

Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No 1536

Dated 22 July 1895

INDEXED.

[Despatch Abstract.]

BILLS, LEGISLATIVE.

Communicating to the Hon. the Judges of the High Court and the Advocate-General, for early opinion, bill to amend the Indian Penal Code; and directing ~~its~~ its publication with statement of objects and reasons in the Port St. George Gazette in English and in all the vernaculars.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	3717		95				

22ND JULY 1895, No. 1536, JUDICIAL.

GOVERNMENT OF MADRAS. JUDICIAL DEPARTMENT.

READ—the following paper :—

From J. M. MACPHERSON, Esq., Officiating Secretary to the Government of India, Legislative Department, to the Chief Secretary to the Government of Madras, dated Simla, the 13th July 1895, No. 1290.

I am directed to forward herewith forty copies of the papers noted on the margin, and to request that the Governor in Council will favour the Government of India in this department with an expression of his opinion on the provisions of the Bill, and with the opinions of the Hon'ble the Judges of the High Court and of such selected officers and other persons as the Governor in Council may think fit to consult on the subject.

2. I am also to request that the Bill and Statement may be published in the *Fort St. George Gazette* in English and in such other languages as the Governor in Council may deem proper, and that the dates of publication of both may be communicated in your reply.

3. The reply to this letter should be sent in by the 15th September next.

ORDER—dated 22nd July 1895, No. 1536, Judicial.

Communicated to the Hon'ble the Judges of the High Court and the Advocate-General, for favour of an early expression of opinion.

2. The Bill and Statement of Objects and Reasons will be published in the *Fort St. George Gazette* in English and in all the vernaculars. The Superintendent, Government Press, should report to Government the dates of the publication without delay.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Hon'ble the Chief Justice, with C.L.
" Government Solicitor.
" Government Translators.
" Superintendent, Government Press.
Gazette.

Ed. A. Raitt.

Govt. of {1895} Madras.

JUDICIAL.

Issued

Recd.

Encl.

G.O., 22nd July 1895, No. 1536.

JULY.

Bills—Legislative.

Communicating to the Hon'ble the Judges of the High Court and the Advocate-General, for early opinion, Bill to amend the Indian Penal Code; and directing its publication, with Statement of Objects and Reasons, in the *Fort St. George Gazette* in English and in all the vernaculars.

A
BILL
TO

Amend the Indian Penal Code.

WHEREAS it is expedient to amend the Indian Penal Code; It is hereby enacted as follows:—

I. (1) To section 230 of the said Code the following shall be added, namely:—
Addition to section 230 of Code.

"Any piece of metal which has at any time been the Queen's coin as above defined shall be deemed to be the Queen's coin for the purposes of this Chapter notwithstanding that it may have ceased to be used as money."

(2) To the illustrations appended to the said section the following shall be added, namely:—

"(e) The 'Farukhabad rupee', which was formerly used as money under the authority of the Government of India, is Queen's coin, although it is no longer so used."

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

A

BILL

TO

Amend the Indian Penal Code.

(Sir James Westland.)

STATEMENT OF OBJECTS AND REASONS.

As section 230 of the Indian Penal Code now stands, pieces of metal alleged to be "coin" and "Queen's coin" must be "used for the time being as money" in order to fall within the definitions there given. The Indian Coinage Act, 1870, enables the Governor General in Council, by notification in the Gazette of India, to call in coins of any date or denomination, and it would not unlikely be held that coin of any denomination so called in was not "used for the time being as money," at any rate when after a space of time it became sufficiently scarce. With coin of this kind, however, fraud can be committed of exactly the same character as before the calling in, and the same reasons apply to prevention of the counterfeiting coin that is so called in as apply to the coin before being called in—until at least the coin ceases to have any but a numismatic value.

2. Farukhabad rupees, which were formerly in use and circulation as legal tender in Bengal, under the authority of the Government of India, were called in in 1877, and are therefore not covered by the definition as it stands. They are (or very recently were) not altogether out of use as money in some of the Native States. They were recently extensively manufactured in Bombay; and it is considered necessary to take legal power to stop this manufacture.

The 11th July, 1895.

J. WESTLAND.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

ANNEXURE

TO

Bill to amend the Indian Penal Code.

(Statement of Objects and Reasons.)

CURRENT NO. 3445

No. 1290

FROM

J. M. Macpherson, Esquire,
Offg. Secretary to the Government of India,
Legislative Department,

TO

THE CHIEF SECRETARY TO THE GOVERNMENT OF Madras.

Dated Simla, the 13th July 1895.

SIR,

I AM directed to forward herewith *forty* copies of the papers noted on the margin, and to request that the Governor in Council will favour the Government of India in this Department with an expression of his opinion on the provisions of the Bill, and with the opinions of the Hon'ble the Judges of the High Court and of such selected officers and other persons as the Governor in Council may think fit to consult on the subject.

2. I am also to request that the Bill and Statement may be published in the *Fort St. George* Gazette in English, and in such other languages as the Governor in Council may deem proper, and that the dates of publication of both may be communicated in your reply.

3. The reply to this letter should be sent in by the *15th September* next.

I have the honour to be,

SIR,

Your obedient Servant,

J. M. Macpherson
Offg. Secretary to the Government of India.

[C. G. DE S.]

Judicial Department.

CURRENT No. 3448

80 1407-8 9 June 94 CC

80 867/94 CC

80 867 10-2-94

1007 9-6-94

The Govt of India,
Legislative Dept.

No. 1290

ated 13th
ed 18th
ed 19th } July 1895

Rs. 2 + 39 CC of each of the Rs.

Subject

Forwarding 40 copies of a Bill to
amend the Indian Penal Code,
with statement of objects & reasons
for publication in the Fort St. George
Gazette and requesting to be furnished
with an expression of opinion on the
provisions of the Bill.

To

The Hon: the C.J. with C.L.B.
Govt Secy B
Chambers of Comm
J.A. Davies Esq.
H.M. Wickett Esq.

The Govt Translators

Supt. Govt Press.

Gazette 23/7/94

disptd
with
to the
Statement

60

20-7-95
22/7

H.B.
I send you
a few copies as requested
19/7

First copy sent to Press

Returned for signature.

Despatched in print.

RECEIVED G.O. No.
185

DATED

CURRENT No.

ENCLOSURES TO G.O. No.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BRING MUST FOR DEPARTMENT
IN ORIGINAL.

N.B. -

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

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