. II OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 11th
 April, 1935.)

An Act to amend the Indian Tariff Act, 1934, for certain purposes.

WHEREAS it is expedient to amend the Indian Tariff Act, ~~XXXII~~ of 1934, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called the Indian Tariff (Amendment) Act, 1935.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

Amendment
of the First
Schedule,
Act XXXII
of 1934.

2. In the First Schedule to the Indian Tariff Act, 1934,— XXXII of 1934.

(1) (a) Item 10(1) is repealed;

(b) after Item 10 the following Item shall be inserted, namely:—

" 10(1)	WHEAT	Protec- tive.	Re. 1-3 per cwt.	March 31st, 1936."
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(2) after Item 10 (1) the following new item shall be inserted namely:—

" 10(2)	BROKEN RICE.	Protec- tive.	Twelve annas per Indian maund of 82½ lbs. avoir du pois weight.	March 31st, 1936."
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and

(3) (a) Item 11(1) is repealed;

(b) after Item 11 the following Item shall be inserted, namely:—

" 11(1)	WHEAT FLOUR.	Protec- tive.	Re. 1-8 per cwt.	March 31st, 1936."
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Price anna 1 or 1½d.



ACT No. III OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 13th
April, 1935.)

**An Act further to amend the Indian Tea Cess Act, 1903, for a
certain purpose.**

IX of 1903. **W**HEREAS it is expedient further to amend the Indian
Tea Cess Act, 1903, for the purpose hereinafter appearing;
It is hereby enacted as follows:—

1. This Act may be called the Indian Tea Cess (Amendment) Short title.
Act, 1935.

IX of 1903. 2. In section 3 of the Indian Tea Cess Act, 1903, for the Amendment
words "eight annas" the words "twelve annas" shall be sub- of section 3,
stituted. Act IX of
1903.

Price anna 1 or 1½d.

GIPD—L48 LD—5.6.35—4,500.

ACT No. IV of 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 21st April, 1935.)

An Act further to extend the operation of the Salt (Additional Import Duty) Act, 1931.

XIV of 1931.

WHEREAS it is expedient further to extend the operation of the Salt (Additional Import Duty) Act, 1931; It is hereby enacted as follows:—

1. This Act may be called the Salt Additional Import Duty Short title.
(Extending) Act, 1935.

2. In sub-section (3) of section 1 of the Salt (Additional Amendment
of section 1,
Act XIV of
1931.
Import Duty) Act, 1931, for the figures "1935" the figures
"1936" shall be substituted.

Price *anna* 1 or 1½d.

GIPD--L50 LD--5-6-35--4,500

ACT No. V OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 21st April, 1935.)

An Act further to amend the Indian Mines Act, 1923, for certain purposes.

IV of 1923. **W**HEREAS it is expedient further to amend the Indian Mines Act, 1923, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Indian Mines (Amendment) Act, 1935.

Short title and commencement.

(2) It shall come into force on the 1st day of October, 1935.

IV of 1923. 2. In section 3 of the Indian Mines Act, 1923 (hereinafter referred to as the said Act),—

Amendment of section 3, Act IV of 1923.

(a) for clause (c) the following clause shall be substituted, namely:—

“(c) ‘child’ means a person who has not completed his fifteenth year;”

(b) clause (cc) shall be re-lettered as clause (ccc) and before that clause as so re-lettered the following clause shall be inserted, namely:—

“(cc) ‘day’ means a period of twenty-four hours beginning at midnight;” and

(c) after clause (j) the following clause shall be inserted, namely:—

“(jj) where work of the same kind is carried out by two or more sets of workers working during different periods of the day, each of such sets is called a ‘relay’;”

3. (1) For

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Price anna 1 or 1½d.

Amendment
of section 10,
Act IV of
1923.

3. (1) For clause (c) of sub-section (1) of section 10 of the said Act, the following clause shall be substituted, namely:—

“(c) a person, not being the Chief Inspector or an Inspector, nominated by the Local Government;”.

(2) To sub-section (1) of section 10 of the said Act, the following clause shall be added, namely:—

“(e) two persons to represent the interest of miners, who shall be nominated in accordance with the following provisions:—

(i) if there are one or more registered trade unions having in the aggregate as members not less than one quarter of the miners, the said persons shall be nominated by such trade union or trade unions in such manner as may be prescribed;

(ii) if sub-clause (i) is not applicable and there are one or more registered trade unions having in the aggregate as members not less than 1,000 miners, one of the said persons shall be nominated by such trade union or trade unions in such manner as may be prescribed and the other by the Local Government;

(iii) if neither sub-clause (i) nor sub-clause (ii) is applicable, the said persons shall be nominated by the Local Government.

Explanation.—In this clause ‘miner’ means a person employed, otherwise than in a position of supervision or management, in any of the mines for which the Mining Board is constituted.”

Amendment
of section 20,
Act IV of
1923.

4. Section 20 of the said Act shall be re-numbered as sub-section (1) of section 20 and to that section as so re-numbered the following sub-sections shall be added, namely:—

“(2) The Local Government may, by notification in the local official Gazette, direct that accidents other than those specified in sub-section (1) which cause bodily injury resulting in the enforced absence from work of the person injured for a period exceeding forty-eight hours shall be entered in a register in the prescribed form or shall be subject to the provisions of sub-section (1).

(3) A copy

OF 1935.]

Indian Mines.

(3) A copy of the entries in the register referred to in sub-section (2) shall be sent by the owner, agent, or manager of the mine, within fourteen days after the 30th day of June and the 31st day of December in each year, to the Chief Inspector."

5. In section 22 of the said Act, for the word "or" the words "and shall cause every report submitted" shall be substituted. Amendment of section 22, Act IV of 1923.

6. In Chapter VI of the said Act, before section 23 the following sections shall be inserted, namely:— Insertion of new sections 22A, 22B, 22C and 22D in Act IV of 1923.

"22A. No person shall be allowed to work in a mine on more than six days in any one week. Weekly day of rest.

22B. (1) A person employed above ground in a mine shall not be allowed to work for more than fifty-four hours in any week or for more than ten hours in any day. Hours of work above ground.

