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Government of Bombay
Legal Department

Index to the Acts of the Local Legislature of the Bombay Presidency in the Year 1928

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1929

Obtainable from the Superintendent of Government Printing and Stationery,
Bombay; from the High Commissioner for India, 42 Grosvenor Gardens,
S.W.1, London; or through any recognized Bookseller

**Titles of Acts of the Local Legislature of the Bombay Presidency
in the Year 1928.**

- I.—An Act further to amend the Indian Stamp (Bombay Amendment) Act, 1922.
- II.—An Act to amend the Court-fees (Bombay Amendment) Act, 1926.
- ✓ III.—An Act to provide for the grant of loans by Government to non-agriculturists for the relief of distress or other calamities and for the recovery of such loans.
- IV.—An Act to amend the law relating to the University of Bombay.
- V.—An Act further to amend the Bombay Local Boards Act, 1923.
- VI.—An Act further to amend the City of Bombay Improvement Trust Transfer Act, 1925.
- ✗ VII.—An Act further to amend the Bombay Public Conveyances Act, 1920.
- VIII.—An Act further to amend the City of Bombay Municipal Act, 1888.
- IX.—An Act further to amend the City of Bombay Municipal Act, 1888.
- X.—An Act further to amend the City of Bombay Municipal Act, 1888.
- ✓ XI.—An Act to amend certain enactments and to repeal certain other enactments.
- XII.—An Act to amend the Bombay University Act, 1928.

**Index to the Acts of the Local Legislature of the Bombay Presidency
in the Year 1928.**

—	Year.	Act.	Section.	Sub-section.
AN ACT FURTHER TO AMEND THE INDIAN STAMP (BOMBAY AMENDMENT) ACT, 1922—				
Short Title	1928	I	1	
Amendment of section 1 (iii) of Bom. II of 1922.	"	"	2	
AN ACT TO AMEND THE COURT-FEES (BOMBAY AMENDMENT) ACT, 1926—				
Short Title	1928	II	1	
Amendment of section 1 (3) of Bom. III of 1926.	"	"	2	
AN ACT TO PROVIDE FOR THE GRANT OF LOANS BY GOVERNMENT TO NON-AGRICULTURISTS FOR THE RELIEF OF DISTRESS OR OTHER CALAMITIES AND FOR THE RECOVERY OF SUCH LOANS—				
Short Title	1928	III	1	
Extent	"	"	2	
Purpose for which loans may be granted	"	"	3	
Loans already granted to be deemed to have been granted under this Act	"	"	4	
Recovery of Loans	"	"	5	
Power to make rules	"	"	6	(1), (2), (a), (b), (c) & (d).
AN ACT TO AMEND THE LAW RELATING TO THE UNIVERSITY OF BOMBAY—				
Short Title	1928	IV	1	
Commencement	"	"	2	
Interpretation	"	"	3	(a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l).
Incorporation and powers of the University	"	"	4	(1), (2), (3).
Inspection of the University	"	"	5	(1), (2)
Religious and other tests	"	"	6	
Authorities of the University	"	"	7	
Constitution of the Senate	"	"	8	
The Chancellor	"	"	9	(1), (2)
The Vice-Chancellor	"	"	10	
Powers of the Vice-Chancellor	"	"	11	(a), (b), (c).
The Rector	"	"	12	(1), (2), (3).
Fellows	"	"	13	(1), (2)

	Year.	Act.	Section.	Sub-section.
AN ACT TO AMEND THE LAW RELATING TO THE UNIVERSITY OF BOMBAY—<i>contd.</i>				
Office vacated by leaving India	1928	1V	14	(1), (2)
Vacating of office	"	"	16	(1), (2)
Term of office of ordinary fellows	"	"	16	(1), (2)
The appointment of a fellow may be cancelled	"	"	17	
Powers of the Senate	"	"	18	(1), (2), (a) to (j).
Faculties	"	"	19	(1), (2), (3), (4), (5).
The Syndicate	"	"	20	(1), (a) to (j), (2), (3), (4).
Powers and duties of the Syndicate	"	"	21	(a) to (r).
Constitution of the Academic Council	"	"	22	(i) to (vi).
Election of the Academic Council	"	"	23	(1), (2)
Powers of the Academic Council	"	"	24	(a) to (f).
The Board of Post Graduate Studies	"	"	25	(1), (i), (ii), (iii), (2).
Boards of Studies	"	"	26	(1), (2).
Other bodies	"	"	27	
Committee of Selection	"	"	28	(1), (2), (a); (b), (i), (ii) (3), (4).
Degrees, diplomas, licenses, titles and marks of honour	"	"	29	
Honorary Degrees	"	"	30	
Cancellation of degrees and the like and their restoration	"	"	31	(1), (2), (3).
University Fund	"	"	32	(1), (2), (3).
Statutes — their scope	"	"	33	(1), (2), (a) to (7).
Statutes — their framing, amendment, repeal and operation	"	"	34	(1), (2), (3), (4).
Ordinances — their making and scope	"	"	35	(1), (a) to (v), (2), (3).
Regulations — their making and scope	"	"	36	(1), (2), (3), (4).
Certificates required of candidates for examina- tion	"	"	37	
Existing colleges	"	"	38	
Affiliation	"	"	39	(1), (a) to (k), (2), (a) to (c), (3), (4), (5).

	Year.	Act.	Section.	Sub-section.
AN ACT TO AMEND THE LAW RELATING TO THE UNIVERSITY OF BOMBAY—concl'd.				
Extension of affiliation	1928	IV	40	
Inspection of colleges and reports	"	"	41	(1), (2), (3).
Disaffiliation	"	"	42	(1), (2), (3), (4), (5), (6).
Honorary Fellows	"	"	43	(1), (2), (3).
Syndicate first to make the Statutes, Ordinances and Regulations	"	"	44	(1), (2), (3), (4), (5).
Elected and nominated fellows to retire by rotation	"	"	45	(1), (2), (3).
Elected members of the Syndicate to retire by rotation	"	"	46	(1), (2), (3).
Interpretation in case of doubt	"	"	47	(1), (2)
Elections to be by proportional representation...	"	"	48	
Proceedings not invalidated by vacancy	"	"	49	
Pension or Provident Fund	"	"	50	
Passing of property and rights to the University as reconstituted	"	"	51	
Repeal	"	"	52	(a), (b)
Schedule (Enactments repealed)	"	"	52	
AN ACT FURTHER TO AMEND THE BOMBAY LOCAL BOARDS ACT; 1923—				
Short Title	1928	V	1	
Amendment of section 50 of Bom. VI of 1923 ..	"	"	2	
Amendment of section 94 of Bom. VI of 1923 ..	"	"	3	(a), (b), (c).
AN ACT FURTHER TO AMEND THE CITY OF BOMBAY IMPROVEMENT TRUST TRANSFER ACT, 1925—				
Short Title	1928	VI	1	
Amendment of section 21 of Bom. XVI of 1925 .	"	"	2	
AN ACT FURTHER TO AMEND THE BOMBAY PUBLIC CONVEYANCES ACT, 1920—				
Short Title	1928	VII	1	
Amendment of section 2 of Bom. VII of 1920 ..	"	"	2	
Amendment of section 6 of Bom. VII of 1920 ..	"	"	3	
Amendment of section 8 of Bom. VII of 1920 ..	"	"	4	
Amendment of section 9 of Bom. VII of 1920 ..	"	"	5	
New section 16-A of Bom. VII of 1920	"	"	6	
Amendment of section 19 of Bom. VII of 1920 ..	"	"	7	
Amendment of section 26 of Bom. VII of 1920 ..	"	"	8	(a), (b)
Amendment of section 27 of Bom. VII of 1920 ..	"	"	9	
Amendment of section 31 of Bom. VII of 1920 ..	"	"	10	
Amendment of section 35 of Bom. VII of 1920 ..	"	"	11	(a), (b)
Amendment of section 36 of Bom. VII of 1920 ..	"	"	12	(a), (b), (c).
Substitution of a new section for section 37 of Bom. VII of 1920	"	"	13	

	Year.	Act.	Section.	Sub-section.
AN ACT FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888—				
Short Title	1928	VIII	1	
Repeal of section 50 of Bom. III of 1888 ..	"	"	2	
Repeal of clause (b) of section 118 of Bom. III of 1888	"	"	3	
AN ACT FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888—				
Short Title	1928	IX	1	
Amendment of section 3 of Bom. III of 1888 ..	"	"	2	
Amendment of section 5 of Bom. III of 1888 ..	"	"	3	(a), (b) & (c).
New section 11-A of Bom. III of 1888 ..	"	"	4	
New section 14-A of Bom. III of 1888 ..	"	"	5	
New section 21-A of Bom. III of 1888 ..	"	"	6	
AN ACT FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888—				
Short Title	1928	X	1	
Amendment of section 19 of Bom. III of 1888 ..	"	"	2	(a), (b) & (c).
Amendment of section 27 of Bom. III of 1888 ..	"	"	3	(a) & (b).
Amendment of section 28 of Bom. III of 1888 ..	"	"	4	(1) & (2).
Amendment of section 36 of Bom. III of 1888 ..	"	"	5	
Insertion of new section 36-A in Bom. III of 1888	"	"	6	
Amendment of section 68 of Bom. III of 1888 ..	"	"	7	
Amendment of section 92 of Bom. III of 1888 ..	"	"	8	
Amendment of section 105 of Bom. III of 1888..	"	"	9	
Amendment of section 113 of Bom. III of 1888..	"	"	10	
Insertion of new section 118-A in Bom. III of 1888	"	"	11	
Amendment of section 143 of Bom. III of 1888..	"	"	12	
Amendment of section 279 of Bom. III of 1888..	"	"	13	(a), (i), (ii), (b) & (c).
Amendment of section 381 of Bom. III of 1888..	"	"	14	(a) & (b); (i) & (ii).
Repeal in part of section 415 and of section 417A of Bom. III of 1888	"	"	15	
Amendment of section 471 of Bom. III of 1888..	"	"	16	(1), (2) & (3).
Amendment of section 472 of Bom. III of 1888..	"	"	17	(1) & (2).
Amendment of Schedule M of Bom. III of 1888 ..	"	"	18	
AN ACT TO AMEND CERTAIN ENACTMENTS AND TO REPEAL CERTAIN OTHER ENACTMENTS—				
Short Title	1928	XI	1	
Amendment of certain enactments	"	"	2	
Repeal of certain enactments	"	"	3	

	Year.	Act.	Section.	Sub-section.
AN ACT TO AMEND CERTAIN ENACTMENTS AND TO REPEAL CERTAIN OTHER ENACTMENTS—<i>contd.</i>				
Savings	1928	XI	4	
First Schedule	"	"		
Second Schedule	"	"		
AN ACT TO AMEND THE BOMBAY UNIVERSITY ACT, 1928—				
Short Title	1928	XII	1	
Amendment of section 18 of Bom. IV of 1928	"	"	2	(i) & (ii).
Amendment of section 33 of Bom. IV of 1928	"	"	3	
Amendment of section 35 of Bom. IV of 1928	"	"	4	

BOMBAY ACT No. 1 OF 1928

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette," on the 19th March 1928.)

