

## TABLES OF CONTENTS

	PAGES
<b>Agenda for the Third Session of the Bombay Legislative Council ..</b>	<b>1-36</b>
<i>Monday, the 24th September 1928</i>	
Members present .. .. .	37-38
Swearing in .. .. .	38-39
Nomination of four Chairmen .. .. .	39
Questions and Answers .. .. .	39-53
Library Committee .. .. .	53
Statement regarding Godhra Riots .. .. .	54-55
<b>Government Bills—</b>	
Bill No. XVIII of 1928 (A Bill further to amend the City of Bombay Municipal Act, 1888)—	
Motion for second reading .. .. .	56-57
Bill read clause by clause .. .. .	57-78
Motion for third reading .. .. .	78
Bill No. XIV of 1928 (A Bill further to amend the Bombay Land Revenue Code, 1879)—Bill not proceeded with .. .. .	78-79
Bill No. XXVI of 1928 (A Bill to provide for the establishment of a Court of Small Causes at Karachi)—Motion for first reading .. .. .	79-87
Bill referred to Select Committee .. .. .	87-88
Bill No. XXVII of 1928 (A Bill to amend certain enactments and to repeal certain other enactments)—Motion for first reading .. .. .	88-89
Motion for second reading .. .. .	89-91
Bill read clause by clause .. .. .	91-94
Motion for third reading .. .. .	94
<b>Supplementary Grants—</b>	
Remodelling Kander Branch <i>ex-Mahiwah</i> .. .. .	94-95
<i>Tuesday, the 25th September 1928</i>	
Members present .. .. .	96-98
<b>Government Bills—</b>	
Bill No. XXVIII of 1928 (A Bill to amend the Bombay University Act, 1923)—	
Motion for first reading .. .. .	98-124
Motion for second reading .. .. .	124-125
Bill read clause by clause .. .. .	125-128
Motion for third reading .. .. .	128-129
<b>Supplementary Grants—</b>	
Remodelling of Kander Branch <i>ex-Mahiwah (Contd.)</i> .. .. .	129-136
Excavating the Pateji Branch <i>ex-River Indus</i> to the 62nd Mile Western Nara .. .. .	136-137
Arrangement of Business .. .. .	137-138
<i>Wednesday, the 26th September 1928</i>	
Members present .. .. .	139-141
Questions and Answers .. .. .	141-162
<b>Supplementary Grants—</b>	
Excavation of Pateji Branch <i>ex-Indus (Contd.)</i> .. .. .	162-176
Sera and Vaccine for Civil Veterinary Department .. .. .	176-178
Lloyd Barrage and Canals Scheme .. .. .	178-216
Godhra Riots .. .. .	216-219

	PAGES
Supplementary Grants—	
Bombay Development Scheme .. .. .	219-220
Expenditure on relief purposes in flood areas .. .. .	220
Arrangement of Business .. .. .	220-221
<i>Thursday, the 27th September 1928</i>	
Members present .. .. .	222-224
Godhra Riots .. .. .	224
Indian Statutory Commission Committee .. .. .	224-225
Appreciative Reference : Sir Chunilal Mehta .. .. .	225-236
Private Bills—	
Bill No. XXVII of 1927 (A Bill further to amend the City of Bombay Municipal Act, No. III of 1888)—	
Motion for second reading .. .. .	236-238
Bill read clause by clause .. .. .	238-255
Indian Statutory Commission Committee .. .. .	255
Private Bills—	
Bill No. XXVII of 1927 (City of Bombay Municipal Act Amendment Bill)—	
Bill read clause by clause ( <i>Contd.</i> ) .. .. .	255-284
<i>Saturday, the 29th September 1928</i>	
Members present .. .. .	285-286
Questions and Answers .. .. .	287-294
Surat Riots .. .. .	294
Private Bills—	
Bill No. XXVII of 1927 (A Bill further to amend the City of Bombay Municipal Act, No. III of 1888)—Bill read clause by clause ( <i>Contd.</i> )..	295-333
Death of Syed Ameer Ali .. .. .	333
<i>Monday, the 1st October 1928</i>	
Members present .. .. .	334-335
Questions and Answers .. .. .	336-352
Nasik Disturbances .. .. .	352
Surat Riots .. .. .	352-353, 357
Godhra Riots .. .. .	353-357
Trouble in Broach .. .. .	357
Supplementary Grants—	
Lloyd Barrage Scheme .. .. .	357-360
Private Bills—	
Bill No. XXVII of 1927 (A Bill further to amend the City of Bombay Municipal Act, No. III of 1888)—	
Bill read clause by clause ( <i>Contd.</i> ) .. .. .	360-402
<i>Tuesday, the 2nd October 1928</i>	
Members present .. .. .	403-404
Questions and Answers .. .. .	405-421
Visit of Members of the Legislative Council to Sukkur Barrage .. .. .	421
Private Bills—	
Bill No. XXVII of 1927 (A Bill further to amend the City of Bombay Municipal Act, No. III of 1888)—	
Bill read clause by clause ( <i>Contd.</i> ) .. .. .	422-432
Motion for third reading .. .. .	432-434
Appreciative Reference : Sir Cowasji Jehangir .. .. .	434-439
Arrangement of Council Business .. .. .	439-441

CONTENTS

iii

PAGES

<b>Private Bills—</b>	
A Bill further to amend the Bombay Local Boards Act, 1923—(Motion for leave to introduce the Bill) .. .. .	441
A Bill further to amend the City of Bombay Police Act, 1902—(Motion for leave to introduce the Bill) .. .. .	441
A Bill to amend the Bombay District Vaccination Act, 1892—(Motion for leave to introduce the Bill) .. .. .	442
A Bill further to amend the Bombay Local Boards Act, 1923—(Motion for leave to introduce the Bill) .. .. .	442
A Bill further to amend the City of Bombay Police Act, 1902—(Motion for leave to introduce the Bill) .. .. .	442-443
A Bill further to amend the Bombay Land Revenue Code, 1879—(Motion for leave to introduce the Bill) .. .. .	443
A Bill further to amend the Bombay Rent War Restrictions Act, 1918, and the Bombay Rent (War Restrictions No. 2) Act, 1918—(Motion for leave to introduce the Bill) .. .. .	444
A Bill further to amend the Dekkhan Agriculturists' Relief Act, 1879—(Motion for leave to introduce the Bill) .. .. .	444
<b>Motion to Amend Standing Orders—</b>	
Motion No. VII of 1928 .. .. .	445-446
<b>Private Bills—</b>	
Bill No. XXIV of 1927 (A Bill further to amend the Bombay Local Boards Act of 1923)—(Motion for first reading—(Postponed) .. .. .	446-447
Bill No. XXVIII of 1927 (A Bill further to amend the Bombay Local Boards Act, 1923—(Motion for first reading)—Not proceeded with .. .. .	447
Bill No. XXI of 1928 (A Bill further to amend the Bombay Land Revenue Code, 1879)—(Motion for first reading)—Not moved .. .. .	447
Bill No. XXII of 1928 (A Bill to amend the Bombay Pleaders Act, 1920)—(Motion for first reading—(Consideration postponed) .. .. .	447-448
Bill No. XXIII of 1928 (A Bill to amend the Bombay Act V of 1879, the Bombay Land Revenue Code)—	
Motion for first reading .. .. .	449-456
Bill referred to Select Committee .. .. .	456
Prorogation of Council .. .. .	456-457
Appendices .. .. .	458-512

## APPENDIX 1.

## BILL No. XVIII OF 1928.

(A Bill further to amend the City of Bombay Municipal Act, 1888.)

## REPORT OF THE SELECT COMMITTEE.

We, the undersigned members\* of the Select Committee appointed to consider Bill No. XVIII of 1928 (A Bill further to amend the City of Bombay Municipal Act, 1888), have the honour to report as follows:—

*Original Clause 2.*—We have deleted original clause 2 as, in our opinion, the present system of election by a single transferable vote, without being unduly difficult to work, effectively secures representation of minorities.

*Clause 6.*—The changes in this clause are merely verbal.

*Clause 7.*—We have deleted sub-clause (iii), as we think that the power of the Municipal Commissioner under section 390 of the City of Bombay Municipal Act should not be delegated to a municipal officer, in view of the fact that there is now a permanent Deputy Municipal Commissioner, to whom the Municipal Commissioner can delegate his powers under section 56 of the Act.

*Clause 13.*—While retaining original clause 14, we have made provision for amending section 279 of the Act in such a way as to require that the Municipal Commissioner shall give intimation to the tenants in the building before he cuts off the water-supply to it for failure of the landlord to pay water-tax, etc.

*Clause 14.*—In sub-section (I) proposed to be substituted for the present sub-section (I) to section 381, we have made the following changes:—

*Clause (i) (b).*—We consider that the sub-clause as drafted is much too comprehensive, and we have therefore reverted to the wording in section 381 (I) (b) of the Act.

*Clause (ii).*—We have deleted the words “with such materials”, so as not to tie down the owner or occupant to remedy the nuisance by executing the work only with the material suggested by the Commissioner and with no other.

*Clause (iii), proviso.*—We consider the period of six months mentioned in this clause as much too long, and we have therefore reduced it to four months.

*Clauses 16 and 17.*—We are of opinion that the maximum penalties proposed for the various offences are excessive, and have therefore reduced them so as to make them fit the gravity of the various offences involved.

\* Note.—The signatures of Messrs. B. T. Desai, J. B. Petit, P. J. Marzban and Sir Vasant Rao Dabhoikar and Dr. M. D. Gilder will be notified when received.

[Appendix 1—contd.]

We recommend that this report with a copy of the Bill as amended, together with the minutes of dissent, if any, be published in English, Marathi, Gujarati and Urdu in the *Bombay Government Gazette*.

(Signed) G. B. PRADHAN,  
 ( " ) F. W. ALLISON,  
 ( " ) R. M. MAXWELL,  
 ( " ) HOOSEINBOY A. LALLJEE,  
 ( " ) HAJI IBRAHIM JITEKAR,  
 ( " ) R. S. ASVALE,  
 ( " ) S. K. BOLE,  
 ( " ) HOOSENALLY M. RAHIMTOOLA  
 (*subject to a minute of dissent*).

(*Minute of dissent by Mr. Hoosenally M. Rahimtoola, M.L.C.*)

I do not agree with some of the provisions of the Bill and with some of the amendments made by the Select Committee.

(Signed) HOOSENALLY M. RAHIMTOOLA.

11th September 1928.

[Appendix I—contd.]

BILL No. XVIII of 1923.

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

(As amended by the Select Committee.)

Bom. III of 1888. 5 & 6 Geo. V, c. 61. 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 80-A of the Government of India Act and the previous sanction of the Governor required by section 80-C of the said Act have been obtained for the passing of this Act; It is hereby enacted as follows:—

1. *Short title.*—This Act may be called the City of Bombay Municipal (Amendment) Act, 1923.

Bom.—III of 1888. 2. ~~In sub-section 1 of section 5 of the City of Bombay Municipal Act, 1888, hereinafter called "the said Act" for the words "transferable vote" the word "ballot" shall be substituted.~~  
Amendment—of section 5 of Bom. III of 1888.

3. *2. Amendment of section 19 of Bom. III of 1888.*—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;

(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.

4. *3. Amendment of section 27 of Bom. III of 1888.*—In sub-section (2) of section 27 of the said Act,—

(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.

