

ACT No. XXVII OF 1925.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 21st
September, 1925.)

An Act further to amend the Opium Act, 1857.

WHEREAS it is expedient further to amend the Opium Act, 1857, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Opium (Amendment) Act, 1925. 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.

2. The Opium Act, 1857, is hereby amended to the extent and in the manner mentioned in the Schedule. Amendment of Act XIII of 1857.

3. Any appointment, notification, order, rule or form made, issued or sanctioned, before the commencement of this Act, by an authority for the making, issuing or sanctioning 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inconsistent with this Act, be deemed to have been made, issued or sanctioned by such new authority unless and until superseded by an appointment, notification, order, rule or form made, issued or sanctioned by such new authority. Saving of appointments, etc., made by previous authorities.

4. The entries in the Schedule to the United Provinces Board of Revenue Act, 1922, relating to the Opium Act, 1857, are hereby repealed. Repeal.

P. Act XII
1922.
III of 1857.

THE SCHEDULE.

THE SCHEDULE.

(See section 2.)

Amendments to be made in the Opium Act, 1857.

1. For section 3 the following section shall be substituted, namely:—

Appointment of officers to superintend provision of opium.

“3. (1) The Governor General in Council, after consideration of any recommendation made in this behalf by the Local Government of the province for which the appointment is to be made, may appoint Opium Agents to superintend the provision of opium for Government.

(2) The Governor General in Council may appoint officers to assist the Opium Agents, under the designation of Deputy Agents, district opium officers, assistant opium officers, or such other designations as he may think fit, and may delegate to the Opium Agents the power of appointing all or any of such officers.

(3) Unless the Governor General in Council, after consideration of any recommendation made by the Local Government in this behalf, otherwise directs, the Collector shall be Deputy Agent for his district.

(4) The Governor General in Council may by rule prescribe the powers and duties of officers appointed under this section.”

2. In sections 4, 5, 8, 12, 13 and 15, for the words “the Board of Revenue” the word “Government” shall be substituted.

3. For section 6 the following section shall be substituted, namely:—

Power of Government to appoint officer to conduct suits.

“6. Government may take upon itself, or entrust to an officer specially appointed for the purpose, the superintendence of the prosecution or defence of any suit or appeal in which Government or an Agent, or any other officer subordinate to Government, may be engaged, instead of leaving such superintendence to the Agent or any other officer.”

4. In section 7,—

(a) the words “The Board of Revenue with the sanction of” shall be omitted;

(b) for the words “With the like sanction they” the word “Government” shall be substituted; and

(c) in

(c) in the last paragraph, for the words "the Board of Revenue" the word "Government" shall be substituted.

5. In sections 8, 9, 10, 11, 12, 18, 21, 23 and 26, for the words "Sub-deputy Agents" and "Sub-deputy Agent" the words "district opium officers" and "district opium officer", respectively, shall be substituted.

6. In section 11, for the words "other district officers" the words "other officers duly authorised to receive such opium" and for the words "of the district" the word "other" shall be substituted.

7. In section 12, for the words "other district officer" the words "other officer authorised as aforesaid", and for the words "district officer", where they occur in the second paragraph, the words "receiving officer" shall be substituted.

8. In sections 13 and 14, for the word "district" the word "receiving" shall be substituted.

9. In section 15,—

(a) for the words "district officer" the words "district opium officer", and

(b) in the third paragraph, for the words "the Board" the word "Government"

shall be substituted.

10. In section 16, for the words "district officers" the words "district opium officers or other officers duly authorised in this behalf", and for the words "district officer" where they occur in two places the words "adjusting officer" shall be substituted.

11. In section 18, for the words "other district officer on his behalf" the words "other officer duly authorised in this behalf" shall be substituted.

12. In section 22, for the words "sub-deputies" the words "the district opium officers" shall be substituted.

13. In section 30, for the words "Board of Revenue" the words "Opium Agent" and for the word "them" the word "him" shall be substituted.

14. In section 31, for the words "Sub-deputy Opium Agent" the words "district opium officer" shall be substituted.

15. After section 31, the following section shall be added, namely:—

"32. In this Act, except in section 23, where the word ^{Meaning of} "Government," occurs for the first time, and in section 29, "Government" means 'the Government of India'."