

“ Forwarded with the Compliments of the Legislative Department of the Government of India.”

Dhananjayrao Gadgil Library



GIPE-PUNE-004158

THE BOMBAY CODE.
VOLUME IV.

**Agents for the Sale of Books Published by the
Superintendent of Government Printing, India, Calcutta.**

IN EUROPE.

Constable & Co., 10, Orange Street, Leicester Square,
London, W.C.
Kegan Paul, Trench, Trübner & Co., 68-74, Carter
Lane, E.C. and 39, New Oxford Street,
London, W.C.
Bernard Quaritch, 11, Grafton Street, New Bond
Street, London, W.
F. S. King & Sons, 2 & 4, Great Smith Street,
Westminster, London, S.W.
Grindlay & Co., 54, Parliament Street, London, S.W.
Luzac & Co., 46, Great Russell Street, London, W.C.
W. Thacker & Co., 2, Creed Lane, London, E.C.
E. Fisher Unwin, Ltd., 1, Adelphi Terrace, London,
W.C.

Wheldon & Wesley, Ltd., 2, 3 and 4, Arthur Street,
New Oxford Street, London, W.C. 2.
Messrs. East and West, Ltd., 3, Victoria Street,
London, S. W. 1.
B. H. Blackwell, 50 & 51, Broad Street, Oxford.
Deighton, Bell & Co., Ltd., Cambridge.
Oliver and Boyd, Tweeddale Court, Edinburgh.
E. Ponsonby, Ltd., 118, Grafton Street, Dublin.
Ernest Leroux, 28, Rue Bonaparte, Paris.
Martinus Nijhoff, The Hague, Holland.
Otto Harrassowitz, Leipzig.
Friedländer und Sohn, Berlin.

IN INDIA AND CEYLON.

Thacker, Spink & Co., Calcutta and Simla.
W. Newman & Co., Ltd., Calcutta.
B. Cambrey & Co., Calcutta.
S. K. Lahiri & Co., Calcutta.
The Indian School Supply Depot, 309, Bow Bazar
Street, Calcutta, and 226, Nawabpur, Dacca.
Butterworth & Co. (India), Ltd., Calcutta.
Rai M. C. Sarcar Bahadur and Sons, 90/2A, Harrison
Road, Calcutta.
The Weldon Library, 26, Chowringhee Road,
Calcutta.
Standard Literature Co., Ltd., Calcutta.
Association Press, Calcutta.
Higginbotham & Co., Madras.
V. Kalyanarama Iyer & Co., Madras.
P. R. Rama Iyer & Co., Madras.
Thacker & Co., Ltd., Bombay.
D. B. Taraporevala, Sons & Co., Bombay.
Sunder Pandurang, Bombay.
Raj Chandra Govind & Son, Kalbadevi, Bombay.
Proprietor, New Kitabkhana, Poona.
The Standard Bookstall, Karachi, Rawalpindi,
Murree and Lahore.
Karsandas Narandas & Sons, Surat.
A. H. Wheeler & Co., Allahabad, Calcutta and
Bombay.
N. B. Mathur, Supt., Nazir Kanna Hind Press,
Allahabad.
Chukerverty, Chatterjee & Co., Ltd., 13, College
Square, Calcutta.

Rai Sahib M. Gulab Singh & Sons, Mufid-i-Am Press,
Lahore and Allahabad.
Messrs. The North India Christian Tract and Book
Society, 18, Clive Road, Allahabad.
Ram Dayal Agarwala, 184, Katra, Allahabad.
Rama Krishna & Sons, Booksellers, Anarkali, Lahore.
Munshi Seeta Ram, Managing Proprietor, Indian
Army Book Depot, Juhl, Cawnpore.
Supt., American Baptist Mission Press, Rangoon.
Proprietor, Rangoon Times Press, Rangoon.
The Modern Publishing House, Ltd., 70, Sparks
Street, Rangoon.
Messrs. The International Buddhist Book Depot,
Post Box No. 971, Rangoon.
Manager, the "Hltavada," Nagpur.
S. C. Talukdar, Proprietor, Students and Co., Cooch
Behar.
Manager of the Imperial Book Depot, 63, Chandney
Chauk Street, Delhi.
Oxford Book and Stationery Co., Delhi.
Manager, Newal Kishore Press, Lucknow.
Messrs. The Upper India Publishing House Ltd.,
41, Aminabad Park, Lucknow.
Times of Ceylon Co., Ltd.
The Manager, Ceylon Observer, Colombo.
The Manager, Oriental Book Supplying Agency,
15, Shukrawar, Poona City.
Messrs. Bright & Co., Trivandrum.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

THE BOMBAY CODE
IN FIVE VOLUMES.