5. *4. Amendment of section 23 of Bom. III of 1888.*—In clause (c) 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.

6. *5. Amendment of section 36 of Bom. III of 1888.*—In clause (f) of section 36 of the said Act, for the word "twenty"

[Appendix 1—*contd.*]

in both the places where it occurs the word "twenty-five" shall be substituted.

7. 6. *Insertion of new section 36-A in Bom. III of 1888.*—After section 36 of the said Act, the following section shall be inserted, namely :—

"3-A. *Power to order withdrawal of member.*—(1)

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

Provided that the President may remit the period of suspension on apology being made to his satisfaction by the Councillor ~~or Councillors~~ 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 3 days.

8. 7. *Amendment of section 68 of Bom. III of 1888.*—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 ; and

(iii) ~~after the entry "section 384-A" the entry "section" 390 shall be inserted.~~

9. 8. *Amendment of section 92 of Bom. III of 1888.*—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.

10. 9. *Amendment of section 105 of Bom. III of 1888.*—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.

[Appendix 1—contd.]

14. 10. *Amendment of section 113 of Bom. III of 1888.*—  
For sub-section (I) of section 113 of the said Act, the following shall be substituted :—

“ 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.”

12. 11. *Insertion of new section 118-A in Bom. III of 1888.*—After section 118 of the said Act, the following section shall be inserted, namely :—

“ 118-A. *Municipal fund where to be expended.*—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.”

13. 12. *Amendment of section 143 of Bom. III of 1888.*—After the word “ Majesty ” in clause (b) of sub-section (I) 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.

14. ~~In clause (a) of sub-section (1) of section 279 of the said Act, 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.~~

Amendment of section 279 of Bom. III of 1888.

13. *In sub-sections (I) of section 279 of the said Act—*  
(a) in clause (a)

(i) *Amendment of section 279 of Bom. III of 1888.*—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.

[Appendix I—contd.]

(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.

15 11. Amendment of section 381 of Bom. III of 1888.—  
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 containing water whether or not such cistern, receptacle, article or thing contains water and is 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 with such materials 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

[Appendix 1—contd.]

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 ~~six~~ 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.

16 15. *Repeal in part of section 415 and of section 417A of Bom. III of 1888.*—The explanation to section 415 and section 417A of the said Act shall be repealed.

17 16. *Amendment of section 471 of Bom. III of 1888.*—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  1	Subject  2	Fine which may be imposed  3
Section 272, sub-section (5).	Provision as to unauthorised connections with Municipal water works, etc.	One hundred Fifty rupees "

## [Appendix 1—contd.]

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

(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.

18. In column 3 of the entries relating to section 381 and section 381-A, sub-section (2), Amendment of section 472 of Bom. III of 1888. in the table to section 472 of the said Act, for the word "five" the word "fifty" shall be substituted.

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

(1) Amendment of section 472 of Bom. III of 1888. — in column 3 of the entry relating to section 381 for the word "five" the word "fifteen" shall be substituted;

(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.

19. 18. Amendment of Schedule M of Bom. III of 1888.— For Parts I, II and III of Schedule M to the said Act, the following shall be substituted:—

## "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

[Appendix 1—concl.]

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 .. .. .	$\frac{1}{2}$ cwt.
Celluloid .. .. .	4 cwts.
Celluloid goods .. .. .	
Chemicals, liquid .. .. .	4 gals.
Chemicals, non-liquid .. .. .	$\frac{1}{2}$ cwt.
Chloride Chlorate of Potash .. .. .	$\frac{1}{2}$ "
Cinematograph films .. .. .	20 lbs.
Copra .. .. .	4 cwts.
Cotton refuse and waste .. .. .	4 "
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 .. .. .	$\frac{1}{2}$ cwt.
Saltpetre .. .. .	$\frac{1}{2}$ "
Sulphur .. .. .	$\frac{1}{2}$ "
Tar, pitch, dammer or bitumen .. .. .	$\frac{1}{2}$ "
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).
Cocoanut 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.	

**BILL No. XXVI OF 1923.**

*A Bill to provide for the Establishment of a Court of Small Causes at Karachi.*

(As published in the "Bombay Government Gazette"  
of the 6th September 1923.)

*Cf. Bur. VII  
of 1920,  
preamble.*

WHEREAS it is expedient to provide for the establishment of a Court of Small Causes at Karachi; and whereas the previous sanction of the Governor General required by section 80A (3) of the Government of India Act and the s & c previous sanction of the Governor required by section 80C Geo. V. of the said Act have been obtained for the passing of this c. 61. Act; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

*Cf. Bur. VII  
of 1920, s. 1  
(1).*

1. *Short title.*—This Act may be called the Karachi Small Cause Court Act, 192 .

*Cf. Bom. VII  
of 1926, s. 2  
(2).*

2. *Commencement.*—It shall come into force on such date as the Governor in Council may, by notification in the *Bombay Government Gazette*, appoint.

*Cf. Bur. VII  
of 1920, s. 2  
(1).*

3. *Repeal.*—On and from the date on which this Act comes into operation the Provincial Small Causes Courts Act, 1887, so far as it applies to the taluka of Karachi, shall IX c. be repealed. 1887.

Provided that—

(a) all notifications published, declarations and rules made, places appointed, securities given, agreements filed, scales prescribed, forms framed, appointments made and powers conferred under the said Act or any Act amending the same and still in force shall, so far as they are not inconsistent with this Act, be deemed to have been respectively published, made, appointed, given, filed, prescribed, framed and conferred under this Act;

(b) all proceedings instituted before, and pending at the date on which this Act comes into force in the Court of Small Causes at Karachi under the Provincial Small Causes Courts Act, 1887, shall be continued, tried, heard IX c. and determined as if they had been instituted under this 1887. Act;

[Appendix 2—contd.]

IX of  
1887.

(c) all appeals and revision proceedings instituted under the Provincial Small Causes Courts Act, 1887, before, and pending at, the date on which this Act comes into force in the Chief Court, shall be continued, tried, heard and determined as if this Act had not been passed;

IX of  
1887.

(d) all decrees passed and orders made under the Provincial Small Causes Courts Act, 1887, shall be deemed, for the purposes of execution, to have been passed under this Act:

Provided further that nothing contained in this section shall be construed to extend the period of limitation to which any proceeding or appeal may be subject.

4. *Definitions.*—In this Act, unless there is anything repugnant in the subject or context:—

(a) "Act" includes rules;

Bom.  
VII of  
1926.

(b) the "Chief Court" means the Court of the Judicial Commissioner of Sind and, when the Sind Courts Act, 1926, comes into operation, shall mean the Chief Court of Sind, established under that Act;

(c) the "Chief Judge" includes the Judge, whether permanent or officiating, when not more than one Judge has been appointed;

(d) "the Court" means the Karachi Small Cause Court established under the provisions of this Act;

(e) "Registrar" includes a "Deputy Registrar";

(f) "Rules" means the rules and forms made or prescribed under section 33;

(g) "Taluka of Karachi" means the taluka of Karachi as constituted or defined for the time being under the Bombay Land Revenue Code, 1879.

Bom.  
V of  
1879.

## CHAPTER II.

### CONSTITUTION OF THE COURT.

5. *Establishment of the Court of Small Causes.*—(1) On and from the commencement of this Act there shall be established at Karachi a Court of Small Causes to be called the Karachi Small Cause Court.

V of  
1908.  
Bom.  
VII of  
1926.

(2) It shall be deemed to be a Court subject to the superintendence of, and subordinate to the Chief Court, within the meaning of the Code of Civil Procedure, 1908, and the Sind Courts Act, 1926.

6. *Appointment of Judges.*—The Governor in Council may, from time to time, appoint one or more persons to be Judges of the Court who shall hold office during his pleasure;

[Appendix 2—*contd.*]

when more than one Judge has been appointed, the Governor in Council may appoint one of them to be the Chief Judge of the Court.

*Cf. Bom. VII of 1926, s. 7.* 7. *Rank and precedence of Judges.*—(1) The Chief Judge, whether permanent or officiating, shall have rank and precedence before the other Judges of the Court.

(2) Save as aforesaid, and subject to any general or special direction by the Governor in Council, the judges shall have rank and precedence according to the seniority of their appointment as such judges; Provided that a permanent judge shall be deemed to be senior to, and shall have rank and precedence before, an officiating judge.

*Cf. Bur. VII of 1920, s. 9.* 8. *Provision for vacancy in the office of Chief Judge.*—On the occurrence of a vacancy in the office of the Chief Judge and during any absence of the Chief Judge, the Governor in Council may appoint one of the other judges of the Court to perform the duties of the Chief Judge, until some person has been appointed by the Governor in Council to the office of the Chief Judge of the Court, and has entered on the discharge of the duties of that office, or until the absent Chief Judge has returned to his duties, as the case requires.

*Cf. Bom. VII of 1926, s. 5.* 9. *Provision for vacancy in the office of a judge other than the Chief Judge.*—On the occurrence of a vacancy in the office of a judge other than the Chief Judge, and during any absence of any such judge, or on the appointment of any such judge

*Cf. Bom. VII of 1926, s. 6.* to act as Chief Judge, the Governor in Council may appoint a person to officiate as a judge of the Court and the person so appointed may sit and perform the duties of a judge of the Court, until some person has been appointed by the Governor in Council to the office of judge of the Court and has entered on the discharge of the duties of the office, or until the absent judge has returned to his duties or until the Governor in Council sees cause to cancel the appointment of the acting judge.

*Cf. XV of 1882, s. 12.* 10. *Seal to be used.*—The Court shall use a seal of such form and dimensions as are for the time being prescribed by the Governor in Council.

## CHAPTER III.

## LAW ADMINISTERED BY THE COURT.

*Cf. Bur. VII of 1920, s. 11.* 11. *Questions arising in suits under the Act to be decided according to law administered by the Chief Court.*—All questions, other than questions relating to procedure or practice, which arise in the Court in suits or other proceedings under this Act shall be dealt with and determined according to the law for the time being administered by the Chief Court in the exercise of its original civil jurisdiction.

## [Appendix 2—contd.]

## CHAPTER IV.

## JURISDICTION IN RESPECT OF SUITS.

12. *Local limits of jurisdiction of the Court.*—(1) The *Cf. Bur. VII*  
Court shall exercise jurisdiction within the taluka of Karachi. *of 1920, s. 12.*

(2) Save as expressly provided by this Act, or by any other enactment for the time being in force, a suit cognizable by the Court shall not be tried by any other Court having jurisdiction within the taluka of Karachi.

*V of 1908.* 13. *Jurisdiction.*—Subject to the provisions of sections *Cf. Bur. VII*  
14, 15, 16 and 17 and of the Code of Civil Procedure, 1908, *of 1920, s. 13.*  
the Court shall have jurisdiction to try all suits of a civil nature when the amount or value of the subject matter does not exceed two thousand rupees.

*Explanation.*—When in any suit the sum claimed is, by a set-off admitted by both parties, reduced to a balance not exceeding two thousand rupees, the Court shall have jurisdiction to try such suit.

