

ACT No. XXII OF 1925.

PASSED BY THE INDIAN LEGISLATURE.

(Received the assent of the Governor General on the 11th
September, 1925.)

An Act to amend the law relating to salt and salt-revenue.

WHEREAS, by rules made under section 45A of the Government of India Act, central and provincial subjects have been classified, for the purpose of distinguishing the functions of Local Governments from the functions of the Governor General in Council, and it is, therefore, expedient to amend certain enactments in force in the Presidencies of Fort St. George and Bombay relating to salt, being a subject classified in the aforesaid rules as a central subject, so as to vest in the Governor General in Council powers of control in respect of that subject; It is hereby enacted as follows:—

1. (1) This Act may be called the Salt Law Amendment Act, 1925. Short title and commencement.

(2) It shall come into force on such date or dates as the Governor General in Council may appoint, and different dates may be appointed for different provisions of this Act and for different parts of British India.

2. The Transport of Salt Act, 1879, the Madras Salt Act, 1889, and the Bombay Salt Act, 1890, are hereby amended to the extent and in the manner stated in the Schedule. Repeal and amendment of certain enactments.

3. Any appointment, notification, rule, order, licence, pass, permit or power in force before the commencement of this Act and made, issued or conferred by an authority, for the making, issuing or conferring of which a new authority is substituted by or under this Act, shall, unless inconsistent with this Act, be deemed to have been made, issued or conferred by such new authority unless and until cancelled or withdrawn or superseded by an appointment, notification, rule or order made or issued by such new authority. Saving of rules, etc., made by previous authorities.

THE SCHEDULE.

Price 1 anna or 1½d.]

THE SCHEDULE.

(See section 2.)

PART I.—THE TRANSPORT OF SALT ACT, 1879 (XVI OF 1879).

(1) After section 1 the following section shall be inserted, namely:—

Definition.

“ 1A. The ‘ Central Board of Revenue ’ means the Central Board of Revenue constituted under the Central Board of Revenue Act, 1924.”

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(2) In clauses (b) and (c) of section 3, for the words “ Governor of Bombay in Council ” the words “ Central Board of Revenue ” shall be substituted.

(3) In the third paragraph of section 6, for the words “ Local Government ” the words “ Governor General in Council ” shall be substituted.

PART II.—THE MADRAS SALT ACT, 1889 (IV OF 1889).

(1) For the word “ Commissioner,” wherever it occurs in the Act, the words “ Collector of salt-revenue ” shall be substituted.

(2) In section 1, in clause (l) of section 3, and in sections 6, 9, 43, 71, 72 and 85, for the words “ Governor in Council ” the words “ Governor General in Council ” shall be substituted.

(3) In clauses (e), (g) and (k) of section 3 and in sections 5, 7, 13, 14, 15, 32, 59 and 85A, for the words “ Governor in Council ” the words “ Central Board of Revenue ” shall be substituted.

(4) In section 3—

(a) in clause (h) for the word “ Government ” the words “ the Central Board of Revenue ” shall be substituted;

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

“ (kk) ‘ Central Board of Revenue ’ means the Central Board of Revenue constituted under the Central Board of Revenue Act, 1924 ”;

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and

(c) in clause (l), for the word “ officer ” the words “ Collector of salt-revenue ” shall be substituted.

(5) For

(5) For section 4 the following section shall be substituted, namely:—

“ 4. Notwithstanding anything contained in Regulations I ^{Appointment of} and II of 1803, the Governor General in Council may, by noti- ^{Collector of} ^{salt-revenue.} fication,—

- (a) appoint, after consideration of any recommendation made by the Governor in Council in this behalf, a Collector of salt-revenue who shall, subject to the orders of the Central Board of Revenue, control the administration of the Salt Department and the collection of the salt-revenue; and
- (b) withdraw from the Board of Revenue or the Collector of Land-revenue all or any of their or his powers in respect of the salt-revenue.”

(6) In section 5, for the word “ his ” the word “ its ” shall be substituted.

(7) In clause (a) of section 16, for the words “ the Governor in Council ” the words “ His Majesty ” shall be substituted.

(8) In clause A of section 43, for the word and figure “ section 8 ” the words, letter and figure “ clause (c) of section 7 ” shall be substituted.