An Act further to amend the Indian Stamp (Bombay Amendment) Act, 1922

Bom. II of 1922. 5 & 6 Geo. V, c. 61. WHEREAS it is expedient to amend the Indian Stamp (Bombay Amendment) Act, 1922, in manner hereinafter appearing; and whereas the previous sanction of the Governor General required by section 80A (3) of the Government of India Act and the previous sanction of the Governor required by section 80C of the said Act have been obtained for the passing of this Act; It is hereby enacted as follows:—

1. This Act may be called the Indian Stamp Short title. (Bombay Amendment) Act, 1928.

Bom. II of 1922. 2. In clause (iii) of section 1 of the Indian Stamp (Bombay Amendment) Act, 1922, the words Amendment of section 1 (iii) of Bom II of 1922. "seven years" shall be substituted for the words "six years".

[Price—Pies 6 or 1d.]

BOMBAY ACT No. II OF 1928

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette," on the 21st March 1928.)

An Act to amend the Court-fees (Bombay Amendment) Act, 1926

WHEREAS it is expedient to amend the Court-fees (Bombay Amendment) Act, 1926, in manner hereinafter appearing; and whereas the previous sanction of the Governor required by section 80C of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows:—

1. This Act may be called the Court-fees (Bombay Amendment) Act, 1928. Short title.

2. In sub-section (3) of section 1 of the Court-fees (Bombay Amendment) Act, 1926, the word "three" shall be substituted for the word "two". Amendment of section 1 (3) of Bom. III of 1926.

[Price—Pies 6 or 1d.]

A.C.

BOMBAY ACT No. III OF 1928.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette," on the 30th March 1928.)

An Act to provide for the grant of loans by Government to non agriculturists for the relief of distress or other calamities and for the recovery of such loans.

WHEREAS it is expedient to provide for the grant of loans by Government to non-agriculturists for the relief of distress caused by floods or other calamities and for the recovery of such loans in manner hereinafter appearing :

5 & 6
Geo.
V, c.
61. And whereas the previous sanction of the Governor General required by sub-section (3) of section 80A and the previous sanction of the Governor required by section 80C of the Government of India Act have been obtained for the passing of this Act; It is hereby enacted as follows :—

1. This Act may be called "the Bombay Non- Short title.
Agriculturists' Loans Act, 1928".

2. Section 1 and this section extend to the Extent.
whole of the Bombay Presidency. The rest of the Act may be extended by the Local Government by notification in the *Bombay Government Gazette* to any part of the Presidency from such date as may be specified in such notification.

XII of
1884. 3. Subject to such rules as may be made under Purpose for
section 6, loans may be granted under this Act which loans
for rebuilding or repairing houses or for the relief may be
of distress to any person to whom a loan under granted.
the Agriculturists' Loans Act, 1884, cannot be granted.

4. All loans granted after the 1st day of August Loans already
1927 to such persons as are referred to in section 3 granted to be
for the purpose mentioned therein shall be deemed deemed to
to be loans granted under this Act. have been granted under
this Act.

[Price—Pies 6 or 1d.]

*The Bombay Non-Agriculturists'
Loans Act, 1928*

[BOM. III
OF 1928]

Recovery of
loans.

5. (1) All loans granted or deemed to have been granted under this Act, together with all interest (if any) chargeable thereon, and costs (if any) incurred in making or recovering the same shall be recoverable at the discretion of the Collector in any one or more of the following modes, namely:—

(a) from the borrower—as if they were arrears of land revenue due by him ;

(b) from his surety (if any)—as if they were arrears of land revenue due by him ;

(c) out of the assets left by a deceased borrower or surety or out of the property comprised in the collateral security (if any)—according to the procedure for the realization of land revenue by the sale of a defaulter's moveable or immoveable property other than the land on which that revenue is due;

(d) if the loan is for the benefit of a house, out of such house,—as if it were arrears of land revenue due in respect of the land on which the house stands.

Power to
make rules.

6. (1) The Local Government may, from time to time, by notification in the *Bombay Government Gazette*, make rules to carry out the purpose of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may be made for the following matters, namely:—

(a) the manner of making applications for loans;

(b) the officers by whom loans may be granted;

(c) the nature of the security, if any, to be taken for the due application and repayment of the money, the rate of interest at which and the conditions under which the loans may be granted and the manner and term of granting loans; and

(d) the instalments by which and the mode in which loans shall be repaid.

BOMBAY ACT No. IV OF 1928.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 2nd August 1928.)

An Act to amend the law relating to the University of Bombay.

WHEREAS by Act XXII of 1857 a University was established and incorporated at Bombay ;

And whereas the law relating to the said university was amended by the Indian Universities Act, 1904 ;

And whereas it is necessary to reconstitute the said University to enable it to provide greater facilities for higher education and to conduct post-graduate teaching and research in all branches of learning, including technology, while continuing to exercise due control over the teaching given by colleges affiliated to it from time to time ; And whereas the previous sanction of the Governor General required by section 80A (3) and the previous sanction of the Governor required by section 80C of the Government of India Act have been obtained for the passing of this Act ; It is hereby enacted as follows :—

CHAPTER I.—PRELIMINARY.

1. This Act may be called the Bombay University Act, 1928. Short title.

2. This section and sections 1 and 44 shall come into operation at once. The rest of the Act shall come into operation on such date as Government may, by notification in the *Bombay Government Gazette*, appoint in this behalf. Commencement.

3. In this Act, unless there is anything repugnant in the subject or context— Interpretation.

(a) "College" means an affiliated college ;

(b) "Fellow" means an *ex-officio* Fellow or an ordinary Fellow of the University appointed under the provisions of this Act but does not include an Honorary Fellow ;

(Chap. I.—Preliminary. Sec. 3.

Chap. II.—The University. Sec. 4.)

(c) "Head Master" means the head of a High School registered by the University ;

(d) "Prescribed" means prescribed by the Act or by any Statutes, Ordinances or Regulations made thereunder ;

(e) "Principal" means the head of a college ;

(f) "Registered Graduate" means a graduate registered under the provisions of this Act or of the Indian Universities Act, 1904 ;

(g) "Statutes," "Ordinances" and "Regulations" mean respectively the Statutes, Ordinances, and Regulations of the University made or deemed to have been made under this Act and for the time being in force ;

(h) "Teacher" means such Professor, Reader, Lecturer and person giving instruction in any college as may be declared by the Statutes to be a teacher ;

(i) "University" means the University of Bombay as reconstituted under this Act ;

(j) "University Department" means any collegiate institution or post-graduate or research department maintained by the University ;

(k) "University Professor" means a person appointed as such by the University ; and

(l) "University Teacher" means a person appointed by the University to give instruction on its behalf.

CHAPTER II.—THE UNIVERSITY.

Incorporation and powers of the University.

4. (1) The University shall be and shall be deemed to have been incorporated for the purpose (among others) of making provision for the instruction of students, with power to appoint University Professors and University teachers, to hold and manage educational endowments, to erect, equip and maintain University laboratories and museums, to make regulations relating to the residence and conduct of students, to lay down courses of instruction for the various examinations, to guide the teaching in colleges,

(Chap. II.—The University. Secs. 4-5.)

to inspect colleges and to take measures to ensure that proper standards of teaching are maintained in them, to hold examinations, to confer degrees, to undertake post-graduate teaching and to promote research, and to do all acts, not inconsistent with this Act, which tend to the promotion of study and research.

(2) The Chancellor, Vice-Chancellor, the Rector (if any), the Fellows and all persons who may hereafter become or be appointed or elected to be Chancellor, Vice-Chancellor, Rector or Fellows as hereinafter mentioned, so long as they shall continue to be such Chancellor, Vice-Chancellor, Rector or Fellows, are hereby constituted and declared to be one Body Corporate by the name of the University of Bombay; and such Body Corporate shall, by such name, have perpetual succession and a common seal, and by such name shall sue and be sued.

(3) The University shall be competent to acquire and hold property, both moveable and immoveable, to lease, sell or otherwise transfer any moveable or immoveable property which may have become vested in or been acquired by it for the purposes of the University and to contract and do all other things necessary for the purposes of this Act.

5. (1) The Chancellor shall have the right to make an inspection or to cause an inspection to be made by such person or persons, as he may direct, of the University, of any institutions associated with the University and of any work conducted or done by the University, and to make an enquiry or to cause an enquiry to be made in like manner in respect of any matter connected with the University. The Chancellor shall in every case give notice to the Senate of his intention to make an inspection or enquiry or to cause an inspection or enquiry to be made, and the Senate shall be entitled to be represented thereat.

Inspection of
the Univer-
sity.

(2) The Chancellor may, after such inspection or enquiry, by order in writing, cancel any decision of the University or any authority thereof in respect of any matter which is not in conformity with this Act and the Statutes, Ordinances and Regulations :

(Chap. II.—The University. Secs. 5-7.

Chap. III.—The Senate. Its Powers, Constitution and Duties. Secs. 8-9.)

Provided that, before making any such order, he shall call upon the Senate to show cause why such an order should not be made, and if any cause is shown within a reasonable time, he shall consider the same.

Religious and other tests.

6. No person shall be excluded from membership of any of the authorities of the University or from admission to any degree or course of study on the sole ground of sex, race, creed or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever relating to religious belief or profession in order to entitle him to be admitted thereto as a teacher or student or to hold any office therein or to graduate thereat or to enjoy or exercise any privileges thereof except where in respect of any particular benefaction accepted by the University such test is made a condition thereof.

Authorities of the University.

7. The following shall be the authorities of the University :—

- (1) The Senate,
- (2) The Faculties,
- (3) The Syndicate,
- (4) The Academic Council,
- (5) The Board of Post-graduate Studies,
- (6) Such other bodies as the Senate may declare by Statutes to be authorities of the University.

CHAPTER III.—THE SENATE. ITS POWERS, CONSTITUTION AND DUTIES.

Constitution of the Senate.

8. The Senate shall consist of the Fellows of the University (*ex-officio* and ordinary).

The Chancellor.

9. (1) The Governor of Bombay, for the time being, shall be the Chancellor of the University. He shall, by virtue of his office, be the head of the University and the President of the Senate and shall, when present, preside at meetings of the Senate and at any convocation of the University.

(Chap. III.—The Senate. Its Powers, Constitution and Duties. Secs. 9-13.)

(2) The Chancellor shall exercise such powers as may be conferred on him under the provisions of this Act.

10. The Chancellor shall appoint a Vice-Chancellor who shall, save as herein otherwise provided, hold office for two years, and shall be eligible for reappointment. The Vice-Chancellor.

11. The Vice-Chancellor shall be responsible for the proper administration of the University and shall Powers of the Vice-Chancellor.

(a) in the absence of the Chancellor, preside at the convocation and meetings of the Senate;

(b) convene the Senate;

(c) preside when present at the meetings of the Syndicate and exercise such other powers as may be conferred on him by this Act, the Statutes, Ordinances and Regulations.

12. (1) The Senate may create the office of the Rector by a statute to be framed by a majority of at least three-fourths of the whole number of Fellows. The Rector.

(2) The Rector shall be a wholetime salaried officer of the University. He shall, subject to the approval of the Government, be appointed by the Senate and shall have rank and precedence next after the Chancellor and the Vice-Chancellor.

(3) The Senate may, subject to the provisions of this Act, frame Statutes prescribing the manner of appointment of the Rector, the salary and conditions of his office and his powers and duties.