(2) The periods of work of any such person shall be so arranged that, along with his intervals for rest, they shall not in any day spread over more than twelve hours, and that he shall not work for more than six hours before he has had an interval for rest of at least one hour.

(3) Persons belonging to two or more relays shall not be allowed to do work of the same kind above ground at the same moment:

Provided that for the purposes of this sub-section persons shall not be deemed to belong to separate relays by reason only of the fact that they receive their intervals for rest at different times.

22C. (1) A person employed below ground in a mine shall not be allowed to work for more than nine hours in any day. Hours of work below ground.

(2) Work of the same kind shall not be carried on below ground in any mine for a period spreading over more than nine hours in any day except by a system of relays so arranged that the periods of work for each relay are not spread over more than nine hours.

(3) No person employed in a mine shall be allowed to be in any part of the mine below ground except during the periods of work shown in respect of him in the register kept under sub-section (1) of section 23.

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Special provision for night relays.

22D. Where a worker works in a relay whose period of work extends over midnight, the ensuing day for him shall be deemed to be the period of twenty-four hours beginning at the end of the period of work fixed for the relay, and the hours he has worked after midnight shall be counted towards the previous day."

Substitution of new section for section 23, Act IV of 1923.

7. For section 23 of the said Act the following section shall be substituted, namely:—

Prohibition of employment of certain persons.

"23. No person shall be allowed to work in a mine who has already been working in any other mine within the preceding twelve hours."

Repeal of section 23A, Act IV of 1923.

8. Section 23A of the said Act is hereby repealed.

Amendment of section 23B, Act IV of 1923.

9. In section 23B of the said Act,—

(a) in sub-section (1),—

(i) for the word "shifts" the word "relays" and for the word "shift" the word "relay" shall be substituted, and

(ii) after the word "relay" as so substituted the following sentence shall be inserted, namely:—

"The notice shall also state the time of the commencement and of the end of the intervals for rest fixed for persons employed above ground.";

(b) in sub-section (3), for the word "shift" the words "relay or in the rest intervals fixed for persons employed above ground" shall be substituted, and the comma and all the words after the words "before such change" shall be omitted; and

(c) after sub-section (3) the following sub-section shall be inserted, namely:—

"(4) No person shall be allowed to work in a mine otherwise than in accordance with the notice required by sub-section (1)."

10. In section

[ACT V

OF 1935.]

Indian Mines.

10. In section 24 of the said Act, for the words, figures and letter "section 23 or section 23A" the words, figures and letters "section 22A, section 22B, section 22C, section 23, or sub-section (4) of section 23B" shall be substituted.

Amendment of section 24, Act IV of 1925.

11. In section 25 of the said Act, for the words, figures and letter "section 23 or section 23A" the words, figures and letters "section 22A, section 22B, section 22C, section 23, or sub-section (4) of section 23B" shall be substituted.

Amendment of section 25, Act IV of 1925.

12. Before section 27 of the said Act the following section shall be inserted, namely:—

Insertion of new section 26A in Act IV of 1925.

"26A. No person who has not completed his seventeenth year shall be allowed to be present in any part of a mine which is below ground, unless—

Young persons not to be allowed underground without certificates of fitness.

- (a) a certificate of fitness in the prescribed form and granted to him by a qualified medical practitioner is in the custody of the manager of the mine, and
- (b) he carries while at work a token giving a reference to such certificate."

13. In section 27 of the said Act, after the word "child" the words "or has not completed his seventeenth year" shall be inserted.

Amendment of section 27, Act IV of 1925.

14. For section 28 of the said Act the following section shall be substituted, namely:—

Substitution of new section for section 28, Act IV of 1925.

"28. (1) For every mine there shall be kept in the prescribed form and place a register of all persons employed in the mine showing, in respect of each such person,—

Register of employees.

- (a) the nature of his employment,
- (b) the periods of work fixed for him,
- (c) the intervals for rest, if any, to which he is entitled,
- (d) the days of rest to which he is entitled, and
- (e) where work is carried on by a system of relays, the relay to which he belongs.

(2) The entries in the register prescribed by sub-section (1) shall be such that workers working in accordance therewith would not be working in contravention of any of the provisions of this Chapter.

(3) No person shall be employed in a mine until the particulars required by sub-section (1) have been recorded in the register in respect of such person and no person shall be employed except during the periods of work shown in respect of him in the register.

(4) For

(4) For every mine to which the Local Government may by general or special order, declare this sub-section to be applicable, there shall be kept in the prescribed form and place a register which shall show at any moment the name of every person then working below ground in the mine."

Amendment
of section 30,
Act IV of
1923.

15. In section 30 of the said Act,—

(a) after clause (a) the following clause shall be inserted, namely:—

“(aa) for prescribing the form of the register referred to in sub-section (2) of section 20;”;

(b) in clause (e), for the words “to be more than thirteen years of age” the words “to have completed their fifteenth year” shall be substituted;

(c) after clause (e) the following clause shall be inserted, namely:—

“(ee) for prescribing the form of the certificates of fitness required by section 26A and the circumstances in which such certificates may be granted and revoked;” and

(d) in clause (f), for the word “register” the word “registers” shall be substituted.

Amendment
of section 31,
Act IV of
1923.

16. In sub-section (3) of section 31 of the said Act, after the words “British India” the words “which is, in the opinion of the Governor General in Council, concerned with the subject dealt with by the regulation” shall be inserted.

Amendment
of section 38,
Act IV of
1923.

17. Section 38 of the said Act shall be re-numbered as sub-section (1) of section 38, and

(a) in the said section as so re-numbered, after the word “provisions” the words, brackets and figure “of sub-section (1)” shall be inserted; and

(b) to the said section as so re-numbered and amended the following sub-section shall be added, namely:—

“(2) Whoever in contravention of a direction made by the Local Government under sub-section (2) of section 20 fails to record in the prescribed register or to give notice of any accidental occurrence shall be punishable with fine which may extend to five hundred rupees.”

Amendment
of section 46,
Act IV of
1923.