VOLUME IV:

CONTAINING

THE UNREPEALED ACTS OF THE GOVERNOR OF BOMBAY IN COUNCIL
IN FORCE IN BOMBAY, FROM 1898 TO 1908, INCLUSIVE;
AND A CHRONOLOGICAL TABLE OF ENACTMENTS
REPRODUCED IN THE VOLUME WITH
INDEX.

CALCUTTA
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
1924

Price Rs. 3-12.

**CHRONOLOGICAL TABLE OF ACTS OF THE GOVERNOR OF
BOMBAY IN COUNCIL IN FORCE IN BOMBAY (1898 to 1908).**

1	2	3	4	5
Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
1898	I	The City of Bombay Municipal Investments Act, 1898.	.....	1
"	II	The Sindh Village Officers (Amendment) Act, 1898.	Rep. in part, Act 4 of 1907.	4
"	III	The Bombay District Police (Amendment) Act, 1898.	.....	5
"	IV	The City of Bombay Improvement Act, 1898.	Rep. in part and amended, Act 38 of 1920. Bom. Act 4 of 1901. Bom. Act 1 of 1913. Amended, Bom. Act 3 of 1907. Bom. Act 2 of 1908. Bom. Act 2 of 1919. Bom. Act 11 of 1920. Bom. Act 20 of 1920. Supplemented and Validated Act 14 of 1904.	6
1899	I	The Bombay Port Trust (Amendment) Act, 1899.	.....	98
"	II	The Bombay Prevention of Adulteration Act, 1899.	Rep. in part, Bom. Act 3 of 1901. Bom. Act 3 of 1902.	100
"	III	The Government Occupants (Sind) Act, 1899.	Rep. in part, Bom. Act 4 of 1905. Rep. in part and amended, Bom. Act 1 of 1908. Amended, Bom. Act 2 of 1919. Bom. Act 3 of 1919.	105
1900	I	The Bombay Civil Courts Amendment Act, 1900.	.....	107

¹ These short titles were given by the Bombay Short Titles Act, 1921 (Bom. Act 2 of 1921), see Vol. V of this Code.

ii *Chronological Table of Acts of the Governor of Bombay in Council in force in Bombay (1898 to 1908)—contd.*

1	2	3	4	5
Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
1900	II	¹ The City of Bombay Municipal (Amendment) Act, 1900.	Amended, Bom. Act 5 of 1903.	108
X "	III	¹ The Bombay City Land-revenue (Amendment) Act, 1900.	.....	109
1901	I	¹ The Bombay Salt (Amendment) Act, 1901.	.....	110
"	II	The Bombay Port Trust Act Amendment Act, 1901.	.. ...	110
"	III	The Bombay District Municipal Act, 1901.	Rep. in part, Bom. Act 1 of 1910. Rep. in part and amended— Bom. Act 3 of 1903. Bom. Act 4 of 1904. Amended, Act 38 of 1920. Bom. Act 3 of 1902. Bom. Act 10 of 1912. Bom. Act 3 of 1914. Com. Act 3 of 1915. Bom. Act 6 of 1917. Bom. Act 6 of 1918. Bom. Act 2 of 1919. Com. Act 3 of 1920. Supplemented, Bom. Act 5 of 1890 [saved by s. 2 (1) (c) of Bom. Act 3 of 1901; and by Bom. Act 2 of 1899 as amended by Bom. Act 3 of 1902. Supplemented, Com. Act 1 of 1918.	111
"	IV	The City of Bombay Improvement Amendment Act, 1901.	Modified, Bom. Act 1 of 1915, ss. 2(a), 7.	259
"	V	The Bombay Abkari Act Amendment Act, 1901.	Virtually rep. in part, Bom. Act 12 of 1912.	260

¹ These short titles were given by the Bombay Short Titles Act, 1921 (Bom. Act 2 of 1921), see Vol. V of this Code.

*Chronological Table of Acts of the Governor of Bombay in Council
in force in Bombay (1898 to 1908)—contd.*

iii

1	2	3	4	5
Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
X 1901	VI	The Bombay Land-revenue Code Amendment Act, 1901.	.....	262
X 1902	I	The Dekkhan Agriculturists' Relief Act, 1902.	.....	264
"	II	The Karachi Port Trust Act Amendment Act, 1902.	.....	264
"	III	The Bombay District Municipal Act (301) Amendment Act, 1902.	.....	268
"	IV	The City of Bombay Police Act, 1902.	Rep. in part, Bom. Act 1 of 1910. Rep in part and amended, Bom. Act 2 of 1917. Bom. Act 5 of 1913. Amended, Act 38 of 1920. Bom. Act 4 of 1905. Bom. Act 3 of 1915. Bom. Act 6 of 1920. Bom. Act 18 of 1920. Bom. Act 5 of 1921.	271
1903	I	<i>The Bombay Abkari (Amendment) Act, 1903.</i>	Virt. rep., Bom. Act 12 of 1912.	330
"	III	¹ The Bombay District Municipal (Amendment) Act, 1903.	.....	330
"	V	¹ The City of Bombay Municipal (Amendment) Act, 1903.	.....	331
1904	I	The Bombay General Clauses Act, 1904.	Amended, Bom. Act 4 of 1905.	331
X "	III	The Khoti Settlement Act Amendment Act, 1904.	.. ..	349
"	IV	¹ The Bombay District Municipal (Amendment) Act, 1904.	.....	350