13. (1) The Fellows of the University shall be— Fellows.

I. *Ex-officio.*

- (A) (i) The Chancellor,
(ii) The Vice-Chancellor,
(iii) The Rector (if any),
(iv) The Registrar of the University.
- (B) (i) The Chief Justice of Bombay,
(ii) The Minister of Education, Bombay,
(iii) The Director of Public Instruction, Bombay,
(iv) The Surgeon General with the Government of Bombay,

(Chap. III.—The Senate. Its Powers, Constitution and Duties. Sec. 13.)

- (v) The Director of Agriculture, Bombay,
- (vi) The Secretary to the Government of Bombay, Public Works Department,
- (vii) Vice-Chancellors of other Universities, if any, established by law in the Bombay Presidency, and holders of such other offices as are prescribed by Statutes: provided that the number of such Fellows shall not exceed five.

(C) All Heads of University Departments.

II. Ordinary.

(A) Elected as prescribed below:—

- (i) By one electorate of principals of colleges entitled to send up students for degree examination from among themselves as under:—
 - (a) Principals of arts colleges including at least one principal of a college in each group as hereinafter defined 8
 - (b) Principals of colleges of pure science 1
 - (c) Principals of colleges of medicine. 1
 - (d) Principals of colleges of agriculture 1
 - (e) Principals of colleges of engineering 1
 - (f) Principals of colleges of law .. 1
- (ii) By University teachers and teachers including principals from among themselves 20
- (iii) One by head masters of schools in each group from among themselves .. 5
- (iv) By public associations or bodies in British India as under:— 15
 - (a) Municipal Corporation of the City of Bombay 1
 - (b) Indian Merchants' Chamber .. 1
 - (c) Chamber of Commerce .. 1

(Chap. III.—The Senate. Its Powers, Constitution and Duties. Sec. 13.)

(d) Millowners' Association, Bombay. 1

(e) Millowners' Association, Ahmedabad 1

(f) City Municipalities of the Gujarat 1

2. In Part (A) under the heading "II. Ordinary" in sub-section (1) of section 13 of the Bombay University Act, 1928—

Amendment of section 13 of Bom. IV of 1928.

Bom. IV of 1928.

(a) in entries (iv) (f), (g), (h), (i) and (j) for the expression "city municipalities" the expression "municipal boroughs" shall be substituted;

(b) in entry (iv) (j) after the word "Group" the words "and the Karachi municipality" shall be inserted;

(c) in Explanation (1) the words "the schools and colleges in" shall be omitted; and

(d) in Explanation (2) the word "city" shall be omitted.

Group	1
(o) District local boards of the Sind Group	1
(v) By registered graduates.. .. .	25
(vi) By the Faculties	10
(vii) By the Legislative Council of the Governor of Bombay, of whom one shall be the representative of the University on the Council if he is not already a member of the Senate	5

Explanation (1)—For the purposes of this section the Schools and Colleges in the Bombay Presidency (excluding Aden) shall be divided into the following groups.

Name of Group.	Territorial extent of the group.
1 Gujarat group ..	Ahmedabad, Surat, Pañch Mahals, Kaira and Broach districts.
2 Konkan group ..	The City of Bombay and the Nasik, Thana, Bombay Suburban, Ratnagiri and Kolaba districts.
3 Deccan group ..	Poona, Satara, Sholapur, Ahmednagar, West-Khandesh and East-Khandesh districts.
4 Karnatak group..	Belgaum, Dharwar, Bijapur and Kanara districts.
5 Sind ..	Province of Sind.

(Chap. III.—The Senate. Its Powers, Constitution and Duties. Sec. 13.)

- (v) The Director of Agriculture, Bombay,
 (vi) The Secretary to the Government of
 Bombay, Public Works Department

	any group as hereinafter defined	8
	(b) Principals of colleges of pure science	1
	(c) Principals of colleges of medicine	1
	(d) Principals of colleges of agriculture	1
	(e) Principals of colleges of engineering	1
	(f) Principals of colleges of law	1
(ii)	By University teachers and teachers including principals from among themselves	20
(iii)	One by head masters of schools in each group from among themselves	5
(iv)	By public associations or bodies in British India as under :—	15
	(a) Municipal Corporation of the City of Bombay	1
	(b) Indian Merchants' Chamber	1
	(c) Chamber of Commerce	1

(Chap. III.—The Senate. Its Powers, Constitution and Duties. Sec. 13.)

(d) Millowners' Association, Bombay.	1
(e) Millowners' Association, Ahmedabad	1
(f) City municipalities of the Gujarat Group	1
(g) City municipalities of the Deccan Group	1
(h) City municipalities of the Karnatak Group	1
(i) City municipalities of the Konkan Group (except Bombay City) ..	1
(j) City municipalities of the Sind Group <i>& The Karachi Imply.</i>	1
(k) District local boards of the Gujarat Group	1
(l) District local boards of the Deccan Group	1
(m) District local boards of the Karnatak Group	1
(n) District local boards of the Konkan Group	1
(o) District local boards of the Sind Group	1
(v) By registered graduates	25
(vi) By the Faculties	10
(vii) By the Legislative Council of the Governor of Bombay, of whom one shall be the representative of the University on the Council if he is not already a member of the Senate ..	5

** Municipal
boroughs -
by Bom.
Act XIII of
1929.*

Explanation (1)—For the purposes of this section ~~the Schools and Colleges in~~ the Bombay Presidency (excluding Aden) shall be divided into the following groups.

Name of Group.	Territorial extent of the group.
1 Gujarat group ..	Ahmedabad, Surat, Panch Mahals, Kaira and Broach districts.
2 Konkan group ..	The City of Bombay and the Nasik, Thana, Bombay Suburban, Ratnagiri and Kolaba districts.
3 Deccan group ..	Poona, Satara, Sholapur, Ahmednagar, West-Khandesh and East-Khandesh districts.
4 Karnatak group ..	Belgaum, Dharwar, Bijapur and Kanara districts.
5 Sind ..	Province of Sind.

(Chap. III.—The Senate. Its Powers, Constitution and Duties. Secs. 13-14.)

The Senate shall, by statute, determine to which of the groups above-mentioned schools and colleges in Indian States shall be attached.

Explanation (2)—The city municipalities and district local boards mentioned in sub-clauses (f), (g), (h), (i), (j), (k), (l), (m), (n) and (o) are free to elect a person, who need not be a member of the city municipality or a district local board, to represent them on the senate.

(B) Nominated by the Chancellor .. 40

(C) Donors to, or for the purposes of, the University of money or property to the value of not less than one lakh of rupees, if willing to serve, to be subject to the provisions of sections 14, 15 and 17 Fellows for life.

(D) One nominee of each of the bodies giving a donation to, or for the purposes of, the University of money or property to the value of not less than one lakh of rupees: Provided that the right of making any such nomination and, subject also to the provisions of sections 14, 15, 16 and 17, the tenure of any such nominee shall not extend beyond a period of twenty years from the date of the acceptance by the University of any such donation.

Explanation.—For the purposes of this section the value of any property offered as a donation to the University shall mean the market value of such property on the date of acceptance of the donation by the Senate.

(2) If in the case of any election the question is raised whether any person is or is not a Principal or a University Professor or University teacher or Head-master or a teacher the question shall be decided by the Vice-Chancellor.

Office vacated
by leaving
India.

14. (1) If any person being Chancellor, Vice-Chancellor, or Fellow of the said University shall leave India without the intention of returning thereto, his office shall thereupon become vacant,

(Chap. III.—The Senate. Its Powers, Constitution and Duties. Secs. 14-18.)

(2) If the Vice-Chancellor is temporarily absent from India the Chancellor may appoint another person to act as Vice-Chancellor during the absence of the absent Vice-Chancellor.

15. (1) Any Ordinary Fellow may, by letter addressed to the Chancellor, resign his office and on the acceptance of the resignation the office shall become vacant. Vacating of office.

(2) If for a period of twelve consecutive months any ordinary Fellow except a fellow for life, has not attended a meeting of the Senate, other than a convocation, the Chancellor may declare his office to be vacant.

16. (1) The Ordinary Fellows shall, save as herein otherwise provided, hold office for five years. Term of office of ordinary Fellows.

(2) An Ordinary Fellow who has vacated his office may, subject to the provisions of this Act, be elected or nominated to be an Ordinary Fellow.

17. The Local Government may, on the recommendation of the Senate supported by at least two-thirds of the whole number of Fellows, cancel the appointment of any person appointed or elected a Fellow of the University. As soon as such order is notified in the *Bombay Government Gazette*, the person so appointed or elected shall cease to be a Fellow; and he shall not be eligible for re-appointment or re-election until the disqualification has been removed by the local government by a notification in the *Bombay Government Gazette*. The appointment of a Fellow may be cancelled.

18. (1) The Senate shall be the supreme governing body of the University and shall exercise all powers and perform all duties conferred or imposed on it by or under this Act as well as all powers of the University not provided for in this Act. Powers of the Senate.

(2) In particular, and without prejudice to the generality of the foregoing provision, the Senate may—

(a) save as provided in section 44 make, amend, or repeal Statutes and accept, reject or refer back but not amend draft Statutes submitted by the Syndicate;

(Chap. III.—The Senate. Its Powers, Constitution and Duties. Sec. 18.

Chap. IV.—Faculties. Sec. 19.)

(b) Subject to the provisions of this Act consider and cancel or refer back but not amend ordinances of the Syndicate, and regulations of the Academic Council;

(c) consider and pass resolutions on the Annual Report, Accounts and Estimates;

(d) consider the Annual Financial Statement placed before it by the Syndicate and pass it with such modifications as the Senate may think fit;

By Bom. Act
XII of 1928. (e) make provision for the physical ~~and military~~ training of students; *see (ee)*^x

(f) institute and maintain professorships and other teaching posts, University Departments and hostels, found scholarships and prizes, and encourage the pursuit of learning by other means;

(g) grant and confer degrees;

(h) elect office-bearers and authorities provided in this Act and Statutes;

(i) accept donations and endowments, and, if the interests of the University so require, give up any donation or endowment it has accepted;

(j) consider and decide appeals in cases where such appeal is provided for in the Statutes;

(k) delegate any of its powers to such authority or authorities as it may deem fit; and

(l) generally do all such other acts and things as may be necessary or desirable to further the objects of the University.

CHAPTER IV.—FACULTIES.

Faculties.

19. (1) The University shall include such Faculties as are constituted by the Senate by Statutes from time to time.

(2) The Senate shall frame Statutes prescribing the constitution of each Faculty.

(3) A fellow may be assigned, on the recommendation of the Syndicate, to one or more Faculties.

(Chap. III.—The Senate. Its Powers, Constitution and Duties. Sec. 18.

Chap. IV.—Faculties. Sec. 19.)

(b) Subject to the provisions of this Act consider and cancel or refer back but not amend ordinances of the Syndicate, and regulations of the Academic Council ;

(c) consider and pass resolutions on the Annual Report, Accounts and Estimates ;

(d) consider the Annual Financial Statement placed before it by the Syndicate and pass it with such modifications as the Senate may think

2. Insub-section (2) of section 18 of the Bombay ^{Amendment of section 18 of Bom. IV of 1928.} University Act, 1928, hereinafter called the said Act, ^{of Bom. IV of 1928.}

(i) in clause (e) the words "and military" shall be repealed ;

(ii) after clause (e) the following shall be inserted, namely :—

"(ee) make grants from the funds of the University towards the maintenance of any University Corps established for the University ^{XLVIII of 1920.} under the Indian Territorial Force Act, 1920 ;".