14. *Suits in which the Court has no jurisdiction.*—The *Cf. Bur. VII*  
Court shall have no jurisdiction in *of 1920, s. 14.*

(a) suits concerning the assessment or collection of land-revenue;

(b) suits concerning any act ordered or done by the Governor General in Council or the Local Government or by any member of the Council of the Governor General or of the Governor of Bombay, or by any Minister in his official capacity, or by any person by order of the Governor General in Council or the Local Government;

(c) suits concerning any act ordered or done by a Judge or judicial officer in the execution of his office, or by any person in pursuance of any judgment or order of any Court or of any Judge or judicial officer;

(d) suits for the recovery of immoveable property;

(e) suits for the partition of immoveable property;

(f) suits for the foreclosure or redemption of a mortgage of immoveable property;

(g) suits for the determination of any other right to or interest in immoveable property;

(h) suits for the specific performance or rescission of contracts;

(i) suits to obtain an injunction;

(j) suits for the cancellation or rectification of instruments;

(k) suits to enforce a trust;

(l) suits for a general average loss and suits on policies of insurance on sea-going vessels;

## [Appendix 2—contd.]

(m) suits for compensation in respect of collisions on the high seas or in any inland waters;

(n) suits for compensation for the infringement of a patent, copyright or trade-mark;

(o) suits for a dissolution of partnership or for an account of partnership transactions;

(p) suits for an account of property and its due administration under a decree of a Court;

(q) suits for compensation for libel, slander, malicious prosecution, adultery, seduction or breach of promise of marriage;

(r) suits for the restitution of conjugal rights, or for a divorce;

(s) suits for declaratory decrees in respect of any immoveable property;

(t) suits for possession of a hereditary office;

(u) suits against Sovereign Princes, or Ruling Chiefs, or against Ambassadors or Envoys of Foreign States;

(v) suits on any judgment of a High Court or of the Chief Court;

(w) suits, the cognizance whereof by the Court is barred by any law for the time being in force;

(x) suits for compensation for obstruction of an easement or diversion of a water course.

*Cf. Bur. VII of 1920, s. 15. Cf. also XV of 1882, s. 20.*

15. *Court may by consent try suits beyond pecuniary limits of jurisdiction.*—(1) When the parties to a suit, which, if the amount or value of the subject-matter thereof did not exceed two thousand rupees, would be cognizable by the Court, have entered into an agreement in writing that the Court shall have jurisdiction to try such suit, the Court shall have jurisdiction to try the same, although the amount or value of the subject-matter thereof may exceed two thousand rupees.

(2) Every such agreement shall be filed in the Court, and when it is so filed, the parties to it shall be subject to the jurisdiction of the Court, and shall be bound by its decision in such suit.

*Cf. XV of 1882, s. 21.*

16. *Suits by and against officers of the Court.*—All suits to which an officer of the Court is, as such, a party, except suits in respect of property taken in execution of its process, or the proceeds or value thereof, may be instituted in the Chief Court at the election of the plaintiff as if this Act had not been passed.

*Cf. Bur. VII of 1920, s. 16.*

17. *Saving.*—Nothing in this Chapter shall be deemed to preclude the Court from trying any suits or proceeding which it is specially authorised to try by any other enactment for the time being in force.

[Appendix 2—contd.]

## CHAPTER V.

## EJECTMENT AND DISTRESSES.

18. *Application against person occupying property without leave.*—When any person has had possession of any immovable property situate in the taluka of Karachi of which the annual rental value does not exceed two thousand rupees, as a tenant, or by permission, of another person, or of some person through whom such other person claims and such tenancy or permission has determined or been withdrawn and such tenant or occupier or person holding under or by assignment from him (in this Act called the occupant) refuses to deliver possession of such property in compliance with a request made to him in this behalf by such other person, such other person (in this Act called the applicant) may apply to the Court in accordance with the provisions of this Act for an order compelling the occupant to deliver possession of the property. Provided that nothing in this section contained shall be deemed to affect the provisions of the Bombay Rent (War Restrictions) Act, 1918, or the Bombay Rent (War Restrictions No. 2) Act, 1918. Cf. Bur. VII of 1920, s. 17.

Bom.  
II of  
1918,  
Bom.  
VII of  
1918.

19. *Bar to proceedings against Judge or officer for issuing, etc., order.*—No suit or other proceeding shall lie against any Judge or Officer of the Court for any order issued under section 18 or against any bailiff or other person for any act or omission incidental to the execution of such order by reason only that the applicant was not entitled to possession of the property. Cf. Bur. VII of 1920, s. 18.

20. *Liability of applicant obtaining order when not entitled.*—Nothing in this Act shall be deemed to protect any applicant obtaining possession of any property under this Act from a suit by any person deeming himself aggrieved thereby when such applicant was not at the time of applying for an order under section 18 entitled to the possession of such property; and the application for any such order by any such applicant shall be deemed to be an act of trespass committed by the applicant against the occupant, though no possession shall have been taken thereunder. Cf. Bur. VII of 1920, s. 19.

21. *Stay of proceedings on occupant giving security.*—(1) Whenever on an application being made under section 18 the occupant binds himself in a bond, with or without sureties, as the Court may direct, and for such amount as the Court thinks reasonable, to institute without delay a suit in the Chief Court against the applicant for compensation for trespass and to pay all the costs of such suit and any compensation, which he may be ordered to pay under sub-section (3), Cf. Bur. VII of 1920, s. 20.

[Appendix 2—*contd.*]

process, or with not duly paying or accounting for any money levied by him under its authority, the Court may inquire into such charge, and may make such order for the repayment or payment of any money so extorted or levied and of damages and costs by such officer as it think fit.

37. *Court empowered to summon witnesses, &c.*—For the *Cy. Bur. VII* purposes of any inquiry under this Chapter, the Court shall <sup>of 1920, s. 27.</sup> have all the powers of summoning and enforcing the attendance of witnesses and compelling the production of documents which it possesses in suits under this Act.

38. *Enforcement of order.*—Any order under this Chapter *Cy. Bur. VII* for the payment or repayment of money may, in default of <sup>of 1920, s. 32.</sup> payment of the amount payable thereunder, be enforced by the person to whom such amount is payable as if the same were a decree of the Court in his favour.

#### STATEMENT OF OBJECTS AND REASONS.

The Court of Small Causes at Karachi was established under the Provincial Small Causes Courts Act, 1887. In the Presidency towns the Presidency Small Causes Courts Act, 1882, is in force. It has long been recognised that the Provincial Small Causes Courts Act is unsuited to a growing commercial town like Karachi and that the time of Judges of the Court of the Judicial Commissioner is being unnecessarily occupied in work which might well be done by a Small Cause Court Judge. Rangoon is subject to the Rangoon Small Cause Court Act, 1920. Karachi is the only great seaport in India in which the Provincial Small Causes Courts Act is still in force. The Civil Justice Committee accordingly, in Chapter XV of their report, recommended that the law in Karachi should be assimilated to that of the Rangoon Small Cause Courts Act, 1920.

2. The present Bill is intended to give effect to the recommendation of the Civil Justice Committee. It follows with necessary changes, the Rangoon Small Cause Court Act, 1920, in almost all its provisions. The departures from the Rangoon Act are shown in the notes on clauses and are nearly all based on the recommendations of the Civil Justice Committee.

#### *Notes on Clauses.*

*Clause 4.*—As the Sind Courts Act, 1926, has not yet been brought into force “Chief Court” is defined as meaning the Court of the Judicial Commissioner of Sind until the Chief Court is established in Sind.

*Clause 12.*—The territorial limits of the Jurisdiction of the Small Cause Court will be the taluka of Karachi as at present.

[Appendix 2—contd.]

Sections 94 and 95, so far as they relate to injunctions and interlocutory orders;

Sections 96 to 112 and 115.

(2) Application for a review of judgment shall be presented within fifteen days of the date of the judgment. Cf. IX of 1887, s. 17.

(3) An applicant for an order to set aside a decree passed *ex parte* or for a review of judgment shall, at the time of presenting his application, either deposit in the Court the amount due from him under the decree or in pursuance of the judgment or give security to the satisfaction of the Court for the performance of the decree or compliance with the judgment, as the Court may direct.

(4) Where a person has become liable as surety under subsection (3) the security may be realised in manner provided by section 145 of the Code of Civil Procedure, 1908.

CHAPTER VII.

REMOVAL OF CAUSES AND REVISION.

25. *Removal of certain causes into Chief Court.*—(1) In any suit instituted in the Court in which the amount or value of the subject-matter exceeds the sum of one thousand rupees the defendant or any one of the defendants, may, before the day fixed by the summons for the appearance of the defendant or within eight days after the service of the summons on him, whichever period shall last expire, apply *ex parte* on an affidavit setting forth the facts on which he relies for his defence to the Chief Court for an order removing the cause into the said Court. Cf. XV of 1882, s. 39.

(2) Unless the Judge is of opinion that the application has been made solely for the purpose of delay, the applicant shall be entitled to such order as of right: Provided that the removal directed by such order shall, unless the Judge otherwise directs, be conditional upon the applicant giving security to the approval of the Judge, within a reasonable time to be prescribed in the order for the payment of the amount claimed and of the costs which may become payable by him to the plaintiff in respect of the said suit.

(3) If the applicant fails or neglects to complete the required security (if any) within the prescribed time (if any) the said order shall be discharged and the suit shall proceed in the Court as if such order had never been made.

(4) If the plaintiff in any case which has been removed under this section into the Chief Court has abandoned a portion of his claim in order to be able to bring the suit within the jurisdiction of the Court, he shall be permitted to revive the portion of his claim so abandoned.

## [Appendix 2—contd.]

*Cf. XV of 1882, a. 40.* 26. *Rule with respect to suits removed under section 25.—*

(1) When a suit has been removed into the Chief Court under section 25, it shall be heard and disposed of by the Chief Court in the exercise of its original jurisdiction, and the Chief Court shall have all the powers and jurisdiction in respect thereof as if the suit had been originally instituted in the Chief Court.

(2) In every suit so removed the affidavit filed under subsection (1) of section 25, shall be treated as a written statement of the defendant tendered under Order VIII, rule I of the First Schedule of the Code of Civil Procedure, 1908, unless the Chief Court shall otherwise order. V of 1908.

*Cf. Bur. VII of 1920, a. 25.* 27. *Revision.—*(1) The Chief Court may for the purpose of satisfying itself that a decree or order made in any case by the Court was according to law, call for the case and pass such order with respect thereto as it thinks fit.

(2) An applicant for revision of a decree or order of the Court shall at the time of presenting his application either deposit in the Chief Court the amount due from him under the decree or order or give security to the satisfaction of the Chief Court for the performance of the decree or order as the Chief Court may direct.

(3) Where a person has become liable as surety under subsection (2) the security may be realized in manner provided by section 145 of the Code of Civil Procedure 1908. V of 1908

*Cf. Bur. VII of 1920, a. 26.* 28. *General finality of decrees and orders of the Court.—* Save as otherwise provided by this Act or by any other enactment for the time being in force, every decree or order of the Court in a suit shall be final and conclusive.

## CHAPTER VIII.

## FEES AND COSTS.

*Cf. Bur. VII of 1920, a. 27.* 29. *Institution fees.—*(1) In addition to the fee payable on a plaint under the Court Fees Act, 1870, a fee of ten rupees shall be paid on the filing of an agreement under section 15. VII of 1870.

(2) For the purposes of the Court Fees Act, 1870, an application under section 18 shall be deemed to be a suit of a value equal to the annual rental value of the property in respect of which the application is made. VII of 1870.

(3) A fee of annas eight shall be paid on every application made for which no fee is provided, under the Court Fees Act, 1870. VII of 1870.