¹ These short titles were given by the Bombay Short Titles Act, 1921 (Bom. Act 2 of 1921), see Vol. V of this Code.

iv *Chronological Table of Acts of the Governor of Bombay in Council in force in Bombay (1898 to 1908)—concl'd.*

1	2	3	4	5
Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
✓ 1905	I	The Bombay Court of Wards Act, 1905.	Amended, Bom. Act 1 of 1910. Bom. Act 2 of 1913.	351
4 "	II	The Gujarat Taluqdars' (Amendment) Act, 1905.	.....	371
"	III	¹ The Bombay Abkari (Amendment) Act, 1905.	.....	372
U "	IV	The Bombay Repealing and Amending Act, 1905.	.. ..	372
"	V	The City of Bombay Municipal (Amendment) Act, 1905.	.....	375
1906	I	The Sind Courts Amendment Act, 1905.	Amended, Bom. Act 1 of 1910. S. 6 virt. rep. in part, Bom. Act 2 of 1916.	383
"	II	The Mamlatdars' Courts Act, 1906.	.....	384
1907	I	The Bombay Tramways (Amendment) Act, 1907.	.. ..	397
4 "	II	The Dekkhan Agriculturists' Relief (Amendment) Act, 1907.	.....	398
"	III	The City of Bombay Police Charges Act, 1907.	S. 23 virt. rep., Bom. Act 1 of 1913. S. 24 virt. rep., Act 8 of 1914.	399
1908	I	The Government Occupants (Sind) Amendment Act, 1908.	.....	403
"	II	The City of Bombay Improvement (Amendment) Act, 1908.	.....	404

¹ This short title was given by the Bombay Short Titles Act, 1921 (Bom. Act 2 of 1921), see Vol. V of this Code.

INDEX.

(References are to pages.)

	PAGE.
BOMBAY ABEKARI ACT AMENDMENT ACT, 1901	260
BOMBAY ABEKARI ACT AMENDMENT ACT, 1905	372
BOMBAY ABEKARI (AMENDMENT) ACT, 1903	330
BOMBAY CITY LAND-REVENUE (AMENDMENT) ACT, 1900	109
BOMBAY COURT OF WARDS ACT, 1905	351
Appeal	360
Arrears of rent, recovery of	364
property under management not liable to sale for	365
Claimants, notice to, publication of	359
to furnish full particulars of claim	360
Claims, investigation and decision of	360
Report to Government	361
Commissioner to be Court of Wards	354
Control of Governor in Council	369
Decrees against Government Ward, execution of, to be stayed	361
Definitions	353
Delegation of powers	362
Duties	364
Eviction, power of	364
Governor in Council, control of	369
power to make rules	370
Government Wards—	
adjudication of civil disputes	366
allowance to ward, his family and dependents	363
custody, education and residence of	363
disabilities of	366
processes against	365
suits on behalf of	365
wills made by	367
Guardians, appointment of	363
on withdrawal of superintendence	368
Heirs, custody of	357
Landholders, when disqualified to manage property	355
Manager, appointment of	362
duties of	364
liabilities of	362
status of, in suits against Government Wards	365
to be deemed public servant	363
Notice to claimants, publication of	359
Powers, delegation of	361
general	363
in regard to property of Government Wards	364
of Governor in Council to make rules	370

	PAGE.
BOMBAY COURT OF WARDS ACT, 1905—<i>contd.</i>	
Powers to evict	364
Property, succession to, disputed	367
temporary custody of	367
under management not liable to sale for arrears	365
Rent, arrears, recovery of	364
Rules, power of Governor in Council to make	370
Servants of the Court of Wards to be deemed public servants	363
Suits, bar of	370
costs of, payment of	365
notice of	365
Superintendence—	
assumption of	354
in case of Hindu undivided family	356, 357
notification of	358
of person of disqualified land-holder	358
on application of land-holder or pension-holder	356
where Government officer appointed guardian	355
where land held in more than one jurisdiction	358
withdrawal of	367
BOMBAY CIVIL COURTS AMENDMENT ACT, 1900	107
BOMBAY DISTRICT MUNICIPAL ACT (1901) AMENDMENT ACT, 1902	268
Schedule of enactments amended	269-270
BOMBAY DISTRICT MUNICIPAL ACT, 1901	111
Accounts—	
audit of	208
Budget Estimate	238
presentation of	238
publication of	239
transmission to Government	239
Amended	268
Assessment List—	
amendment of	178
effect of	178
objections	178
authentication of	177
custody and inspection of	178
objections to, how to be made	177
hearing of	177
preparation of	176
publication of	177
revision of	177
Bathing places	215
Brothels	230

BOMBAY DISTRICT MUNICIPAL ACT, 1901—*contd.*

PAGE.