~~any donation or endowment it has accepted ;~~ ^{require, give up}

(j) consider and decide appeals in cases where such appeal is provided for in the Statutes ;

(k) delegate any of its powers to such authority or authorities as it may deem fit ; and

(l) generally do all such other acts and things as may be necessary or desirable to further the objects of the University.

CHAPTER IV.—FACULTIES.

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(Chap. IV.—Faculties. Sec. 19.
Chap. V.—The Syndicate. Sec. 20.)

(4) The Syndicate shall frame Ordinances governing the conduct of business of each Faculty and the appointment by each Faculty of its Chairman (to be called the Dean).

(5) The Senate may empower any Faculty to co-opt as members to serve on Boards of Studies controlled by it persons who possess special knowledge of the subjects of study represented by the Faculty, but who are not Fellows, in such manner and for such period as may be prescribed by the Syndicate by ordinance :

Provided that the number of persons so co-opted by any Faculty shall not exceed half the number of fellows assigned to that Faculty.

CHAPTER V.—THE SYNDICATE.

20. (1) The executive government of the University shall be vested in the Syndicate constituted ^{The} ^{Syndicat} as follows from among the fellows :

- (a) the Vice-Chancellor ;
- (b) the Rector, if any ;
- (c) the Director of Public Instruction, Bombay ;
- (d) seven persons elected by the members of the Academic Council from among themselves, provided that each faculty shall be represented by at least one member ;
- (e) nine persons to be elected by the Senate from among the fellows who are neither Principals, University Professors, University Teachers, Teachers nor Head Masters.

(2) Every member of the Syndicate shall hold office for three years, or until he ceases to be a fellow, which ever period is shorter.

(3) The Senate shall frame Statutes prescribing the manner of election of elected members of the Syndicate and the conditions governing their term of office.

(4) If in the case of any election the question is raised whether any person is or is not a Principal or a University Professor or a University Teacher

(Chap. V.—*The Syndicate. Secs. 20-21.*)

or teacher or head master, the question shall be decided by the Vice-Chancellor.

Powers and duties of the Syndicate.

21. The Syndicate shall have power—

(a) to direct the form, custody and use of the common seal of the University ;

(b) subject to the powers conferred by this Act on the Senate, the Vice-Chancellor and the Rector (if any), to regulate and determine all matters concerning the University in accordance with the provisions of this Act, the Statutes and the Ordinances ;

(c) to accept, reject, return to the Academic Council for reconsideration, but not amend regulations framed by the Academic Council ;

(d) to frame the budget of the University for the consideration of the Senate ;

(e) to administer the funds and property of the University ;

(f) save as otherwise provided by this Act or the Statutes, to appoint on the recommendation of a committee of selection if any as required by the Act or Statutes the officers (other than the Chancellor, the Vice-Chancellor and the Rector), University Professors, University Teachers and servants of the University, to define their duties and the conditions of their service, and to provide for the filling of temporary vacancies in their posts ;

(g) to accept, subject to the direction of the Senate, transfer of any moveable or immovable property on behalf of the University ;

(h) to arrange for and direct the inspection of colleges and hostels, and to issue instructions for maintaining the efficiency of the Colleges, and in case of disregard of such instructions, to recommend modification of the conditions of affiliation and to take such other steps as it deems proper ;

(i) to call for reports, returns and other information from the Colleges ;

(j) to appoint examiners and to make ordinances for the conduct of University examinations ;

(Chap. V.—The Syndicate. Sec. 21.

Chap. VI.—The Academic Council. Sec. 22.)

(k) to publish the results of the University examinations and other tests ;

(l) to control the University library and to appoint a library committee : provided that at least half the members of the Committee shall be appointed from the Academic Council ;

(m) to provide for buildings, premises, furniture, apparatus and other means needed for carrying on the work of the University ;

(n) to enter into, vary, carry out, and cancel contracts on behalf of the University in the exercise or performance of the powers and duties assigned to it by the Act and the Statutes ;

(o) to make, amend and cancel ordinances ;

(p) to fix, demand and receive such fees for the degrees to be conferred by it and upon admission into the University and for continuance therein and for other purposes of a like nature as may be prescribed by Statutes ;

(q) to make provision for post-graduate instruction and research ; and

(r) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the Statutes :

Provided that the Syndicate shall not arrive at any decision in regard to matters referred to in clauses (b) and (j) without inviting and receiving a report thereon from the Academic Council.

CHAPTER VI.—THE ACADEMIC COUNCIL.

22. The Academic Council shall consist of the following members, all of whom need not be fellows :—

Constitution
of the
Academic
Council.

(i) The Rector, if any, otherwise the Vice-Chancellor . . . the Chairman ;

(ii) Deans of Faculties ;

(iii) such number of representatives not exceeding five of the University Professors and whole-time

(Chap. VI.—The Academic Council. Secs. 22-24.)

University teachers, as may be determined by Statute ;

(iv) two Headmasters to be elected by the Senate from among the fellows ;

(v) twenty representatives of the Boards of Studies or groups of Boards of allied Studies as may be determined by Statute ; and

(vi) five persons elected by the Senate from among fellows.

Election of
the Academic
Council.

23. (1) The Senate shall frame a Statute prescribing the manner of election of the elected members of the Academic Council, and the conditions governing their term of office.

(2) If in the case of any election the question is raised whether any person is or is not a University Professor or a whole-time teacher or head master, the question shall be decided by the Vice-Chancellor.

Powers of
the Academic
Council.

24. The Academic Council shall frame regulations as provided in this Act and shall have the following powers :—

(a) to regulate teaching and examinations within the University ;

(b) to determine and maintain the standards of examinations, remaining responsible for the maintenance of such standards ;

(c) to make regulations laying down courses of study subject to the approval of the Syndicate ;

(d) to propose to the Syndicate the institution of new University teaching appointments, their duties and emoluments ;

(e) to propose to the Syndicate schemes for the constitution of University Departments, Faculties and Boards of Studies ;

(f) to make regulations for the award of University scholarships and prizes ;

(g) to recommend to the Syndicate the names of persons to be appointed examiners ;

(h) to make regulations prescribing equivalence of examinations ;

(Chap. VI.—The Academic Council. Sec. 24.

Chap. VII.—The Board of Post-graduate Studies.
Sec. 25.

Chap. VIII.—Other University Bodies. Sec. 26.)

(i) to arrange for co-ordination of studies and inter-collegiate lectures ;

(j) to make regulations prescribing the conditions to be complied with by candidates, not being students of any College for degrees, diplomas, licenses, titles, marks of honour, scholarships and prizes conferred or granted by the University ;

(k) to exercise such other powers as may be conferred on it by statutes ; and

(l) generally to advise the University on all academic matters.

CHAPTER VII.—THE BOARD OF POST-GRADUATE STUDIES.

25. (1) The Board of Post-graduate Studies shall consist of : The Board of Post-graduate Studies.

(i) the Rector, if any, otherwise the Vice-Chancellor....the Chairman ;

(ii) four members appointed by the Syndicate ;

(iii) four members appointed by the Academic Council one of whom shall be a University Professor.

(2) The Board shall subject to the Act, and Statutes, Ordinances and Regulations framed thereunder control and co-ordinate post-graduate teaching and research in the University Departments and the Colleges and shall recommend to the Syndicate what teachers in the Colleges shall be recognised as University teachers for post-graduate instruction and research.

CHAPTER VIII.—OTHER UNIVERSITY BODIES.

26. (1) The Senate may, from time to time, frame Statutes constituting Boards of Studies, defining their functions, and attaching each Board to one or more Faculties. Boards of Studies.

(2) The Senate may abolish any Board of Study so constituted.

(Chap. VIII.—Other University Bodies. Secs. 27-28.
Chap. IX.—Degrees. Secs. 29-30.)

Other bodies. 27. The Senate may by Statutes constitute and define the functions of such other bodies as it may from time to time deem necessary for the purpose of carrying out the work of the University, and may abolish any of the bodies so constituted.

Committee of Selection. 28. (1) Whenever it is necessary to appoint a whole-time University Professor or University teacher, a Committee of Selection shall be formed.

(2) The members of the Committee shall be :

(a) The Vice-Chancellor (Chairman),

(b) Four persons having special knowledge of the subject, to be selected as follows :—

(i) One, who shall be a member of a Faculty of the University ;—by the Academic Council.

(ii) Three, who shall not be Fellows, Members of Faculties, University Professors, University Teachers, or Teachers—by the Academic Council, and two by the Syndicate.

(3) The Committee shall investigate the merits of the various candidates, and shall report to the Syndicate the names, arranged in order of merit, of persons, if any, whom it considers to be suitable for the vacant post.

(4) The Syndicate shall make the final selection out of the persons, if any, so recommended.

CHAPTER IX.—DEGREES.

Degrees, diplomas, licenses, titles and marks of honour. 29. The Senate may institute and confer such degrees, and grant such diplomas, licenses, titles and marks of honour in respect of degrees and examinations as may be prescribed by Statutes.

Honorary Degrees. 30. If not less than two-thirds of the members of the Syndicate recommend that an honorary degree be conferred on any person on the ground that he is in their opinion, by reason of eminent position and attainments, a fit and proper person to receive such a degree and where their recommendation is

(Chap. IX.—Degrees. Secs. 30-31.

Chap. X.—University Fund. Sec. 32.)

supported by not less than two-thirds of the fellows present at a meeting of the Senate and is confirmed by the Chancellor, the Senate may confer on such person the honorary degree so recommended without requiring him to undergo any examination.

31. (1) Where evidence is laid before the Syndicate showing that any person on whom a degree, diploma, license, title or mark of honour has been conferred by the Senate or who is an Honorary Fellow, has been convicted of what is, in the opinion of the Syndicate, a serious offence, the Syndicate may, after giving the person concerned an opportunity to explain, propose to the Senate that the degree, diploma, license, title or mark of honour or Honorary Fellowship be cancelled, and, if the proposal is accepted by not less than two-thirds of the fellows of the Senate and is confirmed by the Chancellor, the degree, diploma, license, title, mark of honour or Honorary Fellowship shall be cancelled accordingly.

Cancellation
of degrees
and the like
and their
restoration.

(2) The degree, diploma, license, title or mark of honour may subsequently be restored on good cause shown.

(3) The procedure for the restoration of a degree, diploma, license, title, or mark of honour, shall, as far as is practicable, be as in sub-section (1) of this section.

CHAPTER X.—UNIVERSITY FUND.

32. (1) The fees charged by the Senate shall be carried to one General Fee Fund for the payment of expenses of the University.

University
Fund.

(2) Government shall contribute to that fund the sum of Rs. 1,17,000 per annum to be utilized for the recurring expenditure of the University departments.

(3) The accounts of income and expenditure of the University shall, once in every year, be submitted to the Government of Bombay for such examination and audit as the Government may direct.

(Chap. XI.—Statutes, Ordinances and Regulations. Sec. 33.)

CHAPTER XI.—STATUTES, ORDINANCES AND REGULATIONS.