18. In sub-section (1) of section 46 of the said Act, after the word “exempt” the words “either absolutely or subject to any specified conditions” shall be inserted.

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ACT No. VI OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 13th
September, 1935.)

An Act further to amend the Aligarh Muslim University Act, 1920, for a certain purpose.

WHEREAS it is expedient further to amend the Aligarh
Muslim University Act, 1920, for the purpose hereinafter **XL** of 1920.
appearing; It is hereby enacted as follows:—

Short title and
commence-
ment.

1. (1) This Act may be called the Aligarh Muslim Univer-
sity (Amendment) Act, 1935.

(2) It shall come into force on such date as the Governor
General in Council may, by notification in the Gazette of India,
appoint.

Addition of
new section 41
to Act XL of
1920.

Appointment
of Pro-Vice-
Chancellor not
obligatory.

2. After section 40 of the Aligarh Muslim University Act,
1920, the following new section shall be added, namely:— **XL** of 1920.

"41. Nothing contained in this Act or in any Statute,
Ordinance, or Regulation thereunder shall be deemed to make
the appointment or reappointment of a Pro-Vice-Chancellor
obligatory, and every reference therein to the Pro-Vice-
Chancellor shall be construed as referring to the Pro-Vice-
Chancellor, if any."

Price anna 1 or 1½d.

GIPD—97 LD—28-11-35—5,000.

ACT No. VII OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 28th
September, 1935.)

An Act further to amend the Indian Army Act, 1911, for certain purposes.

WHEREAS it is expedient further to amend the Indian
Army Act, 1911, for the purposes hereinafter appearing;
It is hereby enacted as follows:—

VIII of 1911.

1. This Act may be called the Indian Army (Amendment) Act, 1935. Short title.

2. In sub-section (2) of section 50 of the Indian Army Act, 1911 (hereinafter referred to as the said Act),— Amendment
of section 50,
Act VIII of
1911.

(a) for clause (d) the following clause shall be substituted,
namely:—

“(d) all pay and allowances ordered by a court-martial
under section 43, or by an officer exercising
authority under section 20, to be forfeited;” and

(b) in clause (g) the words and figures “or section 42” shall
be omitted.

3. In the proviso to section 73 of the said Act, for the words,
brackets, letter and figures “the punishment specified in clause
(h) of section 43 or” the following shall be substituted, Amendment
of section 73,
Act VIII of
1911.
namely:—

“the punishments specified in clauses (g), (gg) and (h) of
section 43 or”.

4. After sub-section (5) of section 103A of the said Act the
following sub-sections shall be inserted, namely:— Amendment
of section
103A, Act
VIII of 1911.

“(5A) Where any person is in custody under sub-section
(3) or under detention under sub-section (4),—

(a) if such person is in custody under sub-section (3), on
the report of a medical officer, or

(b) if

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Price anna 1 or 1½d.

Indian Army (Amendment).

- (b) if such person is detained under sub-section (4), on a certificate from any of the authorities empowered to grant a certificate under section 473 of the Code of Criminal Procedure, 1898,

V of 1898.

that, in the judgment of such officer or authority, such person may be released without danger of his doing injury to himself or to any other person, the Governor General in Council may thereupon order such person to be released, or to be detained in custody, or to be transferred to a public lunatic asylum if he has not been already sent to such an asylum.

- (5B) Where any relative or friend of any person who is in custody under sub-section (3) or under detention under sub-section (4) desires that he shall be delivered to his care and custody, the Governor General in Council may, upon the application of such relative or friend and on his giving security to the satisfaction of the Governor General in Council that the person delivered shall—

- (a) be properly taken care of and prevented from doing injury to himself or to any other person, and
(b) be produced for the inspection of such officer, and at such times and places, as the Governor General in Council may direct,

order such person to be delivered to such relative or friend."

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V of 1898.

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ACT No. VIII OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

*(Received the assent of the Governor General on the 28th
September, 1935.)*

An Act to supplement the Central Provinces Courts Act, 1917.

C. P. Act I
of 1917.

WHEREAS it is expedient to supplement the Central Provinces Courts Act, 1917; It is hereby enacted as follows:—

1. (1) This Act may be called the Central Provinces Courts (Supplementary) Act, 1935.

Short title
and com-
mencement.

(2) It shall come into force on such date as the Governor General in Council may, by notification in the Gazette of India, appoint.

2. The enactments specified in the Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

Amendment
of certain
enactments.

THE SCHEDULE.

(See section 2.)

Year.	No.	Short title.	Amendments.
1869	IV	The Indian Divorce Act	In clause (1) of section 3, after the words "the High Court of Judicature at Rangoon;" the words "in the Central Provinces—the High Court of Judicature at Nagpur:" shall be inserted.
1875	XX	The Central Provinces Laws Act, 1875.	In part A—Bengal Regulations of the Schedule, for the words "the Judicial Commissioner", in each place where they occur, the words "the High Court of Judicature at Nagpur" shall be substituted.
1898	V	The Code of Criminal Procedure, 1898.	(1) In clause (j) of sub-section (1) of section 4, for the words "Lahore and Rangoon, the Chief Court of Oudh and the Courts of the Judicial Commissioners of the Central Provinces and Sind" the words "Lahore, Rangoon and Nagpur, the Chief Court of Oudh and the Court of the Judicial Commissioner of Sind" shall be substituted. (2) In section 266, for the words "the Courts of the Judicial Commissioners of the Central Provinces and Sind" the words "the Court of the Judicial Commissioner of Sind" shall be substituted.
1899	II	The Indian Stamp Act, 1899.	In clause (d) of sub-section (1) of section 57, for the word "Bombay" the word "Nagpur" shall be substituted.
1908	IX	The Indian Limitation Act, 1908.	In article 162 of the Third Division of the First Schedule, for the words "Lahore and Rangoon" the words "Lahore, Rangoon and Nagpur" shall be substituted.

Amendments.

Clause (1) of section 3, for the words "the High Court of Judicature at Rangoon;" the words "the Central Provinces High Court of Judicature at Nagpur;" shall be substituted.