Buildings—

brackets, etc., fixing of	206
defacing of, penalty for	206
dangerous	207
level of	195
new, notice of —	
suspension of	196
exceptions	196
numbering of	206
overcrowding of	225
projections	205
rain water pipes	205
regulation of	194
repairs	210
roofs and outer walls of, materials	195

Cattle—

diseases among	225
feeding of, on filth	216
tethering	215
Charitable institutions, contributions to	171
City Municipalities, special provisions for	243-245

Claims, recovery of—

Bills for taxes, presentation of	186
contents of	186
Demand, notice of	186
appeals	190
Distrain and sale of goods	188-189
suspension of power to recover by	190
outside the Municipal District	189
Fees and costs of	189
Land and buildings liable for rates	190
Receipts for payments	191
Warrant, how executed	188
issue of	187

Committees—

Casual vacancies.	150
Chairman	150
Consultative committees	149
Joint Committees	153
Managing Committees	148
powers of	149
Orders of, subject to revision and appeal	152

	PAGE.
BOMBAY DISTRICT MUNICIPAL ACT, 1901—<i>contd.</i>	
Drainage, etc.—	
control over	199
for new buildings	200
inspection of	204
expenses of	204
municipal drains, encroachments on	203
private drains to drain into	200
powers of Municipality for making	199
to close private drains	203
through lands of other persons	201
how to be carried out	201
rights of owners of such lands	202
Elections—	
corrupt practices	140
irregularities not to invalidate	140
validity of	139
inquiry into	139-140
voters, disqualifications of	139
Enactments repealed	126
savings	126
Entry, powers of	234
Fees	180
Food, articles of—	
adulterated	218-219
search for and inspection of	218
Huts—	
improvement of	198
regulation of	198
Improvement expenses	233
Land, acquisition of	156
Magistrates, powers of	236
Markets	216
Meetings—	
adjournment	147
business to be transacted	146
notice of certain	147
General Meetings, ordinary	145
special	145
Government servants, presence of	148
how presided over	146
Municipal Commissioner may attend and speak at	148
Notice of	145

	PAGE.
BOMBAY DISTRICT MUNICIPAL ACT, 1901—<i>contd.</i>	
Meetings—<i>contd.</i>	
open to certain Government servants	148
public	146
place of	146
proceedings, minutes of	147
validity of	153
questions to be decided by votes	147
quorum	146
Resolutions, modification and cancellation of	147
Municipal Commissioner—	
appointment of	245
functions of	144
leave and leave allowances	247
powers of	240-241, 243, 248-252
removal from office	246
right to attend and speak at meetings	148
salary of	246
term of office	246
Municipal District—	
boundary marks	130
declaration of	129
limits of	130
naming of	131
periodical	130
powers and duties of	135
taxes, rates, etc., in	135
Permanent	131
Municipal Fund—	
application of	167
constitution of	166
misapplication, responsibility for	156
special trusts	166
surplus funds, investment of	168
Municipal Property—	
acquisition of property	164
application of	167
claims to, decision of	165-166
damage to, how made good	236-237
to vest in Government	130
vested property	165
Municipalities—	
By-laws, power to make	160
claims, recovery of	186-191

BOMBAY DISTRICT MUNICIPAL ACT, 1901—*contd.*

PAGE.

Municipalities—*contd.*

charitable institutions, contributions to	171
competency to enter into contracts, etc.	154
constitution and incorporation of	132
in exceptional cases	135
Councillors— <i>see</i> "Councillors".	
discretionary powers of expenditure	170
duties of	168-170
duties, powers and functions of, may be delegated to individuals	152
election roll	134
elections, rules for regulating	132
<i>See also</i> "Elections."	
Fees, power to charge	180
Funds— <i>see</i> "Municipal Fund."	
Meetings— <i>see</i> "Meetings."	
Municipal Commissioner, functions of	144
President and Vice-President	142
Proceedings, validity of	153
Property— <i>see</i> "Municipal Property."	
Public institutions, contributions to	171
Rules, power to make	158
Voters, disqualifications of	139
qualifications of	133
Notices, non-compliance with, penalty for	232
service of	230-231
Notified Areas—	
application of Act to	255
constitution of	254
preliminaries to	255
funds of, application of, when area ceases to be notified	255
proceeds of, expenditure of	255
Nuisances, abatement of	215
prevention of	212
Octroi—	
account current with public bodies in lieu of	185
articles liable to, examination of	183
search for	183
by-laws, submission of	183
collection of, by one public body for another	185
evasion of, penalty for	184
joint levy of	154
non-payment of, penalty for	184
Officers and Servants, liabilities of	156