Statutes—
their Scope.

33. (1) The Senate may, from time to time, make Statutes not inconsistent with this Act, for all matters relating to the University.

(2) In particular, and without prejudice to the generality of the foregoing power, such Statutes may provide for—

(a) the declaration of any person to be a teacher under section 3 (h) ;

(b) the declaration of other bodies to be authorities of the University as provided in section 7 (6).

(c) the manner of election of the elected Fellows and the elected members of the Syndicate, the Academic Council and the Board of Post-Graduate Studies and the term and conditions of their office, the maintenance of a register of registered graduates and the filling up of casual vacancies in the Senate, the Syndicate, the Academic Council and the Board of Post-Graduate Studies ;

(d) the powers of the Vice-Chancellor ;

(e) the appointment, conditions of office, powers and duties of the Rector, if any, and the Registrar and of the officers and servants of the University ;

(f) the prescribing of offices the holders of which shall be *ex-officio* Fellows under section 13 (I) (B) (vii) ;

(g) the constitution, reconstitution or abolition of Faculties ;

(h) the procedure at meetings of the Senate, the Syndicate, the Academic Council, the Board of Post-Graduate Studies and the Faculties and the quorum of members to be required for the transaction of business ;

(i) the duties of the Academic Council ;

(j) the constitution and powers of Boards of Studies ; the functions of each such Board, the procedure of such boards and the quorum of

(Chap. XI.—Statutes, Ordinances and Regulations. Secs. 33-34.)

members to be required for the transaction of business, and the attaching of each Board to one or more Faculties ;

(k) the holding and control of the matriculation

3. After clause (k) of sub-section (2) of section 33 of the said Act, the following shall be inserted, *Am. Act III of 1928*
 Amendment of section 33 of Bom. IV of 1928.

namely :—

“(kk) the conditions to be complied with by schools desiring recognition for the purpose of sending up pupils as candidates for the Matriculation Examination and the conditions to be complied with by candidates for the Matriculation Examination whether sent up by recognised schools or not ;”

kept by the University.

(o) the institution of pension or provident fund for the benefit of the officers, teachers and other servants of the University ;

(p) all matters which by this Act may be prescribed by the Statutes ; and

(q) generally, all matters relating to the University for which there is no provision or insufficient provision in this Act and for which provision is, in the opinion of the Senate, necessary.

34. (1) The Statutes may be amended, repealed, or added to, by Statutes made by the Senate in the manner hereinafter provided.

Statutes—
 their framing,
 amendment,
 repeal and
 operation.

(2) All Statutes framed by the Senate, from time to time, shall be submitted for sanction to the Chancellor and they shall not come into operation until the Chancellor has accorded his sanction thereto.

(3) The Senate may take into consideration the draft of a Statute either of its own motion or on a proposal by the Syndicate.

(4) The Senate before passing a Statute taken into consideration of its own motion and affecting the powers or duties of any officer or authority of the University shall ascertain and consider the views of the officer or authority concerned and of the Syndicate thereon.

(Chap. XI.—Statutes, Ordinances and Regulations. Sec. 35.)

Ordinances—
their making
and scope.

35. (1) Subject to the provisions of this Act and the Statutes, the Syndicate may frame Ordinances to provide for all or any of the following matters, namely:—

(a) the admission of students to the University ;

(b) the courses of study to be laid down for all degrees and diplomas of the University ;

(c) the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the University, and be eligible for degrees, diplomas, licenses, titles and marks of honour ; and the form of the certificate to be produced by a candidate for examination under section 37 and the conditions on which any such certificate may be granted ;

(d) the recognition of collages and hostels ;

~~(e) the conditions to be complied with by schools desiring recognition for the purpose of sending up pupils as candidates for the Matriculation Examination and the conditions to be complied with by candidates for the Matriculation Examination whether sent up by recognised schools or not ;~~

(f) the residence and conduct of students ;

(g) the number, qualifications and conditions of appointment of University Professors and University Teachers ;

(h) the fees to be charged for courses of instruction in the University given by University professors and University teachers, for tutorial and supplementary instruction given by the University, upon admission into the University and for continuance therein, for admission to the examinations, degrees and diplomas of the University, for the registration of graduates and for other purposes of a like nature ;

(i) the conditions of appointment, the mode of appointment and the duties of examiners ;

(j) the conduct of examinations ;

(k) the conduct of business of each Faculty and the appointment of the Dean of each Faculty ;

* Repealed by
Bon. Act XII
of 1928.

(Chap. XI.—Statutes, Ordinances and Regulations. Sec. 35.)

(l) the duties and powers of the Boards and committees to be appointed by the University jointly with any other University or body ;

(m) the discipline to be enforced in regard to the graduates and under-graduates in so far as they come within the jurisdiction of the University for purposes of study and examination ;

(n) the extension of University teaching in any suitable centre within the Presidency by means of University Extension Lectures or otherwise ;

(o) the rules to be observed and enforced by Colleges in respect of transfer of students ;

(p) the functions of each Faculty ;

(q) the fee (if any) to be paid for the entry or retention of a name on any register ;

(r) the inspection of Colleges and the reports, returns and other information to be furnished by Colleges ;

(s) the registers of students to be kept by Colleges ;

(t) the appointment and duties of University Professors and University Teachers ;

(u) the mode of execution of contracts or agreements for or on behalf of the University ;

(v) generally, all matters which by this Act or by the Statutes, may be provided for by the Ordinances and all matters for which provision is in the opinion of the Syndicate, necessary for the exercise of the powers conferred, or the performance of the duties imposed on the Syndicate by this Act or the Statutes :

Provided that the Syndicate shall not arrive at any decision in regard to matters referred to in clauses (b), (c), (d), (g), (i), (j), (n) and (o) without inviting and receiving a report thereon from the Academic Council.

(2) All Ordinances made by the Syndicate shall, except as otherwise provided by this Act, have effect from such date as it may direct ; but every Ordinance

(Chap. XII.—Affiliated Colleges. Sec. 39.)

(f) that due provision will, so far as circumstances may permit, be made for the residence of the Principal and some members of the teaching staff in or near the College or the place provided for the residence of students ;

(g) that the financial resources of the College are such as to make due provision for its continued maintenance ; and

(h) that the College rules fixing the fees (if any) to be paid by the students have not been so framed as to involve such competition with any existing College in the same neighbourhood as would be injurious to the interests of education.

The application shall further contain an assurance that after the College is affiliated any transference of management and all changes in the teaching staff shall be forthwith reported to the Syndicate.

(2) On receipt of a letter of application under sub-section (1), the Syndicate shall—

(a) direct a local inquiry to be made by a competent person authorized by the Syndicate in this behalf ;

(b) make such further inquiry as may appear to them to be necessary ; and

(c) report to the Senate on the question whether the application should be granted or refused, either in whole or in part, embodying in such report the results of any inquiry under clauses (a) and (b).

And the Senate shall, after such further inquiry (if any) as may appear to them to be necessary, record their opinion on the matter.

(3) The Registrar shall submit the application and all proceedings, if any, of the Academic Council, the Syndicate and Senate relating thereto to the Government, who, after such enquiry as may appear to them necessary, shall grant or refuse the application or any part thereof.

(4) Where the application or any part thereof is granted, the order of the Government shall specify the courses of instruction in respect of which the

(Chap. XII.—Affiliated Colleges. Secs 39-42.)

College is affiliated; and, where the application or any part thereof is refused, the grounds of such refusal shall be stated.

(5) An application under sub-section (1) may be withdrawn at any time before an order is made under sub-section (2).

40. Where a College desires to add to the courses of instruction in respect of which it is affiliated the procedure prescribed by section 39 shall, so far as may be, be followed. Extension of affiliation.

41. (1) Every College affiliated to the University, whether before or after the commencement of this Act, shall furnish such reports, returns and other information as the Syndicate, after consulting the Academic Council, may require to enable it to judge of the efficiency of the College. Inspection of Colleges and reports.

(2) The Syndicate shall cause every such College to be inspected from time to time by one or more competent persons authorized by the Syndicate in this behalf.

(3) The Syndicate may call upon any College so inspected to take, within a specified period, such action as may appear to them to be necessary in respect of any of the matters referred to in sub-section (1) of section 39.

42. (1) A member of the Syndicate who intends to move that the rights conferred on any College by affiliation be withdrawn in whole or in part, or modified, shall give notice of his motion and shall state in writing the grounds on which the motion is made. Disaffiliation.

(2) Before taking the said motion into consideration, the Syndicate shall send a copy of the notice and written statement mentioned in sub-section (1) to the Principal concerned, together with an intimation that any representation in writing submitted within a period specified in such intimation on behalf of the College will be considered by the Syndicate:

(Chap. XII.—*Affiliated Colleges. Sec. 42.*
 Chap. XIII.—*Honorary Fellows. Sec. 43.*)

Provided that the period so specified may, if necessary, be extended by the Syndicate.

(3) On receipt of the representation or on expiration of the period referred to in sub-section (2), the Syndicate, after considering the notice of motion, statement and representation and after such inspection by any competent person authorized by the Syndicate in this behalf, and such further inquiry as may appear to them to be necessary, and after consulting the Academic Council, shall make a report to the Senate.

(4) On receipt of the report under sub-section (3), the Senate shall, after such further inquiry (if any) as may appear to them to be necessary, record their opinion in the matter.

(5) The Registrar shall submit the proposal and all proceedings, if any, of the Academic Council, the Syndicate and Senate relating thereto to the Government, who, after such further inquiry (if any) as may appear to them to be necessary, shall make such order as the circumstances may, in their opinion, require.

(6) Where by an order made under sub-section (5) the rights conferred by affiliation are withdrawn, in whole or in part, or modified the grounds for such withdrawal or modification shall be stated in the order.

CHAPTER XIII.—HONORARY FELLOWS.

Honorary
Fellows.

43. (1) The Chancellor may nominate any person to be an Honorary Fellow for life, who is eminent for his attainments in any branch of learning, or is an eminent benefactor of the University, or is distinguished for services rendered to the cause of education generally.

(2) Notwithstanding anything contained in this Act, any person appointed to be an Honorary Fellow under section 13 of the Indian Universities Act, 1904, shall continue to be an Honorary Fellow^{VII} for life, and shall be deemed to have been so¹⁰ appointed under this Act.

(Chap. XIII.—Honorary Fellows. Sec. 43.

Chap. XIV.—Transitory Provisions. Sec. 44.)

(3) A person shall not be debarred from appointment as fellow, member of the Syndicate, member of the Academic Council or other office under this Act, merely on the ground of being an Honorary Fellow.

CHAPTER XIV.—TRANSITORY PROVISIONS.

44. (1) Notwithstanding anything contained in this Act, the first Statutes, Ordinances and Regulations under this Act shall be framed by the Syndicate constituted under the Acts repealed by this Act (in this section referred to as "the present Syndicate") within such time before the date of coming into operation of this Act as Government may fix in this behalf, and on approval by the Chancellor, shall be deemed to have been duly made under this Act.

Syndicate
first to make
the Statutes,
Ordinances
and Regula-
tions.

(2) If the present Syndicate fails to frame the Statutes, Ordinances and Regulations referred to in sub-section (1) within the time therein mentioned, Government may frame such Statutes, Ordinances and Regulations, and the Statutes, Ordinances and Regulations so framed shall be deemed to have been made under this Act.