Part A—Bengal Regulation of the Schedule, for the words "the Judicial Commissioner", in each place where they occur, the words "the High Court of Judicature at Nagpur" shall be substituted.

Clause (j) of sub-section (1) of section 4, for the words "Lahore and Nagpur, the Chief Court of Oudh and the Chief Court of the Judicial Commissioners of the Central Provinces and the words "Lahore, Nagpur and Nagpur, the Chief Court of Oudh and the Chief Court of the Judicial Commissioner of the Central Provinces shall be substituted. Section 266, for the words "the Courts of the Judicial Commissioners of the Central Provinces and the words "the Chief Court of the Judicial Commissioner of Sind" shall be substituted.

Clause (d) of sub-section (1) of section 57, for the words "Bombay" the words "Nagpur" shall be substituted.

Clause 162 of the Schedule of the Division of the Schedule, for the words "Lahore and Nagpur" the words "Lahore and Nagpur" shall be substituted.

Year.	No.	Short title.	Amendments.
1926	XXXIV	The Sind Courts (Supplementary) Act, 1926.	In the fourth column of the Schedule, for items (1) and (2) relating to the Code of Criminal Procedure, 1898, the following items shall be substituted, namely:— "(1) In clause (j) of sub-section (1) of section 4, for the words 'the Chief Court of Oudh and the Court of the Judicial Commissioner of Sind' the words 'and the Chief Courts of Oudh and Sind' shall be substituted. (2) In section 266, for the words 'the Chief Court of Oudh, the Court of the Judicial Commissioner of Sind and' the words 'the Chief Courts of Oudh and Sind and' shall be substituted."



ACT No. IX OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 28th
September, 1935.)

An Act further to amend the Provincial Small Cause Courts Act, 1887, for a certain purpose.

IX of 1887. **W**HEREAS it is expedient further to amend the Provincial
Small Cause Courts Act, 1887, for the purpose herein-
after appearing; It is hereby enacted as follows:—

1. This Act may be called the Provincial Small Cause Courts short title
(Amendment) Act, 1935.

IX of 1887. 2. In the proviso to sub-section (1) of section 17 of the
Provincial Small Cause Courts Act, 1887, for the words **Amendment
of section 17.
Act IX of
1887.**
“security to the satisfaction of the Court for the performance
of the decree or compliance with the judgment, as the Court
may direct” the words “such security for the performance of
the decree or compliance with the judgment as the Court may,
on a previous application made by him in this behalf, have
directed” shall be substituted.

Price anna 1 or 1½d.

GIPD—L 10913—6-11-35—5,000.

ACT No. X OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 28th
September, 1935.)

An Act further to amend the Provincial Insolvency Act, 1920, for a certain purpose.

V of 1920. **W**HEREAS it is expedient further to amend the Provincial
Insolvency Act, 1920, for the purpose hereinafter appear-
ing; It is hereby enacted as follows:—

1. This Act may be called the Provincial Insolvency (Amend- Short title.
ment) Act, 1935.

V of 1920. 2. In section 39 of the Provincial Insolvency Act, 1920,— Amendment
of section 39,
Act V of 1920.

(a) the words "the Court shall frame a schedule in
accordance with the provisions of section 33," shall
be omitted; and

(b) for the words "entered in the said schedule so far as
relates to any debts entered therein" the words "so
far as relates to any debt due to them from the debtor
and provable under this Act" shall be substituted.

Price anna 1 or 1½d.

CIPD—L 93LD—6-11-35—4,750.

ACT No. XI OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 30th
September, 1935.)

An Act to amend the Factories Act, 1934, for a certain purpose.

XXV of 1934. **W**HEREAS it is expedient to amend the Factories Act,
1934, for the purpose hereinafter appearing; It is hereby
enacted as follows:—

1. This Act may be called the Factories (Amendment) Act, short title.
1935.

XXV of 1934. 2. In sub-section (1) of section 43 of the Factories Act, 1934, Amendment
of section 43,
Act XXV of
1934. after the word "Chapter" the words " , other than the provisions
of clause (b) of sub-section (1) of section 45 and of the provisoes
to that sub-section," shall be inserted.

Price anna 1 or 1½d.

GIPD—L. 104LD—6-11-35—17,000.

ACT No. XII OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 30th
September, 1935.)

An Act to amend certain enactments and to repeal certain other enactments.

WHEREAS it is expedient that certain amendments should
be made in the enactments specified in the First Schedule;

AND WHEREAS it is also expedient that the enactments speci-
fied in the Second Schedule, which are spent or have otherwise
become unnecessary, or have ceased to be in force otherwise
than by expressed specific repeal, should be expressly and
specifically repealed;

It is hereby enacted as follows:—

1. This Act may be called the Repealing and Amending Act, Short title.
1935.
2. The enactments specified in the First Schedule are Amendment
of certain
enactments.
hereby amended to the extent and in the manner mentioned
in the fourth column thereof.
3. The enactments specified in the Second Schedule are Repeal of
certain
enactments.
hereby repealed to the extent mentioned in the fourth column
thereof.
4. The repeal by this Act of any enactment shall not affect Savings.
any Act or Regulation in which such enactment has been
applied, incorporated or referred to; and this Act shall not
affect the validity, invalidity, effect or consequences of any-
thing already done or suffered, or any right, title, obligation
or liability already acquired, accrued or incurred, or any remedy
or proceeding in respect thereof, or any release or discharge of
or from any debt, penalty, obligation, liability, claim or demand
or any indemnity already granted, or the proof of any past act
or thing; nor shall this Act affect any principle or rule of law,
or established jurisdiction, form or course of pleading, practice

or

1

Price anna 1 or 1½d.

Repealing and Amending.

[ACT XII

or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

[ACT XII

OF 1935.]

Repealing and Amending.

THE FIRST SCHEDULE.

AMENDMENTS.

(See section 2.)