*Cf. Bur. VII of 1920, a. 28.* 30. *Repayment of half fees on settlement before hearing.—* (1) Whenever any suit or proceeding is settled by agreement

[Appendix 2—*contd.*]

of the parties before any evidence is recorded, half the amount of all Court fees paid up to that time shall be repaid by the Court to the parties by whom the same have been respectively paid.

(2) Whenever an order for repayment is made under subsection (1), the Court shall grant to the party entitled to be repaid a certificate authorizing him to receive back from the Collector the amount payable to such party.

CHAPTER IX.

RULES.

31. *Procedure and practice of the Court.*—The Chief Court *Cf. Bur. VII of 1920, s. 32.* may, from time to time, make rules not inconsistent with this Act,—

(1) providing for the exercise by one or more of the Judges of the Court of any powers conferred on the Court by this Act or any other enactment for the time being in force ;

(2) regulating the procedure of the Court in the exercise of its jurisdiction under Chapter V ;

(3) empowering the Registrar to hear and dispose of undefended suits and interlocutory applications or matters ;

(4) providing for the delegation to any ministerial officer of the Court of any non-judicial or quasi-judicial duties which this Act or the Code of Civil Procedure, 1908, requires to be performed by a Judge, and

(5) providing for the pleaders' fees and other costs.

32. *Distribution of business.*—Subject to such rules the Chief Judge may, from time to time, make such arrangements *Cf. XV of 1882, s. 10.* as he thinks fit for the distribution of the business of the Court among the various Judges thereof.

CHAPTER X.

MINISTERIAL OFFICERS.

33. *Appointment of Registrar and Ministerial Officers.*—*Cf. Bur. VII of 1920, s. 33.*  
 (1) Subject to the sanction of the Governor in Council the Judicial Commissioner or the Chief Judge of the Chief Court, as the case may be, may, from time to time, appoint an officer to be called the Registrar of the Court, and to be the Chief ministerial officer of the Court.

(2) Subject to the control of the Judicial Commissioner or the Chief Judge of the Chief Court, as the case may be, the

[Appendix 2—*contd.*]

Chief Judge may, from time to time, appoint a Deputy Registrar and as many clerks, bailiffs and other ministerial officers as may be sanctioned by the Governor in Council for the administration of justice by the Court and for the exercise and performance of the powers and duties conferred and imposed on it by this Act or any other law for the time being in force.

(3) The Registrar and other officers so appointed shall exercise such powers and discharge such duties of a ministerial nature as the Chief Judge may, from time to time, direct.

(4) The Chief Judge may suspend, remove or dismiss any Deputy Registrar or other officer so appointed; provided that no officer drawing a monthly salary of one hundred rupees or upwards shall be removed or dismissed without the orders of the Judicial Commissioner or the Chief Judge of the Chief Court, as the case may be.

*Cf. Bur. VII  
of 1920, a. 31.*

34. Registrar may be invested with powers of a Judge in suits not exceeding fifty rupees.—(1) The Governor in Council may invest the Registrar with the powers of a Judge under this Act for the trial of suits in which the amount or value of the subject matter does not exceed fifty rupees.

(2) Subject to the orders of the Chief Judge any Judge of the Court, may, whenever he thinks fit, transfer from his own file to the file of the Registrar any suit which the latter is competent to try.

*Cf. IX of  
1887, a. 18  
(1).*

(3) Suits cognisable by the Registrar under sub-sections (1) and (2), shall be tried by him and decrees passed therein shall be executed by him, in like manner in all respects as a Judge of the Court might try the suits and execute the decrees respectively.

(4) For the purposes of this section an application for possession under section 18 shall be deemed to be a suit.

*Cf. Bur. VII  
of 1920, a. 35.*

35. Default of bailiff or other officer in execution of order or warrant.—If any clerk, bailiff or other inferior ministerial officer of the Court who is employed as such in the execution of any order or warrant, loses, by neglect, connivance or omission, an opportunity of executing such order or warrant, he shall be liable, by order of the Chief Judge, to pay to the person injured by such neglect, connivance or omission, such sum not exceeding in any case the sum for which the said order or warrant was issued, as, in the opinion of the Chief Judge, appears reasonable.

*Cf. Bur. VII  
of 1920, a. 36.*

36. Extortion or default of Officers.—If any clerk, bailiff or other inferior ministerial officer of the Court is charged with extortion or misconduct while acting under colour of its

[Appendix 2—*contd.*]

process, or with not duly paying or accounting for any money levied by him under its authority, the Court may inquire into such charge, and may make such order for the repayment or payment of any money so extorted or levied and of damages and costs by such officer as it think fit.

37. *Court empowered to summon witnesses, etc.*—For the *Cf. Bur. VII* purposes of any inquiry under this Chapter, the Court shall <sup>of 1920, s. 37.</sup> have all the powers of summoning and enforcing the attendance of witnesses and compelling the production of documents which it possesses in suits under this Act.

38. *Enforcement of order.*—Any order under this Chapter *Cf. Bur. VII* for the payment or repayment of money may, in default of <sup>of 1920, s. 38.</sup> payment of the amount payable thereunder, be enforced by the person to whom such amount is payable as if the same were a decree of the Court in his favour.

#### STATEMENT OF OBJECTS AND REASONS.

The Court of Small Causes at Karachi was established under the Provincial Small Causes Courts Act, 1887. In the Presidency towns the Presidency Small Causes Courts Act, 1882, is in force. It has long been recognised that the Provincial Small Causes Courts Act is unsuited to a growing commercial town like Karachi and that the time of Judges of the Court of the Judicial Commissioner is being unnecessarily occupied in work which might well be done by a Small Cause Court Judge. Rangoon is subject to the Rangoon Small Cause Court Act, 1920. Karachi is the only great seaport in India in which the Provincial Small Causes Courts Act is still in force. The Civil Justice Committee accordingly, in Chapter XV of their report, recommended that the law in Karachi should be assimilated to that of the Rangoon Small Cause Courts Act, 1920.

2. The present Bill is intended to give effect to the recommendation of the Civil Justice Committee. It follows with necessary changes, the Rangoon Small Cause Court Act, 1920, in almost all its provisions. The departures from the Rangoon Act are shown in the notes on clauses and are nearly all based on the recommendations of the Civil Justice Committee.

#### *Notes on Clauses.*

*Clause 4.*—As the Sind Courts Act, 1926, has not yet been brought into force "Chief Court" is defined as meaning the Court of the Judicial Commissioner of Sind until the Chief Court is established in Sind.

*Clause 12.*—The territorial limits of the Jurisdiction of the Small Cause Court will be the taluka of Karachi as at present.

[Appendix 2—concl.]

*Clause 13.*—The pecuniary Jurisdiction of the Small Cause Court has been raised to two thousand rupees as in Rangoon and as recommended by the Civil Justice Committee.

*Clause 15.*—This clause corresponds to section 20 of the Presidency Small Cause Courts Act, 1882, and provides a method of obtaining a quick and summary judgment by the agreement of parties in cases where the amount involved is beyond the pecuniary jurisdiction of the Small Cause Court.

*Clause 16.*—In order that a plaintiff may have no apprehension that he will not obtain a fair trial in the Small Cause Court against a defendant who is an officer of the Court, an option has been given to him to sue the defendant in the Court of the Judicial Commissioner of Sind or the Chief Court. This provision is based on section 21 of the Presidency Small Cause Courts Act, 1882.

*Clauses 18, 19, 20, 21, 22 and 23.*—These clauses provide a summary remedy for obtaining possession of premises from tenants or licensees whose tenancy or license has expired, and for recovering arrears of rent. These provisions are based on the Rangoon Act and the Presidency Small Cause Courts Act, 1882. To regulate the procedure under this chapter, power has been given to the Chief Court (including the Court of the Judicial Commissioner of Sind) by clause 33 (2) to make rules to regulate its procedure in this behalf.

*Clauses 25 and 26.*—These clauses are identical with sections 39 and 40 of the Presidency Small Cause Courts Act, 1882, giving the defendant a right to have his suit transferred to the Court of the Judicial Commissioner of Sind or the Chief Court where the amount is more than one thousand rupees. The Rangoon Act does not contain any such provision, but allows under section 24 a right of appeal in such cases. The Civil Justice Committee state in Chapter 17 of their report that the provisions of section 39 of the Presidency Small Cause Courts Act, 1882, are sound so long as no right of appeal to the High Court is conferred.

*Clause 27.*—A right of Revision wider than that provided by section 115 of the Civil Procedure Code has been accorded.

*Clause 30.*—This clause provides for the repayment of half the Court fees if a case is settled by agreement of parties before hearing.

*Clause 31.*—This clause gives the Court of the Judicial Commissioner of Sind or the Chief Court power to make rules to regulate the procedure and practice of the Small Cause Court.

*Clause 34.*—It is proposed to increase the jurisdiction of the Registrar of the Court from rupees twenty to rupees fifty.

*Clauses 35, 36, 37 and 38.*—These clauses empower the Small Causes Court to punish the inferior ministerial officers for default or misconduct in the discharge of their duties.

APPENDIX 3.  
BILL No. XXVII OF 1928.

*A Bill to amend certain enactments and to repeal certain other enactments.*

(As published in the "Bombay Government Gazette" of the 13th September 1928.)

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:—

5 & 6 Geo. V,  
c. 61.

1. *Short title.*—This Act may be called the Bombay Repealing and Amending Act, 192 .

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

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

4. *Savings.*—The repeal by this Act of any enactment 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;

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.

[Appendix 3—contd.]

## THE FIRST SCHEDULE.

## AMENDMENTS.

(See section 2.)

Year	Number	Short title	Amendments
1890	XI	<i>Act of the Governor General in Council</i> The Prevention of Cruelty to Animals Act, 1890, in its application to the Presidency of Bombay.	In section 4 after the word "cow" the words "or she-buffalo" shall be inserted.
1902	IV	<i>Acts of the Governor of Bombay in Council</i> The City of Bombay Police Act, 1902.	In section 125 the letter and brackets "(a)" shall be deleted.
1906	II	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 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	Number	Short title	Extent of Repeal
1863	I	<i>Acts of the Governor of Bombay in Council</i> The Gaiikwar of Baroda Ceded Lands' Laws Act, 1862.	The whole.
1928	III	The Gaiikwar 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.

[Appendix 3—concl'd.]

### STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to make necessary amendments of a formal nature in certain enactments and to repeal the Gaikwar of Baroda Ceded Lands Laws Acts, 1862 and 1918, as jurisdiction over lands governed by these Acts is now exercised under the Indian (Foreign Jurisdiction) Order in Council, 1902.

The amendment made in section 4 of the Prevention of Cruelty to Animals Act, 1890, is formal. The section penalises the operation of "Phooka" on a cow. The object of the amendment is to make this operation even on a she-buffalo an offence, as "Phooka" is frequently performed on she-buffaloes also.

Under section 19 (2) of the Mamlatdars' Courts Act, 1906, the Mamlatdar is not required to record a memorandum of relevant facts observed at the inspection of property under dispute. The result is that if the finding of the Mamlatdar upon any issue is based upon any of these facts the parties do not become aware of it until the order is read out by him in the open Court. There is no appeal from the order and the facts as found by the Mamlatdar cannot be questioned in revision. The amendment does away with the resulting hardship to parties.

The amendment made in sub-section (J) of section 18 of the Bombay Pleaders Act, 1920, is necessary on account of the repeal of section 17 of the Act by section 6 of the Legal Practitioners (Fees) Act, 1926.

