



Government of Bombay
Legal Department

The Bombay Code

Volume VI

containing

The unrepealed Acts of the Bombay Legislative Council
from 1931 to 1936 and of the Bombay Legislature
for 1937: and a Chronological Table of Acts
reproduced in the Volume with an index

FIFTH EDITION

Price—Rs. 2 Anna 1 or 4s.

PRINTED AT THE GOVERNMENT CENTRAL PRESS
1939

Obtainable from the Superintendent, Government Printing and Stationery,
Bombay, or through the High Commissioner for India, India House,
Aldwych, London, W.C.2, or through any recognised Bookseller

PREFACE

The present fifth edition of the Bombay Code is based partly on the last edition edited and published by the Legislative Department of the Government of India and partly on the last edition of the supplementary volumes (containing Bombay Acts from 1923-1934), edited and published by the Legal Department of the Government of Bombay. It contains, with some exceptions, the unrepealed Bombay Regulations, the Local Acts of the Governor General in Council in force in the Province of Bombay, the Acts passed by the Governor of Bombay in Council, the Bombay Legislative Council and the Bombay Legislature.

2. The exceptions referred to above are—

(a) certain enactments which are now only in force within narrow limits and which were excluded from the last edition of the Code ;

(b) the following Acts, which are of a purely personal character :—

Act XVIII of 1848 (Nawab of Surat).

Act VI of 1893 (Sir Dinshah Manockjee Petit).

Act XIX of 1911 (Sir Cowasjee Jehangir Baronetcy).

Act IV of 1913 (Sir Currimbhoy Ebrahim Baronetcy).

Act II of 1915 (Sir Sassoon Jacob David Baronetcy).

Act X of 1915 (Sir Jamssetjee Jeejeebhoy Baronetcy).

Act XXV of 1917 (Sir Currimbhoy Ebrahim Baronetcy Amendment).

Bom. Act VIII of 1924 (Sir Chinubhai Madhavlal Ranchhodlal Baronetcy).

Bom. Act XVI of 1936 (Sir Chinubhai Madhavlal Ranchhodlal Baronetcy Amendment).

3. This edition of the Code consists of six volumes, and like the earlier edition is divided into parts according to the class of enactments in each part. Volume I contains Part I, which reproduces unrepealed Bombay Regulations published in the last edition ; and Part II which consists of unrepealed Local Acts of the Governor General in Council, now in force in the Province of Bombay. The other five volumes contain Parts III and IV which reproduce the Acts passed by the

local Council and the Bombay Legislature, respectively, from 1862 onwards. Volume II consists of the Acts passed during the years 1862 to 1887, Volume III those passed from 1888 to 1897, Volume IV those passed from 1898 to 1922, Volume V those passed from 1923 to 1930 and Volume VI those passed from 1931 to 1937.

4. Since its last publication in 1922 a large number of amending acts and new enactments have been passed by the Bombay Legislative Council. The Government of India (Adaptation of Indian Laws) Order, 1937, passed under section 293 of the Government of India Act, 1935, has made considerable changes in almost all the Acts and Regulations enacted prior to 1st April 1937. In publishing this edition, all Acts purely of an amending nature modifying the main Bombay Acts have been omitted except those which have modified the Acts of the Central Government.

5. In order to facilitate ready reference to all the changes carried out in any Act, a table has been inserted at the commencement of each Act setting out the number and years of all amending and repealing Acts. A chronological table of Acts and a short index are also appended to each of the volumes. The changes made by the Government of India (Adaptation of Indian Laws) Order, 1937, are referred to in the foot-notes as being made by the Adaptation of Indian Laws Order in Council.

All Acts are printed as modified up to 31st December 1937.

LEGAL DEPARTMENT :

28th January 1938.

III—CHRONOLOGICAL TABLE OF THE UNREPEALED ACTS OF THE BOMBAY LEGISLATIVE COUNCIL.