Year. 1	No. 2	Short title. 3	Amendments. 4
<i>Acts of the Indian Legislature.</i>			
1922	XI	The Indian Income-tax Act, 1922.	In sub-section (9) of section 18, after the words "payment of interest" the words "or dividends" shall be inserted, and for the words "the interest is paid" the words "such payment is made" shall be substituted.
1923	XXI	The Indian Merchant Shipping Act, 1923.	In clause (e) of sub-section (1) of section 146, for the words "native passenger ships" the words "unberthed passenger ships" shall be substituted.
1924	II	The Cantonments Act, 1924.	In section 2,— (a) clause (ix) shall be omitted; and (b) after clause (xxiv) the following clause shall be inserted, namely:— “(xxiva) ‘Officer Commanding the station’ means the military officer for the time being in command of the forces in a cantonment, or, if that officer is the Officer Commanding the District or Officer Commanding-in-Chief, the Command, the military officer who would be in command of those forces in the absence of the Officer Commanding the District and Officer Commanding-in-Chief, the Command;”.

THE SECOND SCHEDULE.

REPEALS.

(See section 3.)

Year. 1	No. 2	Short title. 3	Extent of repeal. 4
<i>Act of the Governor General in Council.</i>			
1920	XXXI	The Repealing and Amending Act, 1920.	The entry in the First Schedule relating to the Repealing and Amending Act, 1914.
<i>Acts of the Indian Legislature.</i>			
1923	XXI	The Indian Merchant Shipping Act, 1923.	In section 209A,— (a) in sub-section (1), before the words "His Majesty's Representative", where they first occur, the word "the" shall be omitted"; and (b) in sub-section (2), before the words "His Majesty's Representative" the word "the" shall be omitted.
1934	XXIII	The Mechanical Lighters (Excise Duty) Act, 1934.	Section 16.
1934	XXIV	The Repealing and Amending Act, 1934.	Sections 3 and 4 and the Second Schedule.
1934	XXXI	The Iron and Steel Duties Act, 1934.	In sub-section (3) of section 1, the words "and section 10". Sections 2, 3 and 10 and the Schedule.
<i>Regulations.</i>			
1922	IV	The North-West Frontier Province Security Regulation, 1922.	The whole.
1922	V	The British Baluchistan Security Regulation, 1922.	The whole.

Year. 1	No. 2	Short title. 3	Extent of repeal. 4
<i>Regulations—contd.</i>			
1925	II	The North-West Frontier Province Security (Amendment) Regulation, 1925.	The whole.
1925	III	The British Baluchistan Security (Amendment) Regulation, 1925.	The whole.
1926	II	The Manpur Laws Regulation, 1926.	The whole.
1926	VI	The Manpur Excise Regulation, 1926.	The whole.
1927	IV	The Manpur Land and Revenue Regulation, 1927.	The whole.
1928	III	The North-West Frontier Province Security (Amendment) Regulation, 1928.	The whole.
1928	IV	The British Baluchistan Security (Amendment) Regulation, 1928.	The whole.
1930	V	The Manpur Laws (Amendment) Regulation, 1930.	The whole.
1931	III	The North-West Frontier Province Public Safety Regulation, 1931.	The whole.
1931	V	The Manpur Courts Regulation, 1931.	The whole.
1931	VI	The Manpur Laws (Amendment) Regulation, 1931.	The whole.

ACT No. XIII OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 30th September, 1935.)

An Act to remove certain doubts and to validate certain proceedings of the High Court of Judicature at Allahabad.

IV of 1869. **W**HEREAS it is expedient to remove certain doubts as to the jurisdiction of the Court of the Judicial Commissioner of the Central Provinces under the Indian Divorce Act after the 31st August, 1923;

AND WHEREAS it is also expedient to validate certain proceedings taken by the High Court of Judicature at Allahabad under the said Act during the period from the 31st August, 1923, up to the commencement of this Act;

It is hereby enacted as follows:—

1. This Act may be called the Jubbulpore and Chhattisgarh Divisions (Divorce Proceedings Validation) Act, 1935. Short title.

IV of 1869. 2. It is hereby declared, for the removal of doubts, that from the 31st August, 1923, the Court of the Judicial Commissioner of the Central Provinces alone has had and alone shall have the jurisdiction of a High Court under the Indian Divorce Act within the Jubbulpore and Chhattisgarh Divisions of the Central Provinces. Declaration as to jurisdiction of Court of Judicial Commissioner of the Central Provinces.

IV of 1869. 3. All proceedings taken, and all jurisdiction exercised, by the High Court of Judicature at Allahabad, during the period from the 31st August, 1923, up to the commencement of this Act, as a High Court under the Indian Divorce Act within the Jubbulpore and Chhattisgarh Divisions of the Central Provinces shall be deemed to be as good and valid in law as if such proceedings had been taken and jurisdiction exercised by the Court of the Judicial Commissioner of the Central Provinces. Validation of proceedings of the High Court of Judicature at Allahabad.

Price anna 1 or 1½d.

GIPD.-L 103LD-6-11-35-4,200.

ACT No. XIV OF 1935.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 2nd
November, 1935.)

An Act to provide for the creation of a fund for the promotion of the cultivation, manufacture and sale of Indian coffee.

WHEREAS it is expedient to provide for the creation of a fund to be expended by a Committee specially constituted in this behalf for the promotion of the cultivation, manufacture and sale of Indian coffee; It is hereby enacted as follows:—

1. (1) This Act may be called the Indian Coffee Cess Act, Short title and extent.
1935.

(2) It extends to the whole of British India except Burma.

2. In this Act, unless there is anything repugnant in the Definitions.
subject or context,—

(1) "coffee cess" means the customs-duty imposed by section 3 and leviable under the Sea Customs Act, 1878, or under the Land Customs Act, 1924, as the case may be;

(2) "Collector" means a Customs-collector as defined in clause (c) of section 3 of the Sea Customs Act, 1878, or a Collector of Land Customs as defined in clause (c) of section 2 of the Land Customs Act, 1924, as the case may be; and

(3) "Committee" means the Indian Coffee Cess Committee constituted under section 4.

3. A customs-duty shall be levied on all coffee produced in Imposition of coffee cess.
India and taken by sea or by land to any place beyond the limits of British India or to Burma at the rate of one rupee per hundredweight or at such lower rate as the Governor General in Council may, on the recommendation of the Committee, by notification in the Gazette of India provide.