(3) Till the Senate is constituted as provided in this Act, the Senate and other University bodies constituted under the Acts repealed by this Act and existing on the date on which this Act comes into operation and all officers of the University shall continue in office.

(4) Until the various University bodies other than the Senate are duly constituted under this Act, all their duties (except that of framing statutes, ordinances and regulations) shall be performed by one or more committees appointed by the Chancellor who shall also frame rules for the proper working of those Committees.

(5) If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the commencement of this Act, or otherwise in first giving effect to the provisions

(Chap. XIV.—*Transitory Provisions. Secs. 44–46.*

Chap. XV.—General. Sec. 47.)

of this Act, Government, as occasion may require, may by order do anything which appears to them necessary for the purpose of removing the difficulty.

Elected and nominated Fellows to retire by rotation.

45. (1) The Vice-Chancellor shall, after the Senate is constituted under this Act, divide by lot the first fellows elected, and nominated under Part II (A) and (B) of sub-section (1) of section 13 into five equal groups, as far as possible, under each of the said heads, the order of the groups being also determined by lot.

(2) Subject to the other provisions of this Act the fellows in the first, second, third, fourth and fifth of the said groups shall hold office for one, two, three, four or five years respectively.

(3) Fellows who have vacated their office under this section shall be eligible for re-election, and re-nomination.

Elected members of the Syndicate to retire by rotation.

46. (1) The Vice-Chancellor shall, after the Syndicate is constituted under this Act, divide the members of the Syndicate elected under clauses (d) and (e) of sub-section (1) of section 20 into three equal groups, as far as possible under each of the heads, the order of the groups being also determined by lot.

(2) Subject to the other provisions of this Act, the members of the Syndicate in the first, second and third of the said groups shall hold office for one, two or three years respectively.

(3) Members of the Syndicate who have vacated their office under this section shall be eligible for re-election.

CHAPTER XV.—GENERAL.

Interpretation in case of doubt.

47. (1) If any question arises regarding the interpretation of any provision of this Act or of any statute, ordinance or regulation, or as to whether any person has been duly elected or appointed as,

(Chap. XV.—General. Secs. 47–52.)

or is entitled to be a member of any authority or other body of the University, the matter may be referred to the Chancellor, and shall be so referred if ten fellows so require. The Chancellor shall, after taking such advice as he deems necessary, decide the question, and his decision shall be final.

(2) Nothing in this section shall be deemed to affect in any way the existing jurisdiction of the High Court of Bombay.

48. Every election to any authority of the University under this Act shall be made according to the system of proportional representation by means of the single transferable vote in such manner as may be prescribed by Statutes.

Elections to be by proportional representation.

49. No act or proceeding of any authority or other body of the University shall be invalid by reason only of any vacancy in the body doing or passing it or by reason of any want of qualification by or invalidity in the election or appointment of any *de facto* member of the body whether present or absent.

Proceedings not invalidated by vacancy.

50. The University shall establish for the benefit of its officers, teachers and other servants such pension or provident fund as it may deem fit in such manner and subject to such conditions as may be prescribed by the Senate by Statutes.

Pension or Provident Fund.

51. All property, all rights of whatever kind used, enjoyed or possessed by, and all interests of whatever kind owned by, or vested in, or held in trust by, or for the University of Bombay as constituted under the Acts repealed by this Act as well as all liabilities legally subsisting against the said University shall pass to the University as constituted under this Act.

Passing of property and rights to the University as reconstituted.

52. The enactments specified in the Schedule shall be repealed to the extent specified in the fourth column thereof :

Repeal.

Provided that—

(a) this repeal shall not affect the validity of anything already done under any enactment hereby repealed ; and

(Chap. XV.—General. Sec. 52. Schedule.)

(b) the appointments of the Registrar and all other officers and servants of the University, and of Examiners, validly made under the Acts hereby repealed and subsisting on the date on which this Act comes into operation, shall be deemed to have been validly made under and for the purposes of this Act, and the Registrar and such officers, servants and examiners shall continue to hold office and to act, subject to the conditions governing the tenure of their office or employment, except in so far as such conditions may be altered by competent authority.

SCHEDULE.

ENACTMENTS REPEALED.

(Section 52.)

Acts of the Governor General in Council.

Year.	Num-ber.	Short title.	Extent of repeal.
1857	XXII	The Bombay University Act, 1857.	So much as has not already been repealed.
1904	VIII	The Indian Universities Act, 1904.	In sub-section (1) of section 6 the word "Bombay." In the First Schedule the heading "The University of Bombay" and the entries under that heading.

BOMBAY ACT No. V OF 1928

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 26th September 1928.)

An Act further to amend the Bombay Local Boards Act, 1923.

Bom. VI of 1923. WHEREAS it is expedient further to amend the Bombay Local Boards Act, 1923, in manner hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Bombay Local Boards (Amendment) Act, 1928. Short title.

Bom. VI of 1923. 2. To the proviso to clause (i) of section 50 of the Bombay Local Boards Act, 1923, hereinafter called "the said Act", the words "who is in receipt of travelling allowance as such Government servant" shall be added. Amendment of section 50 of Bom. VI of 1923.

3. (a) Section 94 of the said Act shall be renumbered as sub-section (1); Amendment of section 94 of Bom. VI of 1923.

(b) in clause (c) of the said section after the words "agreed upon by the Collector" the words "in agreement with the district local board who shall pass a special resolution to that effect" shall be inserted; and

(c) the following shall be added as sub-section (2) of the said section:—

"(2) The provisions of sub-section (1) shall apply, so far as may be, to talukdari land."

[Price—Pies 6 or 1d.]

BOMBAY ACT No. VI OF 1928.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette," on the 29th September 1928.)

An Act further to amend the City of Bombay Improvement Trust Transfer Act, 1925.

Bom. XVI of 1925. WHEREAS it is expedient further to amend the City of Bombay Improvement Trust Transfer Act, 1925, in manner hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the City of Bombay Improvement Trust Transfer (Amendment) Act, 1928. Short title.

Bom. XVI of 1925. 2. In sub-section (4) of section 21 of the City of Bombay Improvement Trust Transfer Act, 1925, for the words "but no business shall be transacted at any such meeting unless at least two-thirds of the members of the sub-committee are present from the beginning to the end thereof" the following shall be substituted, namely:— Amendment of section 21 of Bom. XVI of 1925.

"but no business relating to the exercise of powers or the performance of duties delegated under clause (b) of sub-section (1) shall be transacted at any such meeting unless at least two-thirds, and no other business shall be transacted unless at least one-half, of the members of the sub-committee are present from the beginning to the end of the transaction of such business."

S. 27/2

[Price—Pies 6 or 1d.]

BOMBAY ACT No. VII OF 1928.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 4th October 1928.)

An Act further to amend the Bombay Public Conveyances Act, 1920.

WHEREAS it is expedient further to amend the Bombay Public Conveyances Act, 1920, in manner hereinafter appearing; And Whereas the previous sanction of the Governor required by section 80-C of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows:—

1. This Act may be called the Bombay Public Conveyances (Amendment) Act, 1928.

Short title.

2. In section 2 of the Bombay Public Conveyances Act, 1920, hereinafter called "the said Act", for clause (c) the following clause shall be substituted, namely:—

Amendment of section 2 of Bom. VII of 1920.

"(c) 'licensing year' means the year commencing on such date as the Commissioner of Police shall, subject to the condition of previous publication, fix for the purpose of licenses granted under this Act."

3. In sub-section (2) of section 6 of the said Act for the words, figures and brackets "a fee at one-half of the rate chargeable for the grant of a license for a public conveyance under section 7, sub-section (1), shall be charged" the following words shall be substituted, namely:—

Amendment of section 6 of Bom. VII of 1920.

"the licensee shall pay such sum towards the cost of such inscription as the Commissioner of Police shall by rules direct."

4. To section 8 of the said Act the following sub-section shall be added, namely:—

Amendment of section 8 of Bom. VII of 1920.

"(5) Such licenses shall if so directed by the Commissioner of Police be carried in the public

conveyance for drawing which the horse is being used and shall be produced for inspection whenever required by any police officer."

Amendment of section 9 of Bom. VII of 1920.

5. In section 9 of the said Act for the word "shall" the words "may, if he thinks it necessary", shall be substituted.

New section 16-A of Bom. VII of 1920.

6. After section 16 of the said Act the following section shall be inserted, namely:—

Licensee to report name of person left in charge of conveyance during his absence.

"16A. Whenever the licensee of a public conveyance shall be absent from the City of Bombay for a period exceeding fifteen days he shall, if the public conveyance is used for the purpose of plying for hire, give, previous to his departure, notice thereof in writing signed by himself to the Commissioner of Police. Such notice shall state the name of the person left in charge of the public conveyance. Such person shall, until the return of the licensee, perform all the duties of a licensee of a public conveyance and be liable to all the penalties to which such licensee is liable under this Act."

Amendment of section 19 of Bom. VII of 1920.

7. To section 19 of the said Act the following words shall be added, namely:—

"and may, at any time, abolish any such stand or place."

Amendment of section 26 of Bom. VII of 1920.

8. In section 26 of the said Act,—

(a) in sub-section (1) for the words "without a badge granted to him by the Commissioner of Police or, when acting as such driver, shall fail to wear such badge" the words "without a badge, if he has received a badge from the Commissioner of Police or, when acting as such driver, shall fail to wear a badge so received" shall be substituted;

(b) in clause (e) of sub-section (2) after the word "license" the commas and words ", if any," shall be inserted and for the word and figure "section 11" the words and figures "section 8 or section 11" shall be substituted.

Amendment of section 27 of Bom. VII of 1920.

9. After clause (b) of section 27 of the said Act the following clause shall be inserted, namely:—

"(bb) who, before leaving the City of Bombay for a period exceeding fifteen days shall fail to

give notice thereof in writing signed by himself to the Commissioner of Police, or”.

10. In sub-section (2) of section 31 of the said Act Amendment of section 31 of Bom. VII of 1920. for the words “nearest police officer of rank not below that of inspector” the words “officer in charge of the nearest police station” shall be substituted.

11. In section 35 of the said Act,—

Amendment of section 35 of Bom. VII of 1920.

(a) for sub-section (1) the following shall be substituted, namely:—

“(1) The Commissioner of Police, subject to the condition of previous publication, may make rules not inconsistent with this Act,—

(a) fixing the sum to be paid towards the cost of an inscription under sub-section (2) of section 6 ;

(b) generally for the regulation of public conveyances.”

(b) After sub-section (2) the following sub-section shall be inserted, namely:—

“(3) Such rules may provide that a contravention thereof shall be punishable with fine which may extend to thirty rupees.”

12. In section 36 of the said Act,—

Amendment of section 36 of Bom. VII of 1920.

(a) for clause (c) of sub-section (2) the following shall be substituted, namely:—

“(c) may by notification direct that any class of vehicles shall be exempt from all or any of the provisions of this Act ;”

(b) after sub-section (3) the following sub-section shall be inserted, namely:—

“(3A) When this Act or any specified provisions thereof are extended to any area by a notification under this section the expression ‘City of Bombay’ occurring in the foregoing provisions of this Act shall be construed as meaning the area to which this Act or any specified provisions thereof are extended by such notification ;”

(c) in sub-section (4) after the word ‘appointing’ the words “and abolishing” shall be inserted.