J. R. MARTIN.

31st August 1928.

## APPENDIX 4.

## STATEMENT OF DEMANDS FOR SUPPLEMENTARY GRANTS.

RESERVED 1.—The Honourable Sir Ghulam Hussain  
Hidayatallah.

*Remodelling the Kander Branch ex-Mahiwah.*

For many years past there has been a great out-cry for improvements to the Kander Branch *ex-Mahiwah*. This tract is not satisfactorily irrigated. Dehs in the head portion from head to mile 2 are very high and are supplied by an especial Distributary *ex-Mahiwah*. The land from mile  $2\frac{1}{4}$  to miles 10 obtains a fair flow supply but the area from mile 10 to the tail of the Branch gets only a very precarious supply.

In 1919 a project was prepared for regrading the Kander Branch, eliminating the fall regulator at mile  $5\frac{1}{7}$  and so raising water level below it, but it did not materialise. In 1925 the project for improvements to this branch was again brought up, but again abandoned as it was considered that the defects in the Kander Branch sought to be remedied by the project were due to deficiency of water in the parent canal, the Mahiwah, because of the precarious supply it had, for several years, been receiving from its mouth *ex* the Gudu Dhand. A new mouth was accordingly given to the Mahiwah in 1924 with such satisfactory improvement to the supply in the Mahiwah that it was decided to watch the results for a year or two before incurring expenditure on improvements to the Kander Branch. The experience of the last two years, however, shows that though the Kander Branch has been getting much more than even its designed discharge most of this extra water has been drawn off by the karias taking off above the Fall regulator in mile  $5\frac{1}{7}$  and the conditions below this regulator have remained practically the same. This inequitable distribution of the water-supply calls for adjustment and to that end a project for remodelling the branch, estimated to cost Rs. 32,441 for "Works" alone and Rs. 43,159 including all charges, direct and indirect, has recently been sanctioned by Government as a charge against the Capital account of the Mahiwah and debitable to the head "55—Construction of Irrigation Works not charged to Revenue." The project consists of—

- (i) Regrading the Kander branch and raising its banks.
- (ii) Combining and re-sectioning its distributaries or "Sipis" as they are locally called.
- (iii) Constructing modules.
- (iv) Constructing a new regulator at mile  $5\frac{1}{7}$  and making additions and alterations to other regulators.
- (v) Constructing head sluices to certain minors *ex-Kander Branch*.

The total area settled on the Kander Branch is 11,653 acres. The average area cultivated in the five years 1920-21 to 1924-25 has been 3,236 acres

[Appendix 4—contd.]

Dry crop and 433 acres Rice or a total of 3,669 acres. After the remodeling and improvements have been effected these figures are expected to rise to 3,885 acres Dry Crop and 1,942 acres Rice or a total of 5,827 acres. This will give a return of 14\* per cent. on the outlay of Rs. 43,159.

Further, the project will not only set right conditions in the Kander Branch but will result in an appreciable quantity of water (some 45 cusecs) now being wasted in the upper reaches of Kander becoming available for augmenting the supply in the Masuwah, where it is urgently required. This will cultivate an area of 2,250 acres of dry crop and bring in *additional revenue* of about 14† per cent. on the capital invested.

The work is therefore very urgent and very productive and is proposed to be commenced in the current year by making an allotment of Rs. 22,000 from savings available under the Voted grant for irrigation works other than the Lloyd Barrage and Canals Construction scheme under the head "55" and the sanction of the Legislative Council is requested to the expenditure in question in the current year.

\*Additional revenue as compared to average of five years ending 1924-25.

	acres	acres	acres	Ra.				Ra.
Dry kharif	(3,885	—	3,236)	= 649 × 2.75	..	..	..	1,785
Rice	(1,942	—	433)	= 1,509 × 3.25	..	..	..	4,904
								6,689
Deduct 1/10th land share	..			..	..	..	..	669
								6,020

$$\text{Net additional revenue per cent. return} = \frac{6,020 \times 100}{43,159} = 14$$

† 2,250 acres dry crops at Ra. 2.75 = Ra. 6,187 = 14 per cent. on Ra. 43,159,

## APPENDIX 5.

RESERVED 2.—The Honourable Sir Ghulam Hussain Hidayatallah.

*Excavating the Pateji Branch ex river Indus to the 62nd Mile Western Nara.*

The Western Nara Canal, besides its main head at Akil, has two other feeders from the Indus :—

- (a) The one that joins it just below the head of the Dhamrao Branch.
- (b) The Pritchard Canal which joins it below the head of the Lohri Branch.

The main head of the Western Nara Canal at Akil works very well as also the Pritchard Canal head. The Feeder (a), which purports to supply the Mehar and Kakar Talukas, owing to erosion of the river of late years at its head, brings very little water into the Canal. In the cold weather of 1926 deep silt clearance was done in this Feeder, but it did little good to the Mehar and Kakar zamindars. During the last inundation season the Akil Mouth of the Western Nara worked excellently and registered throughout readings above the normal. Notwithstanding this, however, there was, as usual, great deficiency of water in the Mehar and Kakar Talukas.

In the endeavour to give a sufficient amount of water to the Mehar and Kakar zamindars recourse has been had to the very unsatisfactory method of internal rotations. This system of internal regulation is very unpopular both with the Department and also with the zamindars and is only resorted to as a last resource. Very often, as in the case of Mehar and Kakar Talukas, this method is not successful as operations have to extend over a length of many miles at a time and it is very difficult for the staff to see that they are carried out properly and fairly.

Many petitions have been received pressing for the immediate execution of a new Feeder from the Pateji Branch to supplement the supply in the lower portion of the Western Nara and a deputation of the zamindars met the late Honourable General Member, Sir Cowasji Jehangir, K.C.I.E., O.B.E., when he was on tour in Sind in December 1927. The deputation contended that the expenditure to be incurred on the proposed Pateji Branch would be wholly recouped in a few years by relieving Government of their present liability for remissions of some Rs. 80,000 annually in Kakar taluka alone. The Honourable Sir Cowasji pointed out that even if the figures quoted could be accepted as accurate, it was most improbable that the Legislative Council would accept the liability in view of the fact that the work asked for would be useless as soon as the Barrage Scheme commences to operate. The zamindars then made an offer to bear the loss, if any, to Government on this account and the Honourable General Member requested the deputation to submit to him in writing their concrete proposal and their guarantee that any sum

## [Appendix 5—contd.]

(plus interest on it) spent by Government on the construction of the new Feeder and not recovered in the form of assessment in excess of the present average assessment in the tract before the Barrage operates would be made good by the zamindars. This matter was further considered by Government in March 1928 at a conference of certain Honourable Members of the Legislative Council who were the representatives of the Sind zamindars concerned and according to the decision arrived at that conference arrangements have been made to obtain legal agreements from the zamindars to make good such loss, if any, to Government.

From the investigations made by the Chief Engineer in Sind it appears that the work is expected to bring in a good deal of extra revenue to Government and especially to make for the contentment of the people in the stricken area of Mehar and Kakar talukas. The proposed work consists of—

- (a) widening the new head of the Pritchard Canal from the river to the 2nd regulator of the Canal;
- (b) excavating a new feeder from the right bank above the 2nd regulator on the Pritchard Canal as far as the Pateji Branch;
- (c) widening the Pateji Branch as far as mile 2/4;

and

- (d) excavating a new feeder from mile 2/4 of the Pateji Branch to join the Western Nara at mile 61/1.

The work is roughly estimated to cost Rs. 2,08,000 including direct and indirect charges and is debitable to the capital account of the Western Nara Canal System under the head "55—Construction of Irrigation Works not charged to Revenue." The proposal will give an additional 700 cusecs to the Western Nara without reducing the supply in the Pritchard Canal and this at a duty of 25 is expected to cultivate about 17,500 acres. At an average assessment of Rs. 4 per acre this extra discharge should bring in Rs. 70,000 a year. This extra revenue alone should suffice to repay the cost in the three years that remain before the tract is served by the Barrage Scheme, failing which there stands the security of the zamindars against any possible loss. It is proposed to give the work out on contract and to have it completed before the end of May 1929. The expenditure on "Works" alone will amount to Rs. 1,53,000 and the sanction of the Legislative Council is requested to this expenditure in the current year which is proposed to be met—from savings available under the Voted grant for irrigation works other than the Lloyd Barrage and Canals Construction Scheme under the head "55."

This scheme if put into operation will be of the greatest benefit to the zamindars and Government stands little risk of losing money directly but will in all probability gain directly and must gain in any case considerably indirectly.

FINANCE DEPARTMENT :

Bombay Castle, 14th September 1928.

## APPENDIX 6.

## BILL No. XXVIII OF 1928.

*A Bill to amend the Bombay University Act, 1928.*

(As published in the "Bombay Government Gazette"  
of the 22nd September 1928.)

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

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

2. *Amendment of section 18 of Bom. IV of 1928.*—In sub-section (2) of section 18 of the Bombay University Act, 1928, hereinafter called the said Act, 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;" XLVIII  
of 1920.

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

*Cf. VIII of 1904, s. 25 (2) (o).* " (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. *Amendment of section 35 of Bom. IV of 1928.*—Clause (e) of sub-section (1) of section 35 of the said Act shall be repealed.

[Appendix 6—contd.]

STATEMENT OF OBJECTS AND REASONS.

The objects of the Bill are explained in the following notes on clauses :

*Notes on clauses.*

*Clause 2.*—Section 18 (2) (e) of the Bombay University Act, 1928, empowers the Senate to make provision for the military training of students and appears to assign to the authority of the University a function properly belonging to the Military Department. This was not intended. In fact the Military Department has provided all the requisite facilities for the military training of students under the Indian Territorial Force Act, 1920. The object of the amendment, therefore, is to make it clear that the provision is not intended to do anything beyond enabling the University to make financial provision for the military training of students.

*Clauses 3 and 4.*—The effect of section 35 (1) (e) is to give power to the Syndicate themselves to frame ordinances laying down *inter alia* the conditions to be complied with by schools desiring recognition for the purpose of sending up pupils as candidates for the Matriculation Examination. This gives the Syndicate control over the policy of Secondary Education, which was not intended. It is, therefore, proposed to transfer this provision to section 33 (2), thereby transferring to the Senate the power to make statutes with regard to the matters mentioned in section 35 (1) (e). Statutes framed by the Senate under section 33 are subject to the sanction of the Chancellor under section 34 (2).

HARILAL DESAIBHAI DESAI.

## APPENDIX 7.

*Statement of demand for supplementary grant covered by reappropriation.*

**TRANSFERRED 3.**—The Honourable Dewan Bahadur HARILAL  
D. DESAI.

Purchase of Sera and Vaccine, Civil Veterinary Department,  
Bombay Presidency.

A provision of Rs. 25,000 has been made in the current year's budget for the purchase of sera and vaccine for the Civil Veterinary Department in the Presidency proper. Owing to widespread outbreaks of Haemorrhagic Septicæmia and Black quarter this year, large quantities of sera and vaccine had to be used and the expenditure at the end of August 1928 amounted to Rs. 21,060. The Superintendent therefore applied for a further grant of Rs. 20,000 for expenditure during the remainder of the year. As the grant was urgently required, Government have sanctioned it and propose to meet it by reappropriation from the reserve at the disposal of the Finance Department.

*Reappropriation suggested.*

Demand voted and now reduced.