4. (1) The

Price anna 1 or 1½.

VIII of 1878.
XIX of 1924.

VIII of 1878.

XIX of 1924.

**Constitution
of Indian
Coffee Cess
Committee.**

4. (1) The Governor General in Council shall constitute a Committee consisting of the following members to receive and expend the proceeds of the coffee cess, namely:—

- (i) five persons representing respectively the agricultural departments of the Local Governments of Madras and Coorg and of the Governments of the States of Mysore, Travancore and Cochin, nominated, respectively, by those Governments;
- (ii) eleven persons representing the coffee growing industry, namely:—
 - (a) three persons nominated by the Government of the Mysore State;
 - (b) two persons nominated by the Local Governments of Madras and Coorg, respectively;
 - (c) three persons nominated by the United Planters' Association of Southern India; and
 - (d) three persons nominated by the Coffee Growers' Association;
- (iii) three persons representing trade interests nominated by the Governor General in Council; and
- (iv) one person representing the Imperial Council of Agricultural Research nominated by the Governor General in Council.

(2) The Governor General in Council shall publish in the Gazette of India the names of all members of the Committee.

Vacancies.

5. (1) If any authority or body fails to make within a reasonable time any nomination which it is entitled to make under section 4, the Governor General in Council may himself nominate a member to fill the vacancy.

(2) Where a member of the Committee dies, resigns, ceases to reside in India or becomes incapable of acting, the Governor General in Council may, on the recommendation of the authority or body which is entitled to make the first nomination under section 4, or, where such recommendation is not made within a reasonable time, then on his own initiative, nominate a person to fill the vacancy.

(3) No act done by the Committee shall be questioned on the ground merely of the existence of any vacancy in, or any defect in, the constitution of the Committee.

**Incorporation
of the
Committee**

6. The Committee so constituted shall be a body corporate by the name of the Indian Coffee Cess Committee, having perpetual succession and a common seal, with power to acquire and hold property, both movable and immovable, and to contract and shall by the said name sue and be sued.

7. The

7. The Committee shall elect a chairman from amongst its members, and may appoint such sub-committees and executive officers as may be necessary for the efficient performance of the duties imposed upon it by this Act.

Chairman, sub-committees and executive officers.

8. (1) On the last day of each month, or as soon thereafter as may be convenient, the Collector shall pay to the Committee the proceeds of the coffee cess recovered during that month, after deduction of the expenses, if any, for collection and recovery.

Application of proceeds of coffee cess.

(2) The said proceeds and any other monies received by the Committee in this behalf shall be applied to meeting the expenses of the Committee and the cost of such measures as it may consider advisable to undertake for promoting the sale and increasing the consumption in India and elsewhere of coffee produced in India and also for promoting agricultural and technological research in the interest of the coffee industry in India.

9. The Central Board of Revenue constituted under the Central Board of Revenue Act, 1924, may make rules providing, on such conditions as may be specified in the rules, for—

of 1924.

Refund of and exemption from coffee cess.

(a) the refund of the coffee cess levied where coffee is exported by land and subsequently imported into India; and

(b) the export by land, without payment of the coffee cess, of coffee which is subsequently to be imported into India.

10. (1) The Committee shall keep accounts of all monies received and expended under section 8.

Keeping and auditing of accounts.

(2) Such accounts shall be examined and audited annually by auditors appointed in this behalf by the Governor General in Council; and such auditors shall have power to disallow any item which has, in their opinion, been expended otherwise than in pursuance of the purposes of this Act.

(3) If any item is disallowed, an appeal shall lie to the Governor General in Council, whose decision shall be final.

11. The Governor General in Council may, by notification in the Gazette of India, declare that, with effect from such date as may be specified in the notification, the Committee shall be dissolved, and on the making of such declaration all funds and other property vested in the Committee shall vest in His Majesty and this Act shall be deemed to have been repealed.

Dissolution of Committee.

12. (1) The Governor General in Council may, after consulting the Committee, by notification in the Gazette of India, make rules to carry out the purposes of this Act.

Rules.

(2) In

Indian Coffee Cess. [ACT XIV OF 1935.]

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the term of office of the members of the Committee and the circumstances in which, and the authority by which, members may be removed;
- (b) the conduct of business by the Committee and the number of members which shall form a quorum at meetings;
- (c) the maintenance by the Committee of a record of all business transacted and the submission of copies thereof to the Governor General in Council;
- (d) the preparation of annual estimates of receipts and expenditure; and
- (e) the form of accounts to be kept and the publication of an abstract of such accounts with the report of the auditor thereon.

Bye-laws.

13. The Committee may, with the previous sanction of the Governor General in Council, make bye-laws consistent with this Act and with the rules made thereunder to provide for all or any of the following matters, namely:—

- (a) the procedure to be followed at meetings of the Committee;
- (b) the travelling allowances of members of the Committee;
- (c) the appointment, promotion and dismissal of officers and servants of the Committee, and the creation and abolition of appointments of such officers and servants;
- (d) the grant of pay and leave to such officers and servants; and
- (e) any other matter in respect of which bye-laws may be made under this Act or rules made thereunder.

THE INDIAN FINANCE ACT, 1935.

(Made by the Governor General on the 22nd April, 1935.)

An Act to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary certain duties leviable under the Indian Tariff Act, 1934, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax and super-tax, and to vary the excise duty on silver leviable under the Silver (Excise Duty) Act, 1930.

WHEREAS it is expedient to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to vary certain duties leviable under the Indian Tariff Act, 1934, to fix maximum rates of postage under the Indian Post Office Act, 1898, to fix rates of income-tax and super-tax, and to vary the excise duty on silver leviable under the Silver (Excise Duty) Act, 1930; It is hereby enacted as follows:—

1. (1) This Act may be called the Indian Finance Act, 1935.

Short title
and extent.

(2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas.