(9) In section 47, for the words “ Whenever any officer of the Salt, Police, Land-revenue, Abkari or Customs Departments, empowered by the Governor in Council in this behalf ” the words “ When any officer of the Salt or Customs Departments empowered in this behalf by the Central Board of Revenue or any officer of the Police, Land-revenue or Abkari Departments empowered in this behalf by the Central Board of Revenue with the approval of the Governor in Council ” shall be substituted.

(10) In section 80, for the words “ Fort St. George Gazette,” where they first occur, the words “ Gazette of India ” shall be substituted, and the proviso to the first sentence shall be omitted.

(11) Section 86 shall be renumbered sub-section (1) of section 86 and to the said section as renumbered the following sub-section shall be added, namely:—

- “ (2) The Governor General in Council may, on the application of any person aggrieved by any proceeding or order of the Central Board of Revenue under this Act, reverse or modify such proceeding or order.”

PART III.

PART III.—THE BOMBAY SALT ACT, 1890 (II OF 1890).

(1) Except in clause (a) of section 3, in section 5 and in sub-sections (2) and (3) of section 57, for the words "Commissioner" and "Commissioners," wherever they occur in the Act, the words "Collector" and "Collectors," respectively, shall be substituted.

(2) For clause (a) of section 3 the following clause shall be substituted, namely:—

"(a) 'Central Board of Revenue' means the Central Board of Revenue constituted under the Central Board of Revenue Act, 1924."

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(3) In section 4—

(a) for the words "Governor in Council" the words "Governor General in Council" shall be substituted;

(b) in sub-section (1), the words "Subject to such control of the Governor General in Council as may be prescribed by rules made under section 45A of the Government of India Act" shall be omitted;

(c) to sub-section (1) the following proviso shall be added, namely:—

"Provided that the Governor General in Council before appointing a Collector of Salt-revenue shall consider any recommendation made by the Governor in Council in this behalf";

and

(d) clause (b) of sub-section (2) shall be omitted.

(4) In section 5—

(a) in sub-section (1), for the words "Commissioners to whom they are respectively subordinate and to the orders of Government" the words "Central Board of Revenue" shall be substituted; and

(b) sub-section (2) shall be omitted.

(5) In sections 6 and 13, for the word "Government" the words "the Governor General in Council" shall be substituted.

(6) In sections 7 and 42, the words "Collector or" shall be omitted.

(7) To

(7) To section 8 the following further proviso shall be added, namely:—

“ Provided, further, that the powers conferred on Government by section 23 of the said Code shall, in respect of officers of the Salt Department, be exercised by the Central Board of Revenue only.”

(8) (a) In sections 10, 17, 24, 25, 36 and sub-section (1) of section 52, for the words “ Governor in Council ” the words “ Central Board of Revenue ” shall be substituted.

(b) In sections 14, 37, 58 and 59 and in sub-section (3) of section 52, for the words “ Governor in Council ” the words “ Governor General in Council ” shall be substituted.

(9) In sections 10, 36 and 60, for the words “ Bombay Government Gazette ” the words “ Gazette of India ” shall be substituted.

(10) In section 10—

(a) in clause (b) of sub-section (1) at the beginning, the words “ with the approval of the Governor in Council in respect of an officer of a department under the Governor in Council ” shall be inserted;

(b) in sub-section (2), for the words “ him ” and “ Government,” respectively, the word “ it ” shall be substituted.”

(11) In section 25, for the words “ he may ” the words “ the Governor in Council shall, on the request of the Board ” shall be substituted.

(12) In section 57—

(a) in sub-section (1), the words “ or a Collector ” shall be omitted;

(b) in sub-section (2), for the words “ Commissioner, if any, to whom the Collector is subordinate, and, if there be no such Commissioner, to Government ” the words “ Central Board of Revenue ” shall be substituted; and

(c) for sub-sections (3) and (4) the following sub-section shall be substituted, namely:—

“ (3) The Governor General in Council may, on the application of any person aggrieved by any order passed under this Act by the Central
Board

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Board of Revenue, reverse or modify such order."

(13) To section 58, after clause (j), the following clause shall be added, namely:—

“(k) the making and disposal of appeals under this Act.”

(14) In section 60, the words “and, in Sind, in the Sind Official Gazette” shall be omitted.