Substitution
of a new sec-
tion for sec-
tion 37 of
Bom. VII of
1920.

13. For section 37 of the said Act the following shall be substituted, namely :—

Power to
apply or
adapt certain
provisions to
vehicles not
used for the
purpose of
plying for
hire.

“ 37. The Governor in Council, or, in any area to which this Act or any specified provisions thereof have been extended under section 36 the Commissioner in Sind, or the Commissioner of a division, as the case may be, may, by notification in the *Bombay Government Gazette*, apply or adapt all or any of the provisions of this Act, except those which relate to plying for hire, or any part of any such provision, to vehicles or to any class of vehicles which are kept, or ordinarily let, for hire, but which are not used for the purpose of plying for hire.

Explanation.—A vehicle shall not be deemed to be kept for hire if it is let for hire only occasionally by private agreement.”

BOMBAY ACT No. VIII OF 1928.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 4th October 1928.)

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

Bom. III of 1888. WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, hereinafter referred to as "the said Act," in manner hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the City of Bombay Municipal (Amendment) Act, 1928. Short title.

2. Section 50 of the said Act shall be repealed. Repeal of section 50 of Bom. III of 1888.

3. Clause (b) of section 118 of the said Act shall be repealed. Repeal of clause (b) of section 118 of Bom. III of 1888.

[Price—Pies 6 or 1d.]

H 323

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

BOMBAY ACT No. IX OF 1928.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 10th November 1928.)

An Act further to amend the City of Bombay Municipal Act (Act No. III of 1888).

Bom. III of 1888. **WHEREAS** it is expedient further to amend the City of Bombay Municipal Act, 1888, in the manner hereinafter provided; It is hereby enacted as follows:—

1. This Act may be called the City of Bombay Municipal (Amendment) Act, 1928. Short title.

Bom. III of 1926. 2. To section 3 of the City of Bombay Municipal Act, 1888, hereinafter called the said Act, the following clauses shall be added as clauses (ee), (ff) and (gg), namely:— Amendment of section 3 of Bom. III of 1888.

(ee) "Registered trade union" means a trade union of manual workers employed in trade or industry, registered under the Indian Trade Unions Act, 1926, or other law for the registration of trade unions for the time being in force. XVI of 1926.

(ff) "Delegate" means a person elected by the members of a registered trade union as a member of the electoral college, under the provisions of section 21-A.

(gg) "Electoral college" means a body of delegates elected by registered trade unions for the purpose of electing councillors to the Corporation.

3. In sub-section (1) of section 5 of the said Act,

(a) for the words "one hundred and six," the words "one hundred and eight" shall be substituted; Amendment of section 5 of Bom. III of 1888.

(b) for the word "sixteen" the word "fourteen" shall be substituted; and

[Price—Pies 6 or 1d.]

(c) below the words "one by fellows," the following shall be inserted, namely:—

"four councillors elected by delegates."

New section
11-A of Bom.
III of 1888.

4. After section 11 of the said Act, the following section shall be inserted :

Qualifications
of voters at
election of
delegates.

"11-A. Every member of a registered trade union shall be entitled to be enrolled as a voter in the electoral roll of the registered trade union and when so enrolled shall be entitled to vote at the election of delegates, provided—

(1) that he has been a member for six months immediately preceding the 1st day of September 1928 and for the purpose of future elections for six months immediately preceding the first day of September in the year in which the electoral roll of delegates is published ; and

(2) that he has had a place of residence in the city for six months immediately preceding the first day of September aforesaid."

New section
14-A of Bom.
III of 1888.

5. After section 14 of the said Act, the following section shall be inserted, namely :—

Qualifications
for election as
a councillor
by delegates.

"14-A. A person shall not be qualified to be elected as a councillor by the delegates unless he is a voter as prescribed by section 11-A and enrolled in the electoral roll of delegates."

New section
21-A of Bom.
III of 1888.

6. After section 21 of the said Act, the following shall be inserted, namely :—

Procedure
regarding
election of
delegates and
councillors.

"21-A. The election of the delegates, and of councillors by the delegates shall be made in accordance with the following provisions, namely,—

(a) The councillors shall be elected by an electoral college of delegates constituted as provided in the following clauses.

(b) Every registered trade union which had on the first day of September not less than 100 and not more than 200 members on its register of members entitled to vote under section 11-A shall be entitled to elect one delegate to the electoral college.

For every complete multiple of 200 such members in addition to the original 200 such union shall be entitled to elect one additional delegate.

(c) For the purposes of this election, any two or more registered trade unions may combine to elect delegates, and shall be deemed to be one registered trade union, provided that—

(i) the number of members entitled to vote of each of such registered trade unions is less than 100 ;

(ii) notice of such combination is given to the Commissioner three days before the electoral roll of such trade unions is submitted to him.

(d) Within seven days of the coming into operation of this Act, and, for the purposes of future elections, before the first day of September the Commissioner shall call on every registered trade union to prepare and submit within ten days the electoral roll of its members entitled to vote at the election of delegates. A copy of such roll shall from the same day be kept at the office of the registered trade union open to the inspection of any member of that trade union or of any other registered trade union.

(e) Any member of the registered trade union aggrieved by any entry or omission shall make an application to the Commissioner not later than three days after the date fixed for such submission. The Commissioner shall thereupon decide the matter, and his decision shall be final and conclusive.

(f) The electoral roll of the registered trade union shall be corrected in accordance with the decision passed by the Commissioner and shall thereafter be the electoral roll of the registered trade union. Such roll shall be kept at the office of the registered trade union open to the inspection of any member.

(g) The Commissioner shall then decide and inform each registered trade union how many

delegates it is entitled to elect to the electoral college.

(h) Thereafter, within ten days, the members of each registered trade union shall elect the specified number of delegates. Every such elector shall have as many votes as there are delegates to be elected by the registered trade union in which he votes, and shall be entitled to accumulate all of them upon one candidate, or to distribute them amongst the candidates as he pleases.

(i) The registered trade union shall immediately report the names of the delegates to the Commissioner. The election of members whose names are so reported shall not be open to question, in any court or otherwise.

(j) The Commissioner shall then prepare and publish a nominal roll of delegates so elected constituting the electoral college. The roll shall show by which registered trade union each delegate was elected, and shall state his address.

(k) On or before the 15th of January 1929 and for the purpose of future elections on or before the 20th day of December the Commissioner shall give notice by advertisement in the local papers of the publication of the said roll and the place at which and the fee for which copies of it may be obtained.

(l) The election of the four councillors by the electoral college of delegates shall take place fourteen days after the ward elections.

(m) Save as herein otherwise provided all the provisions of this Act with regard to ward elections, including those relating to electoral roll, nominations, elections, appeals and expenses, shall, so far as possible, apply to the election of councillors by the electoral college of delegates."

BOMBAY ACT No. X OF 1928.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 6th December 1928.)

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

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, in manner hereinafter appearing; And whereas the previous sanction of the Governor General required by sub-section (3) of section 80A of the Government of India Act and the previous sanction of the Governor required by section 80C of the said Act have been obtained for the passing of this Act; It is hereby enacted as follows:—

1. This Act may be called the City of Bombay Municipal (Amendment) Act, 1928. Short title.

2. In section 19 of the said Act,—

(a) in sub-sections (1), (6) and (7) for the word "October" wherever it occurs in the said sub-sections the word "September" shall be substituted;

Amendment of section 19 of Bom. III of 1888.

(b) in sub-sections (8), (9), (10) and (11) for the word "November" the word "October" shall be substituted; and

(c) in sub-section (12) for the words "on some one of the first fifteen days", the words "before the fifteenth day" shall be substituted.

3. In sub-section (2) of section 27 of the said Act,—

Amendment of section 27 of Bom. III of 1888.

(a) for the word "four" the word "three" shall be substituted; and

(b) the words "and the names of the persons subscribing their respective nomination papers as proposers and seconders", shall be repealed.

[Price—Pies 6 or 1d.]

Amendment
of section 23
of Bom. III
of 1888.

4. (1) In clause (e) of section 23 of the said Act, after the word "Collector" the words "before five o'clock in the afternoon of the day fixed for the election" shall be inserted.

(2) In the same clause, for the words "vote at the election" the words "vote at the poll" shall be substituted.

Amendment
of section 36
of Bom. III
of 1888.

5. In clause (f) of section 36 of the said Act, for the word "twenty" in both the places where it occurs the word "twenty-five" shall be substituted.

Insertion of
new section
36-A in Bom.
III of 1888.

6. After section 36 of the said Act, the following section shall be inserted, namely :—

Power to
order with-
drawal of
member.

"36-A. (1) The President shall preserve order and may direct any Councillor whose conduct is in his opinion grossly disorderly to withdraw immediately from the meeting of the Corporation. Any Councillor so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting. If any Councillor is ordered to withdraw a second time within 15 days, the President may suspend the Councillor from attending the meetings of the Corporation for any period not exceeding 15 days and the Councillor so directed shall absent himself accordingly :

Provided that the President may remit the period of suspension on apology being made to his satisfaction by the Councillor under suspension.

Provided also that such suspension from the service of the Corporation shall not prevent any Councillor from serving on any Committee.

(2) The President may, in the case of grave disorder arising in the meeting, suspend the meeting for a period not exceeding three days.

Amendment
of section 68
of Bom. III
of 1888.

7. In sub-section (2) of section 68 of the said Act,—

(i) for the entry "section 82" the entry "section 80-A" shall be substituted;

(ii) after the entry "section 85, sub-section (1)" the entry "section 92" shall be inserted;

8. In the proviso to clause (a) of section 92 of the said Act, after the word "Commissioner" the words "other than a lease of a class in respect of which the Standing Committee has, by resolution exempted the Commissioner from compliance with the requirements of this proviso" shall be inserted.

Amendment of section 92 of Bom. III of 1888.

9. In sub-section (1) of section 105 of the said Act, for the words "January" and "December" the words "April" and "March" shall, respectively, be substituted.

Amendment of section 105 of Bom. III of 1888.

10. For sub-section (1) of section 113 of the said Act, the following shall be substituted:—

Amendment of section 113 of Bom. III of 1888.

"Subject to the provisions of section 520, no payment shall be made by the bank aforesaid out of the municipal fund, except upon a cheque signed by the Commissioner or the Deputy Commissioner and by one Member of the Standing Committee who shall attend at the Chief Municipal Office for this purpose at least twice a week, and by the Chief Accountant or in the event of the illness or occasional absence of both the Commissioner and the Deputy Commissioner from the City, by a member of the Standing Committee and the Chairman of the Standing Committee and the said Chief Accountant, or in his absence the Deputy Accountant, or in the absence of both, by the Chairman of the Standing Committee."

11. After section 118 of the said Act, the following section shall be inserted, namely:—

Insertion of new section 118-A in Bom. III of 1888.

"118-A. Expenditure by the Corporation out of the municipal fund shall, save as otherwise provided by this Act, be made within the City only, but may, by a resolution of the Corporation supported by at least fifty-four councillors, be made outside the City for any of the purposes of this Act."

Municipal fund where to be expended.

12. After the word "Majesty" in clause (b) of sub-section (1) of section 143 of the said Act the words "used solely for public purposes and not used or intended to be used for purposes of profit" shall be inserted.