	PAGE.
BOMBAY DISTRICT MUNICIPAL ACT, 1901—<i>contd.</i>	
Overcrowded areas, powers in respect of	226-227
buildings	225
Police Officers, powers of	238
Powers, withdrawal and modification of	224
President—	
absence without leave, consequence of	142
casting vote	144
functions of	143-144
liability to removal	143
selection and election of	142
term of office	143
vacancies, how to be filled up	143
Privies, provision of	202
repair, etc., of	202
Prosecutions	236
Prostitution	230
Public institutions, management of	172
Quarrying, dangerous	211
Rent on land, recovery of	237
Schedules	256-258
Slaughter houses	216
Smoke, consumption of	216
Steam-whistles, etc., prohibition of use of	229
Streets—	
naming of	206
new, laying out of	192
pavements, displacement of	208
public, any street declared a	192
laying out of	191
obstructions and encroachments on	209
regular line of	193
repair of	191
trees, hedges, trimming of	206
Suits, limitation of	237
Taxes—	
from whom primarily leviable	179
imposition of	172-174
procedure preliminary to	174
objectionable taxes, suspension of	182
on pilgrims	182
recovery of, from occupiers	179
reduction, suspension or abolition of	180
remission of	179-180
special provisions relating to certain	180

	PAGE.
BOMBAY DISTRICT MUNICIPAL ACT, 1901— <i>concl'd.</i>	
Tolls—	
Farming of	186
non-payment of, penalty for	184
tables of	184
Trades and occupations, regulation of certain	228-229
Vice-President—	
absence without leave, consequence of	142
election of	142
functions of	144-145
leave, limit to grant of	143
liability to removal	143
term of office	143
vacancies, how filled up	143
Water sources, insanitary and dangerous	207
fouling	215
Weights and Measures, false	220
Works, execution of, without allowing option to person concerned	204
Expenses of	204
BOMBAY DISTRICT MUNICIPAL (AMENDMENT) ACT, 1903	330
BOMBAY DISTRICT MUNICIPAL (AMENDMENT) ACT, 1904	350
BOMBAY DISTRICT POLICE (AMENDMENT) ACT, 1898	5
BOMBAY GENERAL CLAUSES ACT, 1904	331
Acts, coming into operation of	337
Appendix (Amendments made in the Regulations and Acts by Act No. 3 of 1886)	343-348
Construction, rules of	337
Definitions	333-337
Distances, measurement of	339
Enactments—	
citation of	342
repealed—	
effect of repeal	337
reference to	338
revival of	338
orders, etc., issued under enactments repealed and re-enacted, continuation of	341
Fines, recovery of	341
Functionaries—	
substitution of	339
successors	339

	PAGE.
BOMBAY GENERAL CLAUSES ACT, 1904—<i>concl'd.</i>	
Gender and number	339
Offences punishable under two or more enactments	342
Official Chiefs and subordinates	340
Powers conferred on Government	339
Repeals	333, 342
Rules and orders	340-341
Savings	342
Service by post, meaning of	342
Time, commencement and termination of	338
computation of	338
BOMBAY LAND REVENUE CODE AMENDMENT ACT, 1901	262
Validity of past assessments	262
BOMBAY PORT TRUST (AMENDMENT) ACT, 1899	98
BOMBAY PORT TRUST ACT AMENDMENT ACT, 1901	110
BOMBAY PREVENTION OF ADULTERATION ACT, 1899	100
Amendments to the City of Bombay Municipal Act, 1888	104
Food, analysis of—	
penalty for refusing to sell for the purpose of	103
procedure	103-104
Food not of the proper quality, sale of—	
Prosecutions—	
no proceedings to be instituted without leave of Commis- sioner or President	101
punishment	102
protection to persons acting in good faith	102
summonses	101
what is a good defence in	103
Restriction <i>re</i> application of certain sections	100
BOMBAY REPEALING AND AMENDING ACT, 1905	372
Amendments	373-374
Repeals	374
BOMBAY SALT (AMENDMENT) ACT, 1901	110
BOMBAY TRAMWAYS (AMENDMENT) ACT, 1907	397
CITY OF BOMBAY IMPROVEMENT ACT, 1898	6
Accounts	66-67
Acting Chairman, appointment and salary of	25
Amended	259, 404
Board of Trustees— <i>See</i> " Trustees, Board of "	