2. The provisions of section 7 of the Indian Salt Act, 1882, shall, in so far as they enable the Governor General in Council to impose by rule made under that section a duty on salt manufactured in, or imported into, any part of British India other than Burma or Aden, be construed as if, for the year beginning on the 1st day of April, 1935, they imposed such duty at the rate of one rupee and four annas per maund of eighty-two and two-sevenths pounds avoirdupois of salt manufactured in, or imported by land into, any such part, and such duty shall, for all the purposes of the said Act, be deemed to have been imposed by rule made under that section.

Fixation of
salt duty.

3. (1) In the First Schedule to the Indian Tariff Act, 1934,—

in Items Nos. 61 (2) and 62 (1) for the words "Five annas per ounce" in the fourth column the words "Two annas per ounce" shall be substituted.

Amendments
of the First
and Second
Schedules to
Act XXXII
of 1934.

(2) In the Second Schedule to the Indian Tariff Act, 1934, the heading "SKINS" together with Item No. 3 under that heading shall be omitted.

4. For

Price anna 1 or 1½.

XXXII of
1934.

VI of 1898.

XVIII of
1930.

XII of 1882.

XXXII of
1934.

XXXII of
1934.

Indian Finance Act, 1935.

Inland postage rates.

4. For the year beginning on the 1st day of April, 1935, the Schedule contained in the First Schedule to this Act shall be inserted in the Indian Post Office Act, 1898, as the First VI of 1898. Schedule to that Act.

Income-tax and super-tax.

5. (1) Income-tax for the year beginning on the 1st day of April, 1935, shall be charged at the rates specified in Part I of the Second Schedule, increased in each case, except in the case of total incomes of less than two thousand rupees falling under heading A in the said Part, by one-sixth of the amount of the rate.

(2) The rates of super-tax for the year beginning on the 1st day of April, 1935, shall, for the purposes of section 55 of the Indian Income-tax Act, 1922, be those specified in Part XI of 1922. II of the Second Schedule, increased in each case by one-sixth of the amount of the rate.

(3) For the purposes of the Second Schedule "total income" means total income as determined for the purposes of income-tax or super-tax, as the case may be, in accordance with the provisions of the Indian Income-tax Act, 1922. XI of 1922.

(4) For the purpose of assessing and collecting income-tax on total incomes of less than two thousand rupees the Indian Income-tax Act, 1922, shall be deemed to be subject to the adaptations set out in Part III of the Second Schedule. XI of 1922.

(5) For the purpose of any assessment to be made for the year ending 31st March, 1936, the rate of income-tax applicable to such part of the total income of any person as is derived from salaries or from interest on securities paid in the year ending 31st March, 1935, shall be the previous year's rate, and for the purposes of refunds under sub-section (1) or sub-section (3) of section 48 in respect of dividends declared in the year ending 31st March, 1935, or of payments made in the said year of salaries or of interest on securities, the rate applicable to the total income of the person claiming refund shall be the previous year's rate.

Explanation.—In this sub-section the term "previous year's rate" with reference to any person means the rate of income-tax which would have been applicable to his total income if he had been assessed for the year ending 31st March, 1935, on a total income equal to that on which he is assessable for the year ending 31st March, 1936.

Excise duty on silver.

6. In sub-section (1) of section 3 of the Silver (Excise Duty) Act, 1930, for the words "five annas" the words "two annas" shall be substituted. XVIII of 1930.

SCHEDULE I.

Indian Finance Act, 1935.

SCHEDULE I.

Schedule to be inserted in the Indian Post Office Act, 1898.

[See section 4.]

“THE FIRST SCHEDULE.

INLAND POSTAGE RATES.

[See section 7.]

Letters.

For a weight not exceeding half a tola	One anna.
For a weight exceeding half a tola but not exceeding two and a half tolas	One anna and three pies.
For every two and a half tolas, or fraction thereof, exceeding two and a half tolas	One anna and three pies.

Postcards.

Single	Nine pies.
Reply	One and a half annas.

Book, Pattern and Sample Packets.

For the first five tolas or fraction thereof	Nine pies.
For every additional five tolas or fraction thereof in excess of five tolas	Six pies.

Registered Newspapers.

For a weight not exceeding eight tolas	Quarter of an anna.
For a weight exceeding eight tolas and not exceeding twenty tolas	Half an anna.
For every twenty tolas, or fraction thereof, exceeding twenty tolas	Half an anna.

Parcels.

For a weight not exceeding twenty tolas	Two annas,
For a weight exceeding twenty tolas and not exceeding forty tolas	Four annas.
For every forty tolas, or fraction thereof, exceeding forty tolas	Four annas.”

SCHEDULE II.

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SCHEDULE I.

XVIII of
1930.

Indian Finance Act, 1935.

SCHEDULE II.

[See section 5.]

PART I.

Rates of Income-tax

A. In the case of every individual, Hindu undivided family, unregistered firm and other association of individuals not being a registered firm or a company—	Rate.
(1) When the total income is Rs. 1,000 or upwards, but is less than Rs. 1,500	One and one-third pies in the rupee.
(2) When the total income is Rs. 1,500 or upwards, but is less than Rs. 2,000	Two and two-thirds pies in the rupee.
(3) When the total income is Rs. 2,000 or upwards, but is less than Rs. 5,000	Six pies in the rupee.
(4) When the total income is Rs. 5,000 or upwards, but is less than Rs. 10,000	Nine pies in the rupee.
(5) When the total income is Rs. 10,000 or upwards, but is less than Rs. 15,000	One anna in the rupee.
(6) When the total income is Rs. 15,000 or upwards, but is less than Rs. 20,000	One anna and four pies in the rupee.
(7) When the total income is Rs. 20,000 or upwards, but is less than Rs. 30,000	One anna and seven pies in the rupee.
(8) When the total income is Rs. 30,000 or upwards, but is less than Rs. 40,000	One anna and eleven pies in the rupee.
(9) When the total income is Rs. 40,000 or upwards, but is less than Rs. 1,00,000	Two annas and one pie in the rupee.
(10) When the total income is Rs. 1,00,000 or upwards	Two annas and two pies in the rupee.
B. In the case of every company and registered firm, whatever its total income	Two annas and two pies in the rupee.