Amendment of section 143 of Bom. III of 1888.

13. In sub-section (1) of section 279 of the said Act—

(a) in clause (a)

Amendment
of section 279
of Bom. III
of 1888.

(i) after the word "water" the words and figures "or expenses of any work done under or by virtue of the provisions of section 272, 276 or 287-A" shall be inserted;

(ii) for the word "bill" the words "notice of demand" shall be substituted.

(b) before proviso (i) the following shall be inserted, namely:—

"(i) In any case under sub-clause (a) the Commissioner shall not take action unless not less than fifteen days previously a copy of the notice of demand in respect of the tax or sum has been affixed to a conspicuous part of the premises."

(c) provisos (i) and (ii) shall be renumbered (ii) and (iii) respectively.

Amendment
of section 381
of Bom. III
of 1888.

14. In section 381 of the said Act,—

(a) for sub-section (1) the following sub-section shall be substituted, namely:—

"(1) (i) For the purposes of this section, a nuisance shall include—

(a) any pool, ditch, tank, well, pond, quarryhole, drain, watercourse or any collection of water; or

(b) any cistern or other receptacle for water or any article or thing capable of collecting rain water during the monsoon season whether within or outside a building; or

(c) any land on which water accumulates or is likely to accumulate; or

(d) any premises or any part of any premises occupied, or unoccupied, or under construction, reconstruction or demolition;

which in the opinion of the Commissioner is, or is likely to become a breeding place of mosquitoes or which is, in any other respect, a nuisance as defined in clause (z) of section 3.

(ii) The Commissioner may, by notice in writing, require the person by whose act, default or sufferance, a nuisance arises, exists or continues, or is likely to arise, and the owner, lessee and occupier of the land, building or premises on which the nuisance arises, exists or continues or is likely to arise or any one or more of such person, owner, lessee and occupier, to remove, discontinue or abate the nuisance by taking such measures and by executing such work in such manner and within such period of time as the Commissioner shall prescribe in such notice.

(iii) The Commissioner may also by any notice under clause (ii) or by another notice, served on such person, owner, lessee and occupier, or on any one or more of them, require them or any one or more of them, to take all steps requisite or necessary to prevent a recurrence of the nuisance and may, if he thinks it desirable, specify any work to be executed or measures to be carried out for that purpose, and may serve any such further notice notwithstanding that the nuisance may have been abated or removed if he considers that it is likely to recur :

Provided that if at any time within four months from the date of the service of any such notice, the nuisance recurs through the failure of the person or persons upon whom such notice has been served to comply with the requirements contained in such notice, such person or persons shall be liable without any further notice to the penalties provided in this Act for offences under this section.

(iv) Where the nuisance arises or exists or is likely to arise or recur in connection with

the construction, reconstruction or demolition of any premises, or any part of any premises, the Commissioner may in addition to serving any notice on any one or more of the persons mentioned in clause (ii) serve any such notice on any architect, contractor or other person employed to carry out such work of construction, reconstruction, or demolition and also on any sub-contractor employed by such contractor or other person, or any one or more of such contractor, person and sub-contractor."

(b) In sub-section (2),—

(i) for the words and figures "an owner, on whom a requisition is made under sub-section (1)" the words "any person who, by a requisition made under sub-section (1), is required" shall be substituted; and

(ii) for the word "owner" where it occurs for the second time the word "person" shall be substituted.

Repeal in part of section 415 and of section 417A of Bom. III of 1888.

15. The explanation to section 415 and section 417A of the said Act shall be repealed.

Amendment of section 471 of Bom. III of 1888.

16. In the table to section 471 of the said Act,—

(1) below the entry relating to section 272, sub-section (1), the following entry shall be inserted, namely :—

"Section, sub-section or clause	Subject	Fine which may be imposed
1	2	3
Section 272, sub-section (5).	Provision as to unauthorised connections with Municipal water works, etc.	Fifty rupees."

(2) in column 3 of the entry relating to section 381 for the word "fifty" the words "one hundred and fifty" shall be substituted.

(3) in column 3 of the entries relating to section 381-A, sub-section (1), and section 381-A, sub-section (2), for the word "fifty" the words "two hundred and fifty" shall be substituted.

17. In the table to section 472 of the said Act

(1) in column 3 of the entry relating to section 381 for the word "five" the word "fifteen" shall be substituted ; Amendment of section 472 of Bom. III of 1883.

(2) in column 3 of the entry relating to section 381-A, sub-section (2), for the word "five" the word "twenty" shall be substituted.

18. For Parts I, II and III of Schedule M to the said Act, the following shall be substituted :— Amendment of Schedule M of Bom. III of 1883.

"PART I.

Articles which shall not be kept without a license in or upon any premises—

(See section 394)

- | | |
|-----------------------|------------------|
| Blood. | Gun-cotton. |
| Dynamite. | Nitro-glycerine. |
| Blasting powder. | Phosphorus. |
| Fulminate of mercury. | |

PART II.

Articles which shall not be kept without a license, in or upon any premises in quantities exceeding at any one time the maximum quantities hereunder set opposite such article respectively.

Articles.	Maximum quantity which may be kept at any one time without a license.
Bidi leaves 4 cwts.
Camphor ½ cwt.
Celluloid } 4 cwts.
Celluloid goods }
Chemicals, liquid 4 gals.
Chemicals, non-liquid ½ cwt.
Chlorate of Potash ½ "
Cinematograph films 20 lbs.
Copra 4 cwts.
Cotton refuse and waste 4 "

Articles.	Maximum quantity which may be kept at any one time without a license.
Cotton seed	4 bags not exceeding 4 cwts.
Dry leaves (Patravali, etc.) ...	4 cwts.
Esas	1 cwt.
Ghee kept for sale...	4 cwts.
Gunpowder	5 lbs.
Matches for lighting	1 gross boxes.
Methylated spirit	10 gals.
Packing stuff (Paper cuttings, straw, etc.)	4 cwts.
Paints	5 "
Old paper (waste) including old newspapers, periodicals, magazines, etc., kept for sale or for other than domestic use ..	4 "
Petroleum as defined in the Indian Petroleum Act, 1899 ...	10 gals.
Dangerous Petroleum as defined in the same Act	3 "
Oil (other sorts)	15 "
'Oilseeds' other than cotton seeds	1 ton.
Rosin	½ cwt.
Saltpetre	½ "
Sulphur	½ "
Tar, pitch, dammer or bitumen	½ cwt.
Turpentine	1 gal.
Varnish	20 gals.

PART III.

Articles which shall not be kept without a license, in or upon any premises, for sale or for other than domestic use—

Acetylene gas.	Hemp
Ashes.	Hessian cloth (Gunny bag cloth).
Bamboos.	Hides (dried).
Bones.	Hides (raw).
Cocconut fibre.	Hoofs.
Carbide of Calcium.	Horns.
Charcoal.	Jute.
China grass.	Khokas or wooden boxes or barrels (manufacturing and storing).
Coal.	Offal.
Coke.	Rags.
Fat.	Sandalwood.
Fins.	Skins.
Firewood.	Straw.
Fireworks.	Tallow.
Fish (dried).	Timber.
Flax.	Wool (raw)."
Grass.	
Gunny bags.	
Hair.	
Hay.	

BOMBAY ACT No. XI OF 1928.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 11th January 1929.)

An Act to amend certain enactments and to repeal certain other enactments.

WHEREAS it is expedient that certain amendments should be made in the enactments specified in the First Schedule; and whereas it is also expedient that certain enactments specified in the Second Schedule which are spent or have otherwise become unnecessary, or have ceased to be in force otherwise than by express specific repeal, should be expressly and specifically repealed; and whereas the previous sanction of the Governor General required by section 80A (3) of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows:—

1. This Act may be called the Bombay Repeal-Short title.
ing and Amending Act, 1928.

2. The enactments specified in the First Amendment
Schedule are hereby amended to the extent and of certain
in the manner mentioned in the fourth column enactments.
thereof.

3. The enactments specified in the Second Repeal of
Schedule are hereby repealed to the extent certain
mentioned in the fourth column thereof. enactments.

4. The repeal by this Act of any enactment Savings.
shall not affect any Act or Regulation in which
such enactment has been applied, incorporated or
referred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand or any indemnity already granted or the proof of any past act or thing;

[Price—Pies 6 or 1d.]

nor shall this Act affect any principle or rule of law or established jurisdiction, form or course of pleading, practice or procedure or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE.

AMENDMENTS.

(See section 2.)

Year	No.	Short title	Amendments
		<i>Act of the Governor General in Council.</i>	
1890	✓ XI	The Prevention of Cruelty to Animals Act, 1890, in its application to the Presidency of Bombay. <i>Acts of the Governor of Bombay in Council.</i>	In section 4 after the word "cow" the words "or she-buffalo" shall be inserted.
1902	... IV	The City of Bombay Police Act, 1902.	In section 125 the letter and brackets "(a)" shall be deleted.
1906	✓ X	The Mamlatdars' Courts Act, 1906.	To sub-section (2) of section 19 the following words shall be added, viz. :—"He shall without unnecessary delay record a memorandum after hearing the parties on the spot, if present, of any relevant facts observed at such inspection. The memorandum shall form part of the record of the case."
1920	... XVII	The Bombay Pleaders Act, 1920 ...	In sub-section (1) of section 18 for the figures "17" the words and figures "3 of the Legal Practitioners (Fees) Act, 1926" shall be substituted. XXI of 1926.

THE SECOND SCHEDULE.

REPEAL.

(See section 3.)

Year	No.	Short title	Extent of Repeal
		<i>Acts of the Governor of Bombay in Council.</i>	
1862 ...	I	The Gaikwar of Baroda Ceded Lands Laws Act, 1862.	The whole.
1918 ...	III	The Gaikwar of Baroda Ceded Lands Laws Act, 1918.	The whole.
1928 ...	III	The Bombay Non-Agriculturists' Loans Act, 1928.	The figure and brackets "(1)" in section 5.

BOMBAY ACT No. XII OF 1928.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 11th January 1929.)

An Act to amend the Bombay University Act, 1928.

WHEREAS it is expedient to amend the Bombay University Act, 1928, in manner hereinafter appearing: It is hereby enacted as follows:—

1. This Act may be called the Bombay University (Amendment) Act, 1928. Short title.

2. In sub-section (2) of section 18 of the Bombay University Act, 1928, hereinafter called the said Act, Amendment of section 18 of Bom. IV of 1928.

(i) in clause (e) the words "and military" shall be repealed;

(ii) after clause (e) the following shall be inserted, namely:—

"(ee) make grants from the funds of the University towards the maintenance of any University Corps established for the University under the Indian Territorial Force Act, 1920;". Amendment of section 33 of Bom. IV of 1928.

3. After clause (k) of sub-section (2) of section 33 of the said Act, the following shall be inserted, namely:—

"(kk) the conditions to be complied with by schools desiring recognition for the purpose of sending up pupils as candidates for the Matriculation Examination and the conditions to be complied with by candidates for the Matriculation Examination whether sent up by recognised schools or not;".

4. Clause (e) of sub-section (1) of section 35 of the said Act shall be repealed. Amendment of section 35 of Bom. IV of 1928.

[Price—Pies 6 or 1d.]