

Govt. of Bombay  
Act

1896 1897

Act No. 23  
introduced by the Governor  
of Bombay in Council  
in the years  
1896 to 1897

**RE SECTION**

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ACTS

PASSED BY THE



GOVERNOR OF BOMBAY IN COUNCIL

IN THE

YEARS 1896 & 1897.

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1898.

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# TITLES

OF

PASSED BY THE GOVERNOR OF BOMBAY IN COUNCIL.

IN THE YEARS 1896 and 1897

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## 1896.

Act No. I of 1896—An Act to amend the Bombay General Clauses Act, 1883.

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## 1897.

Act No. I of 1897—An Act to further amend the City of Bombay Municipal Act, 1888.

Act No. II of 1897—An Act to amend the Bombay Boiler Inspection Act, 1891.

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# BOMBAY ACT No. 1 OF 1896.

*An Act to amend the Bombay General  
Clauses Act, 1886.*

(The assent of the Governor-General in Council is hereby given to the Act  
which was published by the Government of Bombay, on the  
17th March 1896.)

WHEREAS it is expedient to amend the Bom-  
bay General Clauses Act, 1886, in matters  
aforesaid; it is enacted as follows:—

In clause (10) of section 3 of the Bombay  
General Clauses Act, 1886, after the word "Governor"  
there shall be inserted the following, *viz.*:

“or “the Local Government”.”

*Price—Half Rupee.*

B 2515

BOMBAY: PRINTED AT THE GOVERNMENT PRESS.

# BOMBAY ACT No. I OF 1897

*An Act to further amend the City of Bombay  
Municipal Act, 1888.*

(The assent of the Governor General of India to this Act  
was published by the Governor of Bombay on the  
18th March 1897.)

**W**HEREAS it is expedient further to amend  
the City of Bombay Municipal Act, 1888,  
in manner hereinafter appearing; it is hereby en-  
acted as follows:—

1. Clause (c) of sub-section (2) of section 56  
of the City of Bombay Municipal Act, 1888, is  
repealed.

Repeal of  
clause (c)  
of sub-sec-  
tion (2) of  
section 56  
of Bombay  
Act III of  
1888.

[Price—Half Annas.]

B 2516

BOMBAY: PRINTED AT THE GOVERNMENT GENERAL PRESS

# BOMBAY ACT No. II OF 1897.

## *An Act to amend the Bombay Boiler Inspection Act, 1891.*

(The assent of the Governor General of India to this Act was published by the Governor of Bombay on the 26th May 1897.)

WHEREAS it is expedient to amend the Bombay Boiler Inspection Act, 1891, in manner hereinafter appearing; it is enacted as follows:

1. In the Bombay Boiler Inspection Act, 1891, <sup>Addition to</sup> after called the said Act, to section 2 thereof <sup>of section 2.</sup> following shall be added and shall be deemed to have always contained therein, viz.:

of repeals. And all rules and appointments made, <sup>of repeals.</sup> published and powers conferred under the Bombay Boiler Inspection Act, 1887, and in force at the date of this Act coming into force, shall, so far as they are not inconsistent with this Act, be deemed to have been respectively made, published and conferred hereunder."

2. (1) In sub-section (1) of section 6 of the said <sup>Amend-</sup> Act before the word "It" there shall be inserted <sup>ment of</sup> following, viz.:

"Subject to the provisos in sub-section (2)."

(2) For sub-section (2) of the same section there shall be substituted the following, viz.:

"(2) Provided that—

(a) in the case of a boiler in respect of which <sup>Provisos as</sup> no certificate has been previously granted, the <sup>to new boil-</sup> Inspector shall, if he is unable to issue a certificate at once, grant to the owner, within 48 hours next after his examination of the boiler, a provisional order in writing specifying the pressure at which such boiler may, in his opinion, pending the issue or refusal of a certificate, be worked; and, subject to the provisions

*The Bombay Boiler* [BOM. ACT NO.

provisions of clause (d) of sub-section (1), it shall be lawful for the owner to work the boiler in accordance with such provisional order until a certificate in respect thereof has been granted or refused;

Proviso as to certificated boilers.

(f) subject to the provisions of clause (d) of sub-section (1), the owner of a boiler who holds in respect thereof a certificate as required by sub-section (1), and who before the expiry of the period of such certificate gives notice of his intention to continue to use the boiler after the expiry of the said period, may, unless after examining the boiler the Inspector by an order in writing directs that its use be entirely discontinued, continue to use the boiler or to permit the use thereof until a renewed certificate has been granted or refused, but shall not use the boiler or permit the use thereof at any pressure higher—

(i) than that allowed by the expired certificate, or

(ii) than that allowed by any provisional order given in writing by the Inspector after examining the boiler;

Proviso as to two sets of boilers belonging to the same owner.

(g) a person employed to manage and be in charge of not more than two sets of boilers belonging to the same owner and so situated that no one of them is more than a thousand feet apart from any other of them, may, notwithstanding their distance from each other, be deemed to be employed in direct and immediate management and charge of all such boilers."

(3) And the following shall be added as sub-section (3), viz.:

Expiry and surrender of provisional order.

