

PREFACE.

If an apology be needed for the production of a work of this character, it might be possible to justify it on two grounds. One is the prominence which political offences of this type have assumed in India ; the other, the importance of the preventive legislation recently introduced on the Statute-book, which, without prejudice to previously existing measures *in pari materia*, aims at a better control of the Platform and the Press.

Either would afford a valid pretext for the existence of a treatise which purports to combine, in a convenient form, two branches of the law which are closely related. The present work has been designed to accomplish this object. Its aim is to provide a complete handbook of the law on the subject—penal and preventive—for the use not only of those who may be called upon to apply its principles, but also for those who desire a more intimate acquaintance with the subject—a handbook, in short, for both lawyer and layman.

W. R. D.

CALCUTTA,
1st January, 1911.

PREFACE TO SECOND EDITION.

IN the present edition several changes have been introduced. It was suggested to the author, in the first place, that the title of the book did not adequately indicate its character, and that greater prominence might be given to the historical dissertation on Press legislation in India, a subject which is certainly of greater interest to the general public than the strictly legal portion. As the work was intended as much for lay readers as for lawyers, this objection has been removed.

Secondly, in the interval that has elapsed since first publication, the new legislation as to Criminal Conspiracy has been added to the Statute-book. Seditious Conspiracy in England is a misdemeanour with well-defined characteristics. It is otherwise in India, where the Penal Code does not specifically provide for the offence. It might, however, be treated, as has been demonstrated in Ch. xii of this book, as a case of abetment by conspiracy. But to constitute this offence it is essential that some overt act or illegal omission should take place in pursuance of the conspiracy. The new measure dispenses with this requirement when the agreement is to commit an offence. It thus carries criminal liability a step further, and if it be applied to the offence of sedition, it may be said to have altered the law to that extent. It has, therefore, been thought necessary to include the new measure (Act VIII of 1913) in the present edition.

Another Act which also came into operation after publication was the Prevention of Seditious Meetings Act

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(X of 1911). It is substantially the same as the Act of 1907, but with certain modifications which were considered desirable. This has been inserted in the place of the former Act. More recently, three new Acts have been added to the Statute-book which have effected alterations in some of the preventive measures. These are the Copyright Act, the Decentralization Act, and the Repealing and Amending Act, of 1914. It was necessary to incorporate these alterations in the new edition and this has accordingly been done. The work is therefore strictly up to date.

CALCUTTA :

W. R. D.

March, 1914.