	PAGE.
CITY OF BOMBAY IMPROVEMENT ACT, 1898— <i>contd.</i>	
Borrowing Powers—	
Power to borrow from Secretary of State and other persons	52
Interest, guarantee for	64
Payment to survivors of joint payees	54
Period over which loans may extend	53
Repayment of borrowed money	52
Securities, form of	53
grant mortgages	54
take advances from Banks	54
Sinking Fund, provision for	52
By-laws, Board to make	69
approval and publication of	69
infringement of, penalties for	70
Chairman—	
appointment of, by Government	18
duration of term of office	19
duties of	25
leave allowances and pension of	25
leave of absence	25
removal of	19
salary of	21
signature of, on coupons of debentures	24
to preside at meetings	22
Commissioner— <i>See</i> "Municipal Commissioner".	
Committees—	
acts not invalidated by informalities	24
delegation of power to	23
President	23
questions to be decided by votes	23
quorum	23
when to meet	23
Contracts, execution of	24
Deferred Street Schemes	33
Particulars	33
Definitions	16
Distances, measurement of	71
Funds— <i>See</i> "Municipal Fund."	
Improvement Schemes	26
Land, acquisition of	29-30
particulars of, declaration of	31
Notification, publication of	29
Official reference	27
definition of	28
representation, who to make	27
particulars of	28

	PAGE.
CITY OF BOMBAY IMPROVEMENT ACT, 1898— <i>contd.</i>	
Improvement Schemes— <i>contd.</i>	
power to alter	31
procedure on completion of	28-29
service of notice	29
to be sent (with particulars) to Government for sanction	30
Land, acquisition of—	
by the Board, by agreement	45
other than by agreement	45
Collector to take possession and transfer land to Board	51
Compensation, provisions as to	49-50
to Board on land resumed	51
“Reclamation, cost of” defined	51
Tribunal of Appeal—	
constitution	47
decision of, enforcement of	40
appeal against	40
functions of	47
Members—	
duration of office	48
remuneration of	48
removal of	48
supply of vacancies	48
powers of	49
President—	
powers of	49
selection of	48
Land vested in the Board.— <i>See</i> under “Property and Liabilities of the Board.”	
Meetings—	
decision of questions by votes	23
minutes of	23
ordinary meetings	22
Poll	23
President	22
Quorum	22
Special meetings	22
Officers and Servants—	
appointment of	68
“Engineer” defined	69
leave, allowances and pensions, Board to frame Regulations for	68
strength	67

	PAGE.
CITY OF BOMBAY IMPROVEMENT ACT, 1898— <i>contd.</i>	
Penalties—	
for being interested in contracts with the Board	70
obtaining illegal gratification	70
Police Accommodation Schemes	40
execution of	41
lease to Government, terms of	41
particulars	40
procedure on completion of scheme	40
vesting of land in Board	41
His Majesty	42
Poorer Classes Accommodation Schemes—	
Deposit by and notice to the employer	36
refund of deposit	36
land on which dwellings may be constructed	35
lease—	
default and determination of	37
provision as to	37
term of	36
particulars	35
procedure on completion of scheme	35
when dwellings are to be constructed on land of Government or Corporation vested in the Board	35
rent, amount of	36
Property and Liabilities of the Board	55-61
guarantee for the fulfilment of liabilities	64
lands vested in the Board—	
Board to maintain and manage	56
exchange of	57
application of proceeds of exchange	60
Government and Corporation may resume	58
may be leased by the Board	56
term of lease	57
vesting of property in His Majesty or Corporation on termination of lease	59
particulars of	55
period for which land shall remain vested	57
Powers of the Board—	
to acquire and hold property	59

CITY OF BOMBAY IMPROVEMENT ACT, 1898—*contd.*Property and liabilities of the Board—*contd.*Powers of the Board—*contd.*

to apply certain lands vested in the Board to the purposes of schemes	60
lease	59
sell	60
application of sale proceeds	60
Proceeds of sale and exchange of property, etc., application of to vest in the Corporation on dissolution of Board	60
to vest in the Corporation on dissolution of Board	61
Reclamation Schemes	38
Government not liable for loss	40
Notification, publication of	39
to be communicated to the President of the Corporation	39
particulars	39
procedure on completion of scheme	39
to be sent to Government for sanction	40
Revenue and Expenditure	61-67
Accounts, audit of	66
publication of report	67
remuneration of auditors	67
division of	62
Annual Estimates—	
First Estimates	66
submission of, by Chairman	65
Supplementary Estimates	66
to be considered by the Board	65
submitted to Government	65
Balances, disposal of	64
Banking	67
Expenditure of sums not included in the Annual Estimates	66
General Accounts, application of moneys credited to	63
to distinguish between items in respect of certain lands	63
Guarantee for fulfilment of liabilities	64-65
Municipal Fund, contribution from	61
Payments by Government	62
Savings of Acts	16
Schedules	72-97
power of Government to alter entries in	58
Seals	24

