

EAST AFR. PROT
36814

36817
REL 26 JUN 0

BOWRING 707
1920
30th June
Last previous Paper.
36816

ORDINANCE NO 17 OF 1920
NATIVE HUT AND PLOT TAX ASSESSMENT ORDINANCE
Trans with Secy of Attorney General. Has
assented to
Share copies to Librarian

Ans 1196 cons 18 August 2001

Collected by Secy of Attorney General
James a set - the native hut tax
is a tax on the
the only point of reference
contained in Section 17 of the
Section a native who has not
received notice of the
by the Commr to work for
in lieu of paying the - for a
period now of 12 months (or the
tax is included) instead of the
existing period of one month.
So far as I know, this provision
in the Ordinance (S.O.) does
not have to be referred

Next subsequent Paper.
36824

Mr. Attorney

Sec. 2 puts the poll tax on the P.R. but on the same rate - which seems reasonable.

778

Sec. 3 makes a general notice of 14 days liable to pay the Poll tax in default subjects him to compulsory labor under Sec. 8 of the Principal Act. Unless this can be justified by the financial position, it seems to lend color to the suggestion that the enactment has an indirect purpose.

The expression ~~is a matter of English~~ of the appearance should be altered to 'apparently of the age' & the section should state who is to decide as to a native's being 'able bodied' - e.g. in the opinion of the D.C.

Sec. 6 - if the Act is amended, it would be a breach to some to pay the tax under the proviso of s. 8.

Sec. 7 - under a habit of crime in a minor's case his tax shall be ^{void} - may the provision be merely a stringent provision.

That the Government should be bound by the provisions of the Act, and the P.R. should be bound by the provisions of the Act. Col. 1/18

Necessary to amend on this account. Old. I think we should not.

30 June, 1920.

779

My Lord,

I have the honour to transmit, for Your Lordship's information, two authenticated and ten printed copies of the Native Hut and Poll Tax Amendment Ordinance, 1920, which was finally passed by the Legislative Council on the 21st May and to which I have given my assent in accordance with the permission conveyed in Your Lordship's telegram of the 21st May.

Ordinance.Legal Report & Comparative Table.

2. The usual explanatory Legal Report and Comparative Table by the Acting Attorney General are enclosed.

I have the honour to be,

Your Lordship's

Devoted, obedient servant,


 ACTING GOVERNOR.

THE RIGHT HONOURABLE

VISCOUNT MILNER, F.C., S.C.B., S.C.M.C., &c., &c.

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, E. C.

THE NATIVE HUT AND POLL TAX AMENDMENT ORDINANCE, 1920.

STATEMENT OF OBJECTS AND REASONS.

The object of the above measure is to give the Governor power to increase native hut and poll tax, in districts where and year such increase, to such not exceeding Rs. 10/-

780

generally to Rs. 7/50 but when the Bill was before Council it was amended fixing the maximum rate for hut or poll at Rs. 10/- as no satisfactory reasons were given forward for differentiating between the scales of hut and poll tax, and in the opinion of the majority of the Council it was not considered right to tax people who come out to work more than those who reside at home.

2. The amendment of Section 11 of the Municipal Ordinance relating to penalties for violation of the window law of an audit was also.

3. The repeal of Section 10 of the Municipal Ordinance relating to the Municipal Council. It was generally agreed that the collection of tax in kind should be discontinued.

4. The period for which a native who is called to work for failure to pay tax has been increased to two months by amending Section 11 of the Municipal Ordinance. The period of work in default of payment is increased in proportion to the increase of tax.

W. R. S.

SI. IVON L. O. GOWER

The 21st day of June, 1920.

ACTING GOVERNOR GENERAL.

THE NATIVE HUT AND POLL TAX AMENDMENT ORDINANCE, 1920.

781

GENERATIVE TABLE.

Remarks.

Short title.

Provision to raise the Native Hut and Poll Tax in such areas as the Governor may determine to a maximum of Rs.10.

Provision to prescribe the minimum age of an adult male native.

Repeal of proviso to section 4 (1) of the Principal Ordinance.

Provision to increase the period for which a native may be called upon to work for failing to pay tax.

Sd.

ACTING ATTORNEY GENERAL.

Mairahi,
6th day of May, 1920.

18 August 1920

782

Sir,

I have the honor to acknowledge the receipt of your letter of the 17th inst.

in which you refer to the 705 of the 27th of June

and in which were enclosed authenticated

DEPT.

Kangra

No 1196

The Ministry

copies of the Draft Act and Bill for

Consolidating Ordinances, 1920, and

MINUTE.

to inform you that His Majesty will

be pleased to

be pleased to be advised to exercise his power

of

of disallowance with respect to the

Section 14

of the

Act

of 1920

and

the

draft

Ordinance, No XVII of the Legislative

Act XXV of 1920

and the draft of the Bill

"An Ordinance to consolidate Provisions for

Consolidating Ordinances, 1920, and Bill for

Consolidating Ordinances, 1920, and Bill for

Consolidating Ordinances, 1920, and Bill for

Consolidating Ordinances, 1920, and Bill for

P.T.O. 27

As I should be glad to learn whether a further
action is now taken under

2. From the Chief Native Commissioner's
memorandum, which formed an enclosure to a
dispatch, No 700, of the 30th of June, it
would appear that cases in which a native
who is liable to the law lost the money to pay
it, must be extremely rare. I am not

therefore advised of the necessity for the
provisions of section 5 of the Ordinance of
1910 and section 5 of the present
Ordinance, and, as at present

intended, I am disposed to think that
these sections should be cancelled.

I shall be glad to receive in copies
of your views on this point when
convenient.

J. G. MILNER