47, Miscellaneous (Transferred).

Rs. 8,76,788—Rs. 20,000.

Demand voted and now increased.

34—Agriculture, Rs. 26,32,900

plus Rs. 20,000.

**FINANCE DEPARTMENT :**

Bombay Castle, 14th September 1928.

## APPENDIX 8

*Statement of Demand for a Supplementary Grant*

RESERVED 4.

The Honourable Sir GHULAM HUSSAIN  
HIDAYATALLAH.Additional Funds required for the Lloyd Barrage and Canals  
Construction Scheme.

In the budget estimate for the current year the voted grant under the head "55-Construction of Irrigation, Navigation, Embankment and Drainage Works" is Rs. 2,13,72,000 and it includes a provision of Rs. 1,96,23,000 for the Lloyd Barrage and Canals Construction project as shown below :—

	Rs.
Works .. .. .	1,60,83,000
Establishment .. .. .	28,07,000
Tools and Plant .. .. .	1,41,000
Pensionary charges .. .. .	4,00,000
Suspense Account .. .. .	1,92,000
	1,96,23,000

In preparing the current year's budget estimate for the Lloyd Barrage and Canals Construction Project a lump deduction of Rs. 25 lakhs was made by Government from the Chief Engineer, Lloyd Barrage and Canals Construction's original demand under "I-Works" in order to avoid interest charges on any possible unspent balances of loan money. A similar cut of Rs. 25 lakhs was also made in the estimates for the last official year 1927-28, but it will be recalled that progress was so fully up to expectations that year, that an additional grant of Rs. 14,19,000 had to be obtained from the Legislative Council in March 1928 in addition to a sum of Rs. 50,000 made available from savings on other works under the head "55." While this additional grant was in the process of sanction the Chief Engineer asked for a further sum of about Rs. 11 lakhs, but as the demand was received too late for submission to the Legislative Council, Government had to instruct the Chief Engineer to restrict the expenditure in 1927-28 to the modified grant *plus* the supplementary grant sanctioned by the Legislative Council. For this reason some of the adjustments, which were unavoidable and had to be made last year, caused an excess over the grant for that year and some payments had necessarily to be deferred to the current year. These charges are therefore partly responsible for the necessity of the additional grant now being asked for.

Another and the main reason for the necessity of the present demand is, that, as in 1927-28 progress of work in all Circles and Divisions of the Scheme has so fulfilled expectations that the deduction of Rs. 25 lakhs from the Chief Engineer's original demand for the *current year* is now required to be restored. According to the Chief Engineer's latest report it appears that in the current year he could spend some

[Appendix 8—*contd.*]

45 lakhs more than the current year's budget grant for the Lloyd Barrage and Canals Construction Scheme. The chief items of extra expenditure reported by him are as follows:—

<i>I—Works</i>	Rs.
(1) Eastern Nara Cuts 11, 12 and 13 and Embankments on both the sides of the Eastern Nara (partly debitable to the Lloyd Barrage and Canals Construction Scheme and partly to the existing canals on the Eastern Nara) .. .. .	3,43,000
(2) Completion of the Railway diversion and bridge at Arain in the North-Western Circle .. .. .	2,30,000
(3) Payment of the cost of some of the Dragline Machines obtained for the North-Western and Western Circles which could not be paid for last year .. .. .	1,20,000
(4) Works connected with regulators, falls, bridges, etc., in the Western and Rohri Canal Circles. .. .. .	1,88,000
(5) Additional plant and machinery required in Dragline Workshop, Rohri Canal Circle and Power Supply Division .. .. .	11,35,000
(6) Certain works in the Right Works Division which could not be foreseen and extra piling and early receipt of the sills and grooves for the Barrage .. .. .	7,00,000
	<hr/> 27,16,000
(7) Further <i>probable</i> expenditure on works in the current year .. .. .	16,19,000
Total works .. .. .	<hr/> 43,35,000
(8) Tools and Plant (Ordinary) .. .. .	23,000
(9) Suspense .. .. .	1,84,000
Grand Total .. .. .	<hr/> <hr/> 45,42,000

The Chief Engineer is, however, unable to frame his *total* final requirements at this stage of the year and therefore he has applied for a supplementary grant of Rs. 25 lakhs only for the present, as this is immediately required by him for expenditure under "I—Works". It will thus be seen that it is very essential to provide this minimum amount of Rs. 25 lakhs so as not to retard the progress of the work and the sanction of the Legislative Council is requested to the supplementary grant of this amount. To cover this amount it is proposed to borrow temporarily Rs. 25 lakhs from the working balance of the Development Department for six months, which will be returned to that Department at the end of this year by borrowing an equivalent amount from the Government of India to cover the expenditure permanently.

*Demand voted and now increased.*

"55—Construction of Irrigation Works—Reserved".

Rs. 2,13,72,000 plus Rs. 25,00,000

Finance Department.

Bombay Castle, 19th September 1928.

## APPENDIX 9.

*Statement of demand for a supplementary grant.*

RESERVED 5.

The Honourable Sir GHULAM HUSSAIN  
HIDAYATALLAH, Kt.,

All the works pertaining to the Bombay Development Scheme being until last year in the constructional stage, all expenditure incurred thereon was classified under the capital expenditure head "59-Bombay Development Schemes" and the interest and sinking fund charges incurred in connection with the borrowing of the Development Department, for all works, were merged in the provisions made under the head "19-Interest" and "21-Appropriation for reduction or avoidance of debt". Last year some of the schemes of the Development Department had sufficiently developed to warrant the opening of a revenue account for the Bombay Development Schemes as a whole. It was therefore decided, with the sanction of the Secretary of State for India, to open a new revenue expenditure head "42-Bombay Development Scheme" with a corresponding revenue receipt head 'XXXI-Bombay Development Scheme' for these schemes. The industrial housing scheme was the first scheme transferred to the revenue account of the Bombay Development Scheme as a whole, the voted provision made for that scheme in the last year's budget under "59-Bombay Development Scheme" being transferred to the revenue head by a supplementary demand for the latter head obtained from the Legislative Council at its session held in September-October 1927.

It has now been decided to open revenue accounts similarly for the schemes of water and electric supply to the Ambernath industrial area from the current year, and the sanction of the Legislative Council is requested to the following voted amounts on account of these schemes, at present provided in the budget under "59-Bombay Development Scheme", being now provided under "42-Bombay Development Scheme".

Name of Scheme	A-Work and Acquisition Part II, Repairs and maintenance	B-Establishment.
Suburban Scheme No. 21—Ambernath Water Supply ..	Ra. 25,313	Ra. 9,793
Suburban Scheme No. 23—Ambernath Electric Supply ..	32,800	12,473
Total Ra. ..	58,113	22,265

*Demand voted and now increased.*

42—Bombay Development Scheme

Ra. 3,78,000 plus Ra. 80,378.

Finance Department.

Bombay Castle, 21st September 1927.

## APPENDIX 10.

*Statement of Demand for a Supplementary Grant.*

RESERVED 6.

The Honourable Mr. J. L. RIEU.

Expenditure on relief purposes in the areas affected  
by the floods of July 1927.

In October 1927, the Legislative Council voted a supplementary grant of Rs. 10,55,076 for direct expenditure on flood relief measures in Gujarat and Sind under "43—A, Famine Relief." It was at first expected that the relief operations would be completed and the grant fully utilised within the year 1927-28. No provision was therefore made in the current year's estimates on this account. At the end of the year 1927-28, it was found that larger amounts than had been previously anticipated remained unutilised and the officers concerned pointed out the necessity for the continuance of the relief work during the current year. Government therefore sanctioned an allotment of Rs. 1,13,000 for general relief measures in Gujarat, including free grants for reconstruction of houses. In Sind, the staff required for flood reconstruction work was continued up to 31st July 1928. In Gujarat, the actual work of flood relief was finished by June 30th, but the retention of some of the staff for preparing the accounts, etc., was found necessary. Grants of Rs. 8,200 and Rs. 33,474 are respectively required for these purposes. A sum of Rs. 20,000 is also required for the acquisition of land for new village sites where these have been found to be necessary. Government further sanctioned a grant-in-aid not exceeding Rs. 12,850 to the Provincial Co-operative Bank and other banks in Gujarat and Sind. This grant is equivalent to one year's interest at 5 per cent. on loans made by the banks to members of co-operative societies before 1st October 1927 for objects other than house-building and house-repairing for which loans under the Agriculturists' Loans Act are permissible, and was made on the understanding that the banks would not charge interest to the members for one year on these loans. The grant-in-aid was to be paid after the year's interest accrued in the current year. The sanction of the Legislative Council is accordingly now requested to the following grants:—

(1) General relief measures in Gujarat including free grants for reconstruction of houses . . . . .	Rs. 1,13,000
(2) Extra staff for reconstruction work in Sind . . . . .	8,200
(3) Extra staff for tagai and other loans distribution work in Gujarat . . . . .	33,474
(4) Acquisition of land for new village sites . . . . .	20,000
(5) Grant-in-aid to Provincial and other Co-operative Banks . . . . .	12,850

---

 1,87,524

[Appendix 10—*contd.*]

It is proposed to meet the expenditure by the transfer of a sum of Rs. 1,87,524 from the Famine Insurance Fund to "43—A, Famine Relief."

*Demand voted and now increased.*

" 43—A, Famine Relief. "

Rs. 6,27,000 *plus* Rs. 1,87,524.

Finance Department.

Bombay Castle, 24th September 1928.

## APPENDIX 11.

## BILL No. XXVII OF 1927.

*A Bill further to amend the City of Bombay Municipal Act  
(Act No. III of 1888)*

## REPORT OF THE SELECT COMMITTEE

We, the undersigned members\* of the select committee appointed to consider Bill No. XXVII of 1927 (A Bill further to amend the City of Bombay Municipal Act, Act No. III of 1888), have the honour to submit the following report :—

The Bill, without clauses 3 and 4 which were held out of order, was submitted to us for consideration, and we have carefully considered it. The Bill as originally drafted provided for the increase in the number of members of the Corporation from 106 to 110 and for the nomination of these four additional members by Government, in consultation with the labour organisations, for the representation of labour employed in different trades and industries. We are, however, of opinion that the number of the councillors should not be increased. We recommend that the number of the members nominated by Government should be reduced from 16 to 12, and 4 members should be elected to represent manual workers employed in trade and industry. We are of opinion that the election for the representation of labour should be confined to the registered trade unions of manual workers employed in trade and industry and that such election to the Corporation should not be direct but through an electoral college of delegates elected by such registered trade unions. We have accordingly deleted clauses 1 and 2 and have suggested various changes to give effect to our recommendations as noted above.

*Clause 2.*—We suggest adding to section 3 of the Act three definitions which are necessary for the new procedure that we suggest for the election of the representatives of labour on the Municipal Corporation.

*Clause 3.*—The changes suggested in section 5 of the Act provide for the reduction of nominated members from 16 to 12 and for the election of four councillors to represent labour through an electoral college of delegates.

*Clause 4.*—We propose that a new section 11-A be added to the Act to provide for the qualification of voters for the election of delegates, and

---

\*Note.—The Signatures of Messrs K. F. Nariman, J. B. Petit, H. V. Pataskar, Dr. B. R. Ambedkar, Dr. P. G. Solanki and Sir Vasantree Dabholkar, Kt., will be notified when received.