CITY OF BOMBAY IMPROVEMENT ACT, 1898—*contd.*

Sinking Fund—

investment of, dates for	53
procedure in the event of default	64
provision for	52
Streets, minimum width of	44
proviso	44
service passage	45
to vest in Corporation on completion of Street Schemes	44

Street Schemes—

Deferred— <i>See</i> “ Deferred Street Schemes ”	
Municipal Streets and lands to be vested in Board	42
disputes	43
cost of acquiring land when to be repaid to Corporation	43
open spaces for ventilation to vest in Corporation	45
particulars of	32
procedure on completion of scheme	33
streets to vest in Corporation on completion of scheme	44
Suits, limitation of	71

Term of Office—

of Chairman	19
first Trustees	19
when to commence	18

Trustees—

casual vacancies	19
disqualifications of	20
proviso	20
election of	18
method of	18
procedure in event of default to elect	18
report of	18
Fees payable to	21
nomination of	18
penalties	70
power to vote, etc., restrictions on	21
term of office	19
when to vacate office	20

Trustees, Board of—

acquisition of land by	45-46
acts not invalidated by informalities	24
borrowing powers	52

	PAGE.
CITY OF BOMBAY IMPROVEMENT ACT, 1898— <i>contd.</i>	
Trustees, Board of— <i>contd.</i>	
casual vacancies—	
acting appointment for less than 3 months	19
filling up of	19
for periods exceeding 3 months	19
Chairman— <i>See</i> " Chairman ".	
claims by or against, compromise of	2
constitution	17
contracts	24
delegation of power to Committees	23
dissolution of	61
duties and powers	26-51
election of Trustees	18
gas pipes, liabilities as to	44
meetings— <i>See</i> " Meetings ".	
officers and servants	67-68
proceedings of	22-24
property and Liabilities— <i>See</i> " Property and Liabilities of the Board. "	
Reclamation rights, particulars of	58
Seal, custody and use of	24
term of office	19
to exercise certain powers of Municipal authorities in respect of land vested in Board	43-44
CITY OF BOMBAY IMPROVEMENT (AMENDMENT) ACT, 1901	259
CITY OF BOMBAY IMPROVEMENT (AMENDMENT) ACT, 1908	404
CITY OF BOMBAY MUNICIPAL (AMENDMENT) ACT, 1900	108
CITY OF BOMBAY MUNICIPAL (AMENDMENT) ACT, 1903	331
CITY OF BOMBAY MUNICIPAL (AMENDMENT) ACT, 1905	375
CITY OF BOMBAY MUNICIPAL INVESTMENTS ACT, 1898	1
Debentures issued by the Corporation, transfer to the Corporation of power to reserve, for investment in securities for Sinking Funds and Surplus Moneys	1-2
validation of certain	2
signature by Municipal Commissioner to transfer of debentures	2
Municipal Commissioner, power of, to reserve debentures	2
validation of signature by, to transfers of debentures	2
CITY OF BOMBAY, POLICE ACT, 1902	271
Acts done in good faith, protection for	328
under colour of duty, time-limit for suit for	328
Additional Police officers—	
appointment and powers of	282
cost of	282
discontinuance of	28

	PAGE.
CITY OF BOMBAY POLICE ACT, 1902—<i>contd.</i>	
Arrest—	311
procedure after arrest	313
search	311-312
of women	312
warrant	314-316
without warrant	296-298
Assistant Commissioner of Police, appointment and powers of	280
Bail—	
bond	318
forfeiture of, procedure on	318
in case of—	
bailable offence	317
non-bailable offence	317
Brothel-keepers, segregation of	292
Commissioner of Police—	
appointment and removal of	280
consent, proof of	328
signature on notices, etc.	328
Magisterial powers	305
power to appoint, etc., police officers	281-283
Constitution of Police Force	280
Definitions	278
Deputy Commissioner of Police—	
appointment and powers of	280
Magisterial powers	305
Divisions and Sections	283
Dogs, stray, destruction and sale of	293
muzzling of	293
Fees and rewards, etc., disposal of	326
gangs, dispersal of	292
Information—	
in cognizable cases	305
non-cognizable cases	305
Investigations	305-311
License—	
production of, when required	327
revocation of	327
Magisterial powers—	
of Commissioner of Police	305
Deputy Commissioner of Police	305
Notice, public	327
signature of Commissioner	328
Offences and Punishments	319-326
official records, etc., protection of	308