"(3) No provisional order granted under this section shall have any force in respect of any boiler after a certificate or a renewed certificate has been either granted or refused in respect of such boiler, or after the receipt by the owner of such boiler from the Collector or from any person generally

generally or specially empowered in writing by the Collector in this behalf of requisition in writing for the surrender of such provisional order.

3. In section 11 of the said Act, after the words "applied for" there shall be inserted the following, viz.:

Amendment of section 11.

"or for the pressure desired".

4. (1) In sub-section (1) of section 13 of the said Act, for the words "within four days after the date of the receipt of the same, if the boiler be situated in the City of Bombay, and within ten days after the date of its receipt, if the boiler be situated elsewhere," there shall be substituted the following, viz.:

Amendment of section 13.

"if the boiler be situated

(a) in the City of Bombay, then within four days

(b) in Aden, then within one month, and

(c) elsewhere, then within ten days, after the date of the receipt of the appeal."

(2) In sub-section (2) of the same section after the words "twelve months" there shall be inserted the following, viz.:

"and for such pressure".

5. In section 16 of the said Act—

(a) in place of the words "a certificate has been granted under section 10, 12 or 14" there shall be substituted the following, viz.:

end-  
of sec-  
tion 6

"a provisional order under sub-section (2) of section 6 or a certificate under section 10, 12 or 14 has been granted."

and (b) between the words "said" and "certificate" occurring in the same section there shall be inserted the following, viz.

"or provisional order or".

*The Bombay Boiler* [BOM. ACT N°

6. (1) In sub-section (1) of section 18 of the said Act—

amend-  
ment of sec-  
tion 18. (a) before the word “certificate” in the two places in which it occurs there shall be inserted the following, viz. :

“provisional order or”

(b) after the words “to do so by” there shall be inserted the following, viz. :

“the Collector of Bombay, or”

(c) in a place in the words “Magistrate or Collector” there shall be substituted the following, viz. :

“Magistrate in the said city or by such Collector elsewhere.”

(2) For sub-section (2) of the same section there shall be substituted the following, viz. :

“(2) A person who becomes owner of a boiler during the period for which a provisional order or certificate therefor is in force shall be entitled to receive the provisional order or certificate from the Collector of Bombay and shall be subject to the provisions of sub-section (1).”

Amend-  
ment to  
section 24. (3) To sub-section (3) of section 24 of the said Act there shall be added the following, viz. :

“Upon the issue of such notification it shall be competent to the Governor in Council to cancel the certificate of such engineer :

Provided that the Governor in Council may, at any time, upon such engineer satisfactorily explaining such failure or withdrawal, revoke any such order of cancellation and regrant to such engineer without examination the certificate so cancelled.

“And a certificate so regranted shall have the same effect as if it had been granted after examination.”

8. In clause (b) of section 28 of the said Act, before the word "certificate," there shall be inserted the following, viz.:

"provisional order or".

9. (1) In clause (a) of sub-section (1) of section 29 of the said Act, before the word "certificate" there shall be inserted the following, viz.:

"provisional order or"

(2) In clause (c) of sub-section (1) of the same section—

before the word "certificate" there shall be inserted the following, viz.:

"provisional order or".

10. To clause (d) of section 35 of the said Act, there shall be added the following, viz.:

"and prescribing also the fees to be paid for the duplicate certificates furnished under section 26."

## BOMBAY ACT No. III OF 1897

*An Act to amend Act VIII of 1870 (an Act for the prevention of the murder of Female Infants) as to the Presidency of Bombay.*

(The assent of the Governor General of India to this Act was published by the Governor of Bombay on the 11th January 1898.)

**W**HEREAS it is expedient to amend as to the Presidency of Bombay, in manner hereinafter appearing, Act VIII of 1870 of the Governor General of India in Council: And whereas the previous sanction of the Governor General required by section 5 of the Indian Councils Act, 1892, has been obtained for the passing of this Act: It is hereby enacted as follows:

55 & 56 Vict  
. 14.

1. Notwithstanding anything contained in Act VIII of 1870 (an Act for the prevention of the murder of female infants) or in the rules made thereunder it shall be lawful for the Governor of Bombay in Council, from time to time, by notification published in the official Gazette, to direct that whole or any part of any moneys, or of any income or accumulated interest accrued or accruing from any moneys heretofore levied or recovered from, or paid by any inhabitants of the district of Ahmedabad, under or for the purposes of the said Act, or any rule made in pursuance thereof, shall be applied for the educational benefit of the Lewa and Adva Kunbi castes or any members thereof in the Kaira District, in so far as the Local Government may deem expedient: and the whole or any part of any moneys, or of any income or accumulated interest accrued or accruing from any moneys heretofore levied or recovered from, or paid by, any inhabitants of the district of Ahmedabad, under or for the purposes of the said Act, or any rule made in pursuance thereof, shall be applied for the educational benefit of the Lewa and Adva Kunbi caste or any members thereof in the

Application  
of accumu-  
lated Funds  
collected  
under Act  
VIII of  
1870.

[Price—Half Anna.]



Ahmedabad District, in such manner as the Local Government may deem expedient, and to cancel or vary such notifications.

Commence-  
ment of Act  
VIII of 1870  
in Bombay  
Presidency.

2. Notwithstanding anything contained in section 7 of Act VIII of 1870 the said Act shall be deemed to extend, and from the 21st December 1870 to have extended to the Presidency of Bombay.