[Appendix 11—*contd.*]

we suggest that the right of vote should be confined to a member of a registered trade union as defined in clause 2 or to an officer of such trade union provided that he has resided in the City of Bombay for six months immediately preceding the first day of September. We, however, think that a person should have been a member of such trade union at least for six months immediately preceding the first day of September before he becomes entitled to a vote. We do not think that this restriction is necessary in the case of an officer of a registered trade union.

*Clause 5.*—We propose that a new section 14-A be added to provide that only a person who has been elected as a delegate shall be entitled to be elected as a councillor on the corporation.

*Clause 6.*—We recommend that a new section 21-A be added to the Act in order to lay down in one place all the procedure regarding the election of delegates by the registered trade unions and for the election of councillors by the electoral college of delegates. We think that a minimum membership of 200 is necessary before a registered trade union is entitled to elect a delegate, and we suggest that for every 300 members in addition to the first 300 a registered trade union should be entitled to elect one more delegate. In order that small registered trade unions with membership of less than 200 should not be at a disadvantage in the matter of election of delegates, we suggest that such small registered trade unions should be allowed for the purpose of election to combine, provided due notice of such combination is given to the Municipal Commissioner. We think that the election of delegates to the electoral college should be left entirely to the registered trade unions, the Commissioner only calling on them to submit the electoral roll and deciding any questions that may arise as to the correctness of any entry or omission of any name in such roll. We accordingly recommend that the names of persons reported to have been elected as delegates by the registered trade unions should be accepted as final and that the election of such delegates should not be open to question in any court. On the receipt of the names of the persons elected as delegates, the Municipal Commissioner should prepare a nominal roll of delegates constituting the electoral college. We think that the election of the four councillors by the electoral college should take place fourteen days after the ward elections and that except where otherwise provided all the provisions of the City of Bombay Municipal Act relating to electoral roll, nominations, elections, appeals and expenses should, as far as possible, apply to the election of councillors by the electoral college of delegates.

We have omitted original clause 5 in the Bill and have made necessary provision in the amended Bill for the purpose of giving effect to the provisions of this Bill in the municipal general elections of 1929.

We direct that this report, together with the minutes of dissent, if any, and the Bill as amended, should be translated into Marathi, Gujarati,

[Appendix 11—contd.]

Kanarese and Urdu, and should be published with the translations in the *Bombay Government Gazette*.

- (Signed) G. B. PRADHAN.  
 ( " ) S. K. BOLE (*subject to a minute of dissent*).  
 ( " ) R. M. MAXWELL (*subject to a minute of dissent*).  
 ( " ) F. W. ALLISON (*subject to a minute of dissent*).  
 ( " ) HOOSEINBOHY A. LALLJEE.  
 ( " ) HAJI IBRAHIM JITEKAR.  
 ( " ) NARAYANDAS ANANDJI BECHAR.  
 ( " ) R. S. ASAVALE.  
 ( " ) SYED MUNAWAR.  
 ( " ) JETHALAL CHIMANLAL SWAMI-NARAYAN (*subject to a minute of dissent*).  
 ( " ) PHEROZESHAH J. MARZBAN (*subject to a minute of dissent*).  
 ( " ) R. V. VANDEKAR.

(*Minute of dissent by Mr. S. K. Bole, M.L.C.*)

I am of opinion that the present number of members of the Bombay Municipal Corporation should be increased from 106 to 110 for giving four seats to labour and that the number of the nominated members should not be reduced.

I am also against the complicated system of electoral colleges and I am in favour of a direct method of election.

(Signed) S. K. BOLE.

Poona, 10th September 1928.

(*Joint minute of dissent by Mr. R. M. Maxwell, I.C.S., M.L.C., and Mr. F. W. Allison, I.C.S., M.L.C.*)

Government, by means of nomination, has to provide for the representation of a variety of interests including its own. We cannot therefore agree to a reduction of more than two out of the present number of 16 nominated councillors. If more than two seats are to be reserved for the election of labour representatives, any additional number should be provided by increasing to that extent the total number of councillors in the Corporation.

(Signed) R. M. MAXWELL.

( " ) F. W. ALLISON.

11th September 1928.

[Appendix 11—*contd.*]

(*Minute of dissent by Mr. J. C. Swaminarayan, M.L.C.*)

I agree with the report of the Select Committee on Bill No. XXVII of 1927 (A Bill further to amend the City of Bombay Municipal Act, 1888) except in two particulars :—

(1) When an entry or omission is contested by an aggrieved person, the Commissioner shall be required to give an opportunity to the opposite party against whom an application has been made, and

(2) When the report of the election of delegates has been made by a registered trade union, the Commissioner shall be empowered to hear any dispute that may be forthcoming within three days from aggrieved persons and to decide the same after making enquiries.

(Signed) JETHALAL CHIMANLAL SWAMINARAYAN.

Poona, 11th September 1928.

---

(*Minute of dissent by Mr. P. J. Marzban, M.L.C.*)

I agree with the whole report except the Select Committee's decision to restrict the definition of "Registered Trade Union" to a trade union of *manual workers* only, employed in trade and industry duly registered. It means that section 2 of this Act, sub-clause (ee), proposes to exclude from the benefit of this Act labour employees *not* doing *manual work*, i.e., actual labour with the hands, and who toil on with routine work with their brains, e.g., proof-readers, reporters, petty clerks, etc. I see no reason why this class of labourers should be treated in this step-motherly fashion. I therefore am opposed entirely to sub-clause (ee) of section 2 of this Act, and would suggest its deletion.

(Signed) PHEROZESHAH J. MARZBAN.

[Appendix 11—contd.]

## BILL No. XXVII OF 1927.

*A Bill further to amend the City of Bombay Municipal Act (Act No. III of 1888.)*

(As amended by the Select Committee.)

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:—

Bom. III of  
1888.

1. ~~In section 5 (1) of the said Act the clause,—“The Corporation shall consist of one hundred and six councillors,”—shall be substituted by—“The Corporation shall consist of one hundred and ten councillors.”~~

2. ~~In the same section 5 (1) of the said Act, before the clause—“And ten coopted councillors elected by.....” the following shall be added:—~~

~~“Four shall be representatives of labour employed in different trades and industries in the City who shall be nominated by Government in consultation with the respective labour organizations.”~~

3. ~~In section 5 (1) of the said Act, the following words shall be added to the clause—“Seventy six councillors elected at Ward elections”:—~~

~~“Each ward being entitled to return such number of representatives as may be justified by the proportion which its population bears to the total population of the City.”—(Schedule B of the Act be revised accordingly.)~~

4. ~~In paragraph 1 of section 11 (2) of the said Act, the word “Ten” shall be substituted by the word “Three.”~~

5. ~~These changes in the qualifications of electors and addition to and redistribution of seats shall come into force with effect from the municipal general elections of 1929.~~

1. Short title.—*This Act may be called the City of Bombay Municipal (Amendment) Act, 1927.*

2. Amendment of section 3 of Bom. III of 1888.—*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:—*

Bom. III of  
1888.

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

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

[Appendix 11—contd.]

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

3. Amendment of section 5 of Bom. III of 1888.—In section 5 of the said Act, (a) for the word "sixteen" the word "twelve" shall be substituted; and

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

"four councillors elected by delegates."

4. New section 11-A of Bom. III of 1888.—After section 11 of the said Act, the following section shall be inserted:

"11-A. Qualifications of voters at election of delegates.—Every member and every officer of a registered trade union shall be entitled to be enrolled as 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) in the case of a member 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 1st day of September in the year in which the electoral roll of delegates is published;

(2) in the case of an officer that he was an officer on the date of publication of the electoral roll; and

(3) that he has resided in the city for six months immediately preceding the first day of September aforesaid."

5. New section 14-A of Bom. III of 1888.—After section 14 of the said Act, the following section shall be inserted, namely:—

"14-A. Qualifications for election as a councillor by delegates.—A person shall not be qualified to be elected as a councillor by the delegates unless he is enrolled in the electoral roll of delegates."

6. New section 21-A of Bom. III of 1888.—After section 21 of the said Act, the following shall be inserted, namely:—

"21-A. Procedure regarding election of delegates and councillors.—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 200 and not more than 300 members on its register of members exclusive of officers shall be entitled to elect one delegate to the electoral college.

## [Appendix 11—contd.]

For every complete multiple of 300 members in addition to the original 300 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 membership of each of such registered trade unions is less than 200;

(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 and officers 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.

(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 and officers 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.

[Appendix 11—concl.]

(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 election 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."*

## APPENDIX 12.

## BILL No. XXII OF 1928.

*A Bill to amend the Bombay Pleaders' Act (No. XVII of 1920).*

(As introduced on the 31st July 1928 and published in the "Bombay Government Gazette" of the 11th August 1928.)

WHEREAS it is expedient to amend the Bombay Pleaders' Act, 1920, in manner hereinafter appearing; It is enacted <sup>Bom. XVII of 1920.</sup> as follows:—

1. *Short Title.*—This Act may be called the Bombay Pleaders' (Amendment) Act, 192 .

2. *Amendment of section 4 of Bom. XVII of 1920.*—In section 4 at the end of clause (2) should be added "provided that where the District for which the Sanad is to be issued includes an area which for administration of criminal justice and revenue is included in another District the names of both these Districts may be so specified."

3. In section 5

(a) *Amendment of section 5 of Bom. XVII of 1920*—at the end of clause (1) should be added "except as provided in section 4, clause (2)."

(b) in clause (2), after the word "District" wherever it occurs the words "or Districts" should be inserted.

(c) in clause (3), after the word "District" where it first occurs, the words "or Districts" should be inserted.

4. *Amendment of section 8 of Bom. XVII of 1920.*—In section 8, paragraph (1), after the word "District" add the words "or Districts."

## STATEMENT OF OBJECTS AND REASONS.

Government have recently, by their Notification No. 2237/2, dated 5th October 1927, included the talukas of Amalner and Parola in the District of West Khandesh for civil judicial work from 1st January 1928. For purposes of Revenue and Criminal work, they continue to be included in the district of East Khandesh. There are a number of pleaders practising at Amalner where a second class sub-judge's court having jurisdiction over the talukas of Amalner and Parola is located. Under the Pleaders' Act, as it stands, they can have issued to them a sanad only in respect of one district, either the district of East Khandesh or the district of West Khandesh. If they get sanads for the district of East Khandesh only, they cannot appear and work in the civil court located at Amalner; if they get sanads for the district of West Khandesh only, they are not in a position to appear and work as of right in the revenue courts of the

[Appendix 12—*contd.*]

mamlatdars of Amalner and Parola or in the criminal courts of East Khandesh district, even when they are dealing with cases coming from those two talukas. Such difficulties may arise in other districts as well. The present Bill is therefore brought to enable the High Court to issue sanads in certain cases in respect of two districts to obviate any chance of unnecessary hardship or disadvantage.

H. V. PATASKAR.

## APPENDIX 13.

## BILL No. XXIII OF 1928.

*A Bill to amend the Bombay Act No. V of 1879,  
The Bombay Land Revenue Code.*

(As introduced on the 31st July 1928 and published in the  
"Bombay Government Gazette" of the 11th August 1928.)

WHEREAS it is expedient to further amend Bombay Rom. V  
Act No. V of 1879, the Bombay Land Revenue Code; of 1879.  
It is hereby enacted as follows:—

1. *Short Title.*—This Act may be called the Bombay  
Land Revenue Code (Amendment) Act of 1928 .