(1931 TO 1936)

Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
1	2	3	4	5
1931	V	The Cattle-trespass (Bombay Amendment) Act, 1931.	....	1
1931	VII	The Indian Motor Vehicles (Bombay Amendment) Act, 1931.	....	3
1932	I	The Tobacco Duty (Town of Bombay) Amendment Act, 1932.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	5
1932	II	The Bombay Finance Act, 1932.	Amended by Bom. Act 6 of 1932 ; Amended by Bom. Act 1 of 1933 ; Amended by Bom. Act 1 of 1934 ; Amended by Bom. Act 1 of 1935 ; Amended by Bom. Act 3 of 1936 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	7
1932	IV	The Bombay Cotton Con- tracts Act, 1932.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	35
1932	IX	The Provincial Small Cause Courts (Bombay Amendment) Act, 1932.	....	45
1932	XV	The Bombay Weights and Measures Act, 1932.	Amended by Bom. Act 9 of 1935 ; Amended by Bom. Act 33 of 1935 ; Amended by Bom. Act 22 of 1936 ; Amended by Bom. Act 5 of 1937 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	47
1932	XVI	The Bombay Special (Emergency) Powers Act, 1932.	Supplemented by Act 9 of 1933 ; Amended by Bom. Act 27 of 1935 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	69

Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
1	2	3	4	5
1933	II	The Bombay (District) Tobacco Act, 1933.	Amended by Bom. Act 2 of 1935; Amended by Bom. Act 26 of 1935; Adapted and modified by the Adaptation of Indian Laws Order in Council.	81
X 1933	III	The Prevention of Cruelty to Animals (Bombay Amendment) Act, 1933.	....	93
1933	V	The Presidency Small Cause Courts (Bombay Amendment) Act, 1933.	....	95
X 1933	VI	The Bombay Village Panchayats Act, 1933.	Amended by Bom. Act 34 of 1935; Amended by Bom. Act 24 of 1936. Adapted and modified by the Adaptation of Indian Laws Order in Council.	97
1933	X	The Bombay (Emergency Powers) Whipping Act, 1933.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	143
1933	XIII	The City of Bombay Municipal (Amendment) Act, 1933.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	147
1933	XVIII	The Indian Registration (Bombay Amendment) Act, 1933.	....	153
1933	XX	The Presidency-towns Insolvency (Bombay Amendment) Act, 1933.	Amended by Bom. Act 3 of 1935; Adapted and modified by the Adaptation of Indian Laws Order in Council.	153
1933	XXII	The Bombay Live-Stock Improvement Act, 1933.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	161
1934	IX	The Bombay Trade Disputes Conciliation Act, 1934.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	171
1934	X	The Bombay Devadasis Protection Act, 1934.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	183
1934	XI	The Opium (Bombay Amendment) Act, 1934.	189
1934	IV	The Identification of Prisoners (Bombay Amendment) Act, 1935.	191

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1	2	3	4	5
1935	VII	The Bombay Nurses, Midwives and Health Visitors Registration Act, 1935.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	195
1935	XIV	The Indian Motor Vehicles (Bombay Amendment) Act, 1935.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	207
1935	XVIII	The Mussalman Wakf (Bombay Amendment) Act, 1935.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	211
1935	XXI	The Identification of Prisoners (Bombay Second Amendment) Act, 1935.	....	225
1935	XXV	The Bombay Public Trusts Registration Act, 1935.	Amended by Bom. Act 24 of 1936; Adapted and modified by the Adaptation of Indian Laws Order in Council.	229
1935	XXIX	The Bombay Criminal Procedure (Elections Offences) Amendment Act, 1935.	....	241
1935	XXXIV	The Bombay Motor Vehicles Tax Act, 1935.	Amended by Bom. Act 24 of 1936; Adapted and modified by the Adaptation of Indian Laws Order in Council.	243
1935	XXXV	The Bombay Cotton Control Act, 1935.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	259
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1936	XV	The Indian Lunacy, Bombay District Municipal and Bombay Municipal Boroughs (Amendment) Act, 1936.	277
1936	XIX	The Bombay Famine Relief Fund Act, 1936.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	279
1936	XX	The Bombay Opium Smoking Act, 1936.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	283
1936	XXIII	The Parsi Public Trusts Registration Act, 1936.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	295

**IV—CHRONOLOGICAL TABLE OF THE UNREPEALED ACTS
OF THE BOMBAY LEGISLATURE—(1937)**

Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
1	2	3	4	5
1937	I	The Bombay Legislature Members (Removal of Disqualifications) Act, 1937.	....	309
1937	II	The Bombay Legislative Council (President and Deputy President) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries Act, 1937.	....	313
1937	III	The Bombay Legislature Members' Salaries and Allowances Act, 1937.	....	317
1937	IV	The Bombay Ministers' Salaries Act, 1937.	....	321
1937	VI	The Indian Limitation (Bombay Amendment) Act, 1937.	....	325

BOMBAY ACT No. V OF 1931.¹

[THE CATTLE-TRESPASS (BOMBAY AMENDMENT) ACT, 1931.]

[23rd May, 1931.]