	PAGE.
CITY OF BOMBAY POLICE ACT, 1902—<i>contd.</i>	
Order—	
at religious ceremonials, maintenance of	291
in public places, preservation of	287, 291
Police Officers—	
always on duty	285
appointment, promotion, etc., of	281
duties of	294-296
non-liability to penalty for acts done in good faith	328
offences by	285-286
powers of	281 296-298
resignation of	284
superior officers to perform duties assigned to subordinate officers	304
Pounds, public	303
fees	304
Procession and assembly, prohibition of	290
Prostitutes, segregation of	292
penalty for non-compliance with notice	325
Public amusement or entertainment, places of	288-289
disorderly conduct in	323
Public place or street, committing nuisance in or near	323
reservation of	290
Repeals	278, 329
savings	278
Riot, prevention of	290-291
Rules and orders—	
annulment of	327
non-liability to penalty for giving effect to, in good faith	328
not invalidated by irregularity in procedure	326
contravention of	325
Savings of—	
certain Acts	288
official records, etc.	308
Schedules	329
Search—	
for arrest	311
of women	312
warrant	316-317
Segregation of prostitutes and brothel-keepers	292
Special Police Officers—	
appointment and powers of	282-283
refusal to serve as	283

	PAGE.
CITY OF BOMBAY POLICE ACT, 1902— <i>concl'd.</i>	
Stolen property, seizure of	298
suspected, omission to report possession of	320
melting of	321
Suits—	
dismissal of, in certain cases	322
time-limit for, for acts done under colour of duty	322
Summons	314
Superintendent of Police, appointment and powers of	280
Trespass, penalty for	319
Unclaimed property	302
Unlawful Assembly, compensation for injury caused by dispersal of	301 299-300
Unlawful detention for prostitution	324
Vagabonds, arrest of	298
Vexatious entry, search, etc., by police officers	285
Warrant of arrest	314-316
search	316-317
Weapons, offensive, seizure of	313
Weights and Measures	304
CITY OF BOMBAY POLICE CHARGES ACT, 1907	399
DEKKHAN AGRICULTURISTS' RELIEF ACT, 1902	264
DEKKHAN AGRICULTURISTS' RELIEF (AMENDMENT) ACT, 1907	398
GOVERNMENT OCCUPANTS (SIND) ACT, 1899	105
Amended	403
Application of Act	105
Definition	105
Occupancies—	
conditions, statement of	105
grant of, mode of making	106
power to grant	106
sums due recoverable as arrears of land revenue	107
retrospective effect of Act	107
rights of occupants, transfer of	106
GOVERNMENT OCCUPANTS (SIND) AMENDMENT ACT, 1908	403
GUJARAT TALUQDARS' (AMENDMENT) ACT, 1905	371
KARACHI PORT TRUST ACT AMENDMENT ACT, 1902	264
KHOTI SETTLEMENT ACT AMENDMENT ACT, 1904	349
MAMLATDARS' COURTS ACT, 1906	384
Adjournment of proceedings	390
Appeals, bar of	394

	PAGE.
MAMLATDARS' COURTS ACT, 1906— <i>contd.</i>	
Collector, deemed to be a Court	394
to revise Mamlatdars' proceedings	394
transfer of suits by	387
Cause of action	386
Costs, recovery of	394
Courts, powers of	385
Decisions at hearing of case	391
how executed	393
proviso as to growing crops	393
Delegation of power	385
Injunctions	386
disobedience to, penalty for	394
service of, mode of	393
Interpretation	385
Joint Mamlatdar	385
Mamlatdar—	
orders to be passed by, upon decisions	392
points to be decided at hearing by	391
power to add parties	391
inspect property in dispute	392
transfer suits to Joint Mamlatdar	385
proceedings, revision of, by Collector	394
Notices, forms of	395-397
Orders to be endorsed on plaint and read out	393
passed by Mamlatdars on decisions	392
Party (ies), death of, procedure in case of	391
power to add	391
Petitions, informal, to be treated as plaints	388
Plaints—	
contents of	387
<i>ex parte</i> decision of	390
false, verification of, penalty for	394
informal petitions to be treated as	388
procedure when plaint admissible	389
rejection of	388, 390
return of	389
suits to be commenced by	387
to be subscribed and verified	388
endorsement	388
Plaintiff, default of	390
examination of	388
Possession, without prejudice to rights of parties	394
Proceedings, adjournment of	390
record of	392

INDEX—*concl'd.*

425

	PAGE.
MAMLATDARS' COURTS ACT, 1906—<i>concl'd.</i>	
Revision of Mamlatdar's proceedings	394
Schedules	395-397
Suits—	
bar of	395
commencement by plaint	387
time-limit for filing of	386
transfer of, by Collector	387
Mamlatdars	385
Witnesses, attendance of	389
SIND COURTS AMENDMENT ACT, 1906	383
SINDH VILLAGE OFFICERS (AMENDMENT) ACT, 1898	4

SIMÉA

SUPERINTENDENT, GOVERNMENT CENTRAL PRESS

1923