

## ACT No. VI OF 1880.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 2nd March, 1880.)

An Act to amend the law relating to the licensing of trades and dealings.

WHEREAS it is expedient to amend the law at present in force for the licensing of trades, dealings and industries in certain parts of British India; It is hereby enacted as follows:—

1. This Act may be called "The Indian License Acts Amendment Act, 1880."

*The Northern India License Act, 1878.*

2. The following portions of the Northern India License Act, 1878, are hereby repealed, that is to say:—

the portion of section one from and including the words "but nothing herein contained" to the end; section two;

and the portion of the schedule from and including the words and figures "class III" to the end.

3. In the same Act, to section three, the following shall be added, that is to say:—

"In this Act the word 'trade,' 'dealing' or 'calling' shall not be deemed to include the following, that is to say:—

"(a) agriculture;

"(b) the performance by a cultivator or receiver of rent in kind of any process ordinarily employed by

Preamble.

Short title.

Repeal of portions of Northern India License Act, 1878.

Addition to section 3 of same Act.

'Trade,' 'dealing' and 'calling.'

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a cultivator or receiver of rent in kind to render the produce raised or received by him fit to be taken to market;

“(c) the sale by a cultivator or receiver of rent in kind of the produce raised or received by him, when he does not keep a shop or stall for the sale of such produce.”

Substitution of new section for section 4 of same Act.

4. In the same Act, to section four, the following shall be added, that is to say:—

“Provided that, if such person carries on such trade or dealing in more than one such district, he shall take out such license in the district in which his principal place of business in the said territories is situate.

“When any question arises as to what shall, for the purposes of this Act, be deemed to be the principal place of any business, the Governor General in Council, or such authority as the Governor General in Council may from time to time appoint in this behalf, shall decide such question, and his or its decision thereof shall be final.”

Amendment of sections 6, 7 and 8 of same Act.

5. In sections six, seven and eight of the same Act, for the words “such district,” wherever they occur, the words “the said territories” shall be substituted.

Amendment of section 7 of same Act.

6. In section seven of the same Act, for the words “first day of January,” the words “thirty-first day of March” shall be substituted.

Amendment of sections 9 and 10 of same Act.

7. In sections nine and ten of the same Act, for the figures “1878,” the figures “1880” shall be substituted.

In section ten of the same Act, for the word “thirty,” the word “sixty,” and for the word “February,” the word “June” shall be substituted.

*Madras License Act, 1878.*

Repeal of portions of Madras License Act, 1878.

8. In section five of the Madras License Act, 1878, the words “and whose annual nett earnings or profits exceed two hundred rupees,” and the portion of the schedule of the same Act from and including the

the words and figures "class XII," to the end, are hereby repealed.

9. In the same Act, for section three, the following section shall be substituted :—

Substitution of new section for section 3 of same Act.

"In this Act the word 'trade,' 'dealing' or 'industry' shall not be deemed to include the following, that is to say :—

'Trade,' 'dealing' or 'industry' defined.

"(a) agriculture;

"(b) the performance by a cultivator or receiver of rent in kind of any process ordinarily employed by a cultivator or receiver of rent in kind to render the produce raised or received by him fit to be taken to market;

"(c) the sale by a cultivator or receiver of rent in kind of the produce raised or received by him, when he does not keep a shop or stall for the sale of such produce."

10. In section eight of the same Act, for the words "first day of January," the words "thirty-first day of March" shall be substituted.

Amendment of section 8 of same Act.

11. In sections ten and eleven of the same Act, for the figures "1878," the figures "1880" shall be substituted.

In the same Act, "1880" substituted for "1878."

12. In section eleven of the same Act, for the word "March" in both places in which it occurs, the word "June" shall be substituted.

Amendment of section 11 of same Act.

*The Bombay License Act, 1878.*

13. In section one of the Bombay License Act, 1878, the words "but nothing herein contained applies to persons earning their livelihood solely by agriculture" are hereby repealed; and to section two of the same Act, the following words shall be added :—

Amendment of sections 1 and 2 of Bombay License Act, 1878.

"and the word 'trade,' 'dealing,' 'industry,' 'calling' or 'occupation' shall not be deemed to include the following, that is to say :—

'Trade,' 'dealing,' 'industry,' 'calling,' 'occupation,' defined.

"(a) agriculture;

"(b) the

“(b) the performance by a cultivator or receiver of rent in kind of any process ordinarily employed by a cultivator or receiver of rent in kind to render the produce raised or received by him fit to be taken to market;

“(c) the sale by a cultivator or receiver of rent in kind of the produce raised or received by him, when he does not keep a shop or stall for the sale of such produce.”

In the same Act, “1880” substituted for “1878.”

14. In sections nine and ten of the same Act, for the figures “1878,” the figures “1880” shall be substituted.

Amendment of sections 7 and 11 of same Act.

15. In section seven of the same Act, for the words “first day of January,” the words “thirty-first day of March” shall be substituted;

and in section ten of the same Act, for the word “thirty,” where it first occurs, the word “sixty” shall be substituted; and for the words “within thirty days next after the first of January,” the words “before the first day of June” shall be substituted.

Amendment of schedule A of same Act.

16. In schedule A annexed to the same Act, for the words and figures “Companies registered under the Indian Companies Act, 1866,” the words “Joint Stock Companies” shall be substituted.

Amendment of schedule B of same Act.

17. In schedule B annexed to the same Act, the words and figures “class XII, Rs. 7, class XIII, Rs. 5, class XIV, Rs. 3, class XV, Rs. 2” are hereby repealed.

#### General.

Recovery of money due when Act passes.

18. Notwithstanding anything hereinbefore contained, any money due at the time of the passing of this Act, under any of the Acts hereby amended, may be recovered as if this Act had not been passed.

Trade, &c., carried on in various parts of British India.

19. When any person is engaged in any trades, dealings, industries or callings in two or more of the local areas to which the several Acts hereby amended and the Bengal License Act for the time being in force

force respectively extend, and is thereby liable to pay fees under two or more of such Acts, he shall, if the Governor General in Council so directs, be chargeable with a fee only under such one of those Acts as the Governor General in Council may direct, and the amount of such fee shall be calculated as if he was engaged in all such trades, dealings, industries and callings within the local area to which such Act applies.

A direction under this section may be given by general rule or special order.