An Act further to amend the Cattle-trespass Act, 1871, in its application to the Presidency of Bombay.

WHEREAS it is expedient further to amend the ²Cattle-trespass Act, 1871, in its application to the Presidency of Bombay, in manner hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Cattle-trespass (Bombay Amendment) Act, 1931. Short title.

2. In the proviso to section 14 of the ²Cattle-trespass Act, 1871, for the words "Magistrate of the District" the words "officer authorised to sell them by public auction" shall be substituted. Amendment of section 14 of Act 1 of 1871.

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1931, Part V, p. 43, and Proceedings in Council, see *Bombay Legislative Council Debates*, 1931, Vol. XXX.

² Central Acts.

BOMBAY ACT No. VII OF 1931.¹

[THE INDIAN MOTOR VEHICLES (BOMBAY AMENDMENT) ACT, 1931.]

[23rd May, 1931]

An Act further to amend the Indian Motor Vehicles Act, 1914, in its application to the Presidency of Bombay.

VIII WHEREAS it is expedient further to amend the ²Indian Motor Vehicles Act, 1914, in its application to the Presidency of Bombay 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 has been obtained for the passing of this Act; ^{5 & 6} It is hereby enacted as follows:—
Geo.V, c. 61.

1. This Act may be called the Indian Motor Vehicles (Bombay Amendment) Act, 1931. Short title.

VIII 2. After section 18 of the ²Indian Motor Vehicles Act, 1914, the following section shall be inserted, namely:— New section 18A of Act VIII of 1914

“18A. (1) Notwithstanding anything contained in sub-section (2) of section 18, where the offence of which a person is convicted is one against rules regulating the use of motor vehicles let or plied for hire in public places, the Court by which the person is convicted of such offence shall, if such person holds a permit to drive any such vehicle issued under the said rules, cause particulars of the conviction to be endorsed on such permit instead of on the licence held by such person, under the Act, and may, in its discretion, cancel or suspend such permit or declare such person disqualified from obtaining a permit under the said rules for a period not exceeding one year from the date of such conviction. Cancellation and suspension of driver's permit and disqualification for obtaining it.

(2) In any such event as is referred to in sub-section (1) the provisions of sub-sections (3) to (7) of section 18 shall, so far as may be, apply to such permits and the holders thereof as if such permits were licences under this Act and the holders of such permits were holders of such licences, and as if

(a) in sub-section (3) for the words, figure and brackets ‘licence under this Act is accused of any offence mentioned in sub-section (2); may suspend such licence’ the words ‘permit issued under rules regulating the use of motor-vehicles let or plied for hire in public places is accused of any offence against the said rules may suspend such permit’ were substituted, and

(b) in sub-sections (4), (5), (6) and (7) for the word ‘licence’ wherever it occurs the word ‘permit’ were substituted.”

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1931, Part V, p. 38, and for Proceedings in Council, see *Bombay Legislative Council Debates*, 1931, Vol. XXX.

² Central Acts.

BOMBAY ACT No. I OF 1932.¹

[THE TOBACCO DUTY (TOWN OF BOMBAY) AMENDMENT ACT, 1932.]

[30th March, 1932]

Adapted and modified by the Adaptation of Indian Laws Order in Council.

An Act to amend the Tobacco Duty (Town of Bombay) Act, 1857.

^{1V of 1857.} WHEREAS it is expedient to amend the Tobacco Duty (Town of Bombay) Act, 1857, for the purpose 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 ^{5 & 6 Geo. V, c. 61.} Act; It is hereby enacted as follows:—

1. This Act may be called the Tobacco Duty (Town of Bombay) Short title. Amendment Act, 1932.

2. This Act shall come into force on the 19th day of March 1932 and shall remain in force for 10 years in the first instance, but ^{Commence- ment and duration.} Government may extend it for a further period not exceeding 10 years by a notification in the ²[Official Gazette].

^{1V of 1857.} 3 and 4. [Amendments of sections 2, 8 and 9 of Act 4 of 1857—The amendments have been incorporated in the principal Act.]

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1932, Part V, p. 38; and for Proceedings in Council, see *Bombay Legislative Council Debates*, 1932, Vol. XXXIV.

² "Government" means so long as the Municipal duty is, by virtue of section 143 (2) of the Government of India Act, 1935, levied and collected by the Provincial Government, that Government and thereafter the Central Government.

³ The words "Official Gazette" were substituted for the words "Bombay Government Gazette" by the Adaptation of Indian Laws Order in Council.

THE BOMBAY FINANCE ACT, 1932.

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