PART II.

Indian Finance Act, 1935.

PART II.

Rates of Super-tax.

	Rate.
In respect of the excess over thirty thousand rupees of total income—	
(1) in the case of every company—	
(a) in respect of the first twenty thousand rupees of such excess	Nil.
(b) for every rupee of the remainder of such excess	One anna in the rupee.
(2) (a) in the case of every Hindu undivided family—	
(i) in respect of the first forty-five thousand rupees of such excess	Nil.
(ii) for every rupee of the next twenty-five thousand rupees of such excess	One anna and three pies in the rupee.
(b) in the case of every individual, unregistered firm and other association of individuals not being a registered firm or a company—	
(i) for every rupee of the first twenty thousand rupees of such excess	Nine pies in the rupee.
(ii) for every rupee of the next fifty thousand rupees of such excess	One anna and three pies in the rupee.
(c) in the case of every individual, Hindu undivided family, unregistered firm and other association of individuals not being a registered firm or a company—	
(i) for every rupee of the next fifty thousand rupees of such excess	One anna and nine pies in the rupee.
(ii) for every rupee of the next fifty thousand rupees of such excess	Two annas and three pies in the rupee.
(iii) for every rupee of the next fifty thousand rupees of such excess	Two annas and nine pies in the rupee.
(iv) for every rupee of the next fifty thousand rupees of such excess	Three annas and three pies in the rupee.
(v) for every rupee of the next fifty thousand rupees of such excess	Three annas and nine pies in the rupee.
	(vi) for

Rate.

One and one-third pies in the rupee.

Two and two-thirds pies in the rupee.

Five pies in the rupee.

Nine pies in the rupee.

One anna in the rupee.

One anna and four pies in the rupee.

One anna and seven pies in the rupee.

One anna and eleven pies in the rupee.

Two annas and one pie in the rupee.

Two annas and two pies in the rupee.

Two annas and four pies in the rupee.

Indian Finance Act, 1935.

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|-----------------------------------------------------------------------------------|-----------------------------------------|
| (vi) for every rupee of the next fifty thousand rupees of such excess | Four annas and three pies in the rupee. |
| (vii) for every rupee of the next fifty thousand rupees of such excess | Four annas and nine pies in the rupee. |
| (viii) for every rupee of the next fifty thousand rupees of such excess | Five annas and three pies in the rupee. |
| (ix) for every rupee of the next fifty thousand rupees of such excess | Five annas and nine pies in the rupee. |
| (x) for every rupee of the remainder of such excess | Six annas and three pies in the rupee. |

PART III.

Adaptations of the Indian Income-tax Act, 1922, to provide for the summary assessments of income-tax on total incomes of less than Rs. 2,000.

1. The Income-tax Officer may, save where he has served a notice under subsection (2) of section 22 of the Indian Income-tax Act, 1922, make a summary assessment of the income of an assessee to the best of his judgment, and shall serve on the assessee a notice of demand in a form to be prescribed by the Central Board of Revenue; and such notice shall be deemed to be a notice of demand under section 29 of that Act.

2. Any assessee in respect of whom such summary assessment has been made, may, within thirty days of receipt of the notice of demand, make an application to the Income-tax Officer for the cancellation or revision of the assessment, and the Income-tax Officer shall, after examining any accounts and documents and hearing any evidence which the assessee may produce, and such other evidence as the Income-tax Officer may require, determine, by order in writing, the amount of the tax, if any, payable by the assessee, and such determination shall be final:

Provided that, if any assessee making such application files therewith a return of his income under sub-section (2) of section 22 of the Indian Income-tax Act, 1922, the application shall be deemed to be a return under that sub-section and shall be dealt with accordingly.

3. A copy of an order under paragraph 2 shall be served on the assessee to whom it relates and shall be deemed to be a notice of demand under section 29 of the Indian Income tax Act, 1922.

4. The above procedure shall apply also to the assessment and collection during the financial year 1935-36 of income of Rs. 1,000 and upward and less than Rs. 2,000 which have escaped assessment in the financial year 1934-35.

The Criminal Law Amendment Act, 1935.

(Made by the Governor General on the 4th October, 1935, and published in a Gazette of India Extraordinary on the 17th December, 1935.)

An Act to amend the Criminal Law.

WHEREAS it is expedient to amend the Criminal Law in the manner hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Criminal Law Amendment Act, 1935. Short title and extent.
- (2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas.
2. (1) Sub-section (3) of section 1 and sections 2, 3, 4, 6, 8, 15, 17 and 20 of the Criminal Law Amendment Act, 1932, are hereby repealed. Repeals. XXIII of 1932.
- (2) Sub-section (3) of section 1 of the Indian Press (Emergency Powers) Act, 1931, is hereby repealed. XXIII of 1931.
3. In the preamble to the Criminal Law Amendment Act, 1932, the word "temporarily" shall be omitted. Amendment of preamble, Act XXIII of 1932. XXIII of 1932.
4. In sub-section (4) of section 1 of the Criminal Law Amendment Act, 1932, the words and figure "section 4 and" and the words and figure "section 4 or" shall be omitted. Amendment of section 1, Act XXIII of 1932. XXIII of 1932.
5. In section 9 of the Criminal Law Amendment Act, 1932,— Amendment of section 9, Act XXIII of 1932. XXIII of 1932.
 - (a) in clause (ii) the figures "2", "3" and "6" shall be omitted; and
 - (b) clause (iii) shall be omitted.
6. In sections 11, 12 and 13 of the Criminal Law Amendment Act, 1932, the words "So long as this Act remains in force", and the words "deemed to be", shall, wherever they occur, be omitted. Amendment of sections 11, 12 and 13, Act XXIII of 1932. XXIII of 1932.
7. In section 32 of the Indian Press (Emergency Powers) Act, 1931, the words "So long as this Act remains in force" shall be omitted. Amendment of section 32, Act XXIII of 1931. XXIII of 1931.

GIPD—L 165 LD—4-1-36—5,000.

Price anna 1 or 1½d.