2. *Amendment of section 216 of Bom. V of 1879.*—In the Rom. V  
last paragraph of section 216 of the Bombay Land Revenue of 1879.  
Code, after the words "on the application in writing being  
made by the holder of any such village to that effect" add  
the words "or where there are more than one of such holders  
of the village, by the holder or holders of the village receiving  
in the aggregate three-fourths or more of the revenue of the  
village and paying three-fourths or more of the judi that is  
annually payable to the Government."

## STATEMENT OF OBJECTS AND REASONS.

This amendment is intended to facilitate the extension of survey and revision survey settlement to alienated villages. In an alienated village where there are a number of sharers, it happens that a sharer holding an insignificant share of the village does not consent to the introduction of the survey settlement or the revision survey settlement, and under the existing law, survey settlement or revision survey settlement cannot be introduced when such a sharer raises an objection. The benefits of survey settlement to tenants and occupants are well known. This amendment will enable the Government to introduce survey settlement in an alienated village where the holders of three-fourths share of the revenue of the village desire it, and while doing no injustice to the holders of the village, will extend the benefits of the survey settlement to the tenants and occupants of the alienated village.

R. R. KALE,  
M.L.C.

## APPENDIX 14.

## AGENDA

Supplementary agenda for the third Session (1928) of the Bombay Legislative Council which commenced on the 24th September 1928. (Vide Standing Order X, I, i (d).)

*Resolutions by Mr. Jairamdas Donlatram, M.L.C.*

1. "This Council recommends to the Governor in Council to urge upon the Railway Board the desirability of taking early steps to start the construction of a direct Bombay-Sind connection and of a feeder railway from Amarkote to Jhudo in Thar Parkar District of Sind."
2. "This Council recommends to the Governor in Council that the Hindustani language should be made a compulsory subject in the curriculum of secondary schools in the province of Bombay and that all necessary steps should be taken to make this possible at an early date."

*Resolution by Mr. D. A. Janvekar, M.L.C.*

1. "This Council recommends to Government to move His Excellency the Governor to extend the life of the present legislative Council by one year pending the inquiry to be made by the Royal Statutory Commission appointed in accordance with the Government of India Act of 1919 to inquire into the working of the system of government under the said Act."

*Resolutions by Mr. V. N. Jog, M.L.C.*

1. "This Council recommends to Government that they be pleased to recommend to the Government of India that all the Kanarese speaking districts of British India including Coorg be formed into an independent Governor's province like other major provinces."
2. "This Council disapproves of the recent Press Note No. 4057, dated the 15th May 1928, of Government in the Educational Department, proposing to increase the schedule of fees in Government colleges at Bombay and Poona and in secondary schools at Bombay, Karachi and in the mofussil and recommends that the present scale of fees should not be raised."

*Resolution by Khan Sahib Rais Fazal Muhammad  
Laghari, M.L.C.*

1. "This Council recommends to Government to move His Excellency the Governor to extend the life of the present Legislative Council by one year pending the inquiry to be made by the Royal Statutory Commission appointed in accordance with the Government of India Act of 1919 to inquire into the working of the system of government under the said Act."

## [Appendix 14—contd.]

*Resolutions by Mr. H. V. Pataskar, M.L.C.*

1. "This Council recommends to Government to convey to the Government of India and the British Parliament their demands for full Dominion status for India and complete Provincial Autonomy in agreement with the Report of the Nehru Committee appointed by all Parties Conference."

2. "This Council recommends to Government to take immediate steps to effect complete separation of judicial and executive functions."

3. "This Council recommends to Government to introduce legislation for stopping all forms of gambling on the race courses in this Presidency."

4. "This Council recommends to Government to take immediate steps to improve the causeway over the river Titur at Chalisgaon."

5. "This Council recommends to Government to reconsider the wholesale commutations of Kulkarni watan effected in this Presidency in or about the year 1914 and to restore Kulkarni watan with right of service to those belonging to Watan families who are prepared to officiate."

6. "This Council recommends to Government to increase the remuneration paid to officiating Patels."

7. "This Council recommends to Government to frame definite rules to be observed in making appointments of honorary magistrates and to submit them to this Council for approval or modification."

*Resolutions by Rao Saheb D. R. Patil, M.L.C.*

1. "This Council recommends to Government to appoint a committee of the members, officials as well as non-officials, of this Council to enquire into the working of the Dekhan Agriculturists' Relief Act and suggest to Government for action such modifications in the Act as are essential to protect the interest of the agriculturists."

2. "This Council recommends to Government that no talati be kept in service at one place for more than three years."

*Resolutions by Mr. S. A. Sardesai, M.L.C.*

1. "This Council places on record its high sense of appreciation of the able and invaluable services rendered to this Presidency in general and to this Council in particular by the Honourable Sir Chunilal Mehta, K.C.S.I., in the capacity of both Revenue and Finance Member of Government and of Leader of this Honourable House."

2. "This Council recommends to Government not to recognise the adoption by a watandar holding a sanad under the Gordon settlement of a person who is not a member of the watan family without the unanimous consent of all the sharers of the watan and the consequent consent of the Government."

3. "This Council recommends to Government to organise the Public Health Department by the appointment of Health Officers and properly

## [Appendix 14—contd.]

trained staff in every district and major municipality, and to make a beginning in this direction by provincialising the Health Officers already employed by local bodies."

4. "This Council places on record its grateful acknowledgment of the valuable services rendered to this Presidency by the Honourable Sir Cowasji Jehangir, Kt., C.I.E., O.B.S., as General Member of Government."

5. "This Council recommends to Government to investigate the following four irrigation schemes so as to relieve a large portion of the famine stricken district of Bijapur, namely :—

- (1) Herkal scheme (on the Ghataprabha river near Bagalkot).
- (2) Shivayogimandir scheme (near Badami on the Malaprabha river).
- (3) Ramtal scheme (near Kamatgi causeway on the Malaprabha river).
- (4) Aliholi scheme (on the Malaprabha river)."

6. "This Council recommends to Government that the provision relating to the record of rights should not be made applicable to inam villages and lands throughout the whole of Bombay Presidency."

7. "This Council recommends to Government to open an industrial and technical school at Bijapur immediately."

8. "This Council recommends to Government to open an agricultural school at a suitable place in Bijapur district immediately."

9. "This Council recommends to Government to abolish all tolls levied under Bombay Act III of 1875."

10. "This Council recommends to Government to recommend to the Government of India to exempt all members and past members of the Bombay Legislative Council from the operations of the Arms Act."

11. "This Council recommends to Government to move the Government of India to exempt all Inamdars and Jahagirdars either possessing at least one entire inam village or paying Rs. 250 as either *judi* or land assessment from the operations of the Indian Arms Act, 1874."

12. "This Council recommends to Government to recommend to the Government of India to create a separate electorate of Inamdars and Sardars of the Karnatic districts with a right to return at least one elected member to this Council."

13. "This Council recommends to Government to establish at least one combined Ayurvedic and Unani Medical College for the Bombay Presidency at some suitable centre like the one in Madras."

14. "This Council recommends to Government to move the Government of India to create a new province of Karnatic districts from the Kannada speaking parts of the Bombay and Madras presidencies and Coorg."

15. "This Council recommends to Government that it may be pleased to take necessary steps to have at least two non-Muhammadian representatives in the Bombay Legislative Council from Bijapur district."

[Appendix 14—*contd.*]

16. "This Council recommends to Government that steps be taken to have at least two fast trains running on the Gadag-Hotgi section of the M. S. M. Railways."

17. "This Council recommends to Government to appoint a committee to enquire into and report on the possibilities of opening Karwar as a harbour."

18. "This Council recommends to Government to recommend to the Government of India to connect Karwar port with Hubli by a railway line."

19. "This Council recommends to Government to appoint a committee with a three-fourths non-official majority to consider and report on the present rules regarding the suspensions and remissions of land revenue and to suggest what changes it is desirable to make in them."

20. "This Council recommends to Government that for the better conduct of criminal and revenue administration of this Presidency revenue officers should exercise no powers under laws relating to crimes."

21. "This Council recommends to Government to appoint at an early date a committee consisting of officials and non-officials to enquire into the condition of cottage industries in the Presidency and to suggest measures for their development."

*Resolutions by Mr. H. B. Shirdasa ji, M.L.C.*

1. "This Council recommends to Government that for the better conduct of Criminal and Revenue administration of this Presidency, revenue officers should exercise no powers under laws relating to crimes."

2. "This Council recommends to Government to appoint a committee with a three-fourths non-official majority to consider and report on the present rules regarding the suspensions and remissions of land revenue and to suggest what changes it is desirable to make in them."

3. "This Council recommends to Government that Revenue Commissionerships should be abolished."

4. "This Council recommends to Government that all the tanks in the Surat district on which there is special Himayat assessment should be repaired and put in good working order at an early date and that in future the entire receipts from Himayat assessment be utilised for the repair of tanks."

*Resolutions by Dr. P. G. Solanki, M.L.C.*

1. "This Council recommends to Government to take immediate steps for introducing legislation for the registration and licensing of money-lenders and sowcars such as Marwadis and Pathans on the lines of the Money-lenders Bill recently passed in the Punjab Legislative Council."

2. "This Council recommends to Government that 50 per cent. of the posts of menial staff in Government offices requiring no educational qualifications be reserved for the members of the Depressed Classes, no further appointments to such posts from members of other communities being made until the said proportion of 50 per cent. is reached."

[Appendix 14—*contd.*]

3. "This Council recommends to Government that they should forthwith stop all grants to primary and secondary schools under the control of local bodies who refuse admission to boys and girls of the Depressed (untouchable) classes on the plea of custom and religion and deny the children of the Depressed (untouchable) classes equal treatment with those of other Hindoo communities."

4. "This Council recommends to Government that the term 'Depressed Classes' should henceforth be strictly restricted to those classes which are treated by Hindoos as untouchables and are not allowed entry into the Temples, Dharamshalas and common meeting places of the Hindoos."

5. "This Council recommends to Government that all castes other than those treated as untouchables by Hindoos and now merged in the general nomenclature of the 'Depressed Classes' in the Government Educational Department, should henceforth be classified as the Backward Hindoos."

6. "This Council recommends to Government that a certain number or a fixed percentage of special scholarship be set apart solely for the benefit of the boys and girls of untouchable Depressed Classes apart from those set apart for the Backward Classes in the primary, secondary and high schools."

7. "This Council recommends to Government to reserve at least 10 per cent. of the posts of Government services in all the Departments of Government for deserving candidates possessing the requisite minimum qualifications from the Depressed Untouchable Classes, no further appointments to such posts from members of other communities being made until the said percentage of 10 per cent. is reached."

8. "This Council recommends to Government to remove all the brothels, houses of prostitutes, public women and singing girls from the main roads in the City of Bombay along which the tram lines pass, and from the vicinity of Municipal and Private Schools, Hindoo Temples, Parsee Fire Temples, Mosques and Churches and other places of worship of all other communities and to bring in legislation immediately to put a stop to brothels and prostitution in the City of Bombay."

9. "This Council recommends to Government to request the Government of India to expedite the revision of the Meston settlement concerning the income-tax revenue of the Bombay Presidency and to allot a fair proportion of the said revenue to this Presidency."

10. "This Council recommends to Government to recommend to the Government of India to exempt all the members of the Bombay Legislative Council from the operations of Arms Act."

*Resolution by Mr. Dautoodkhan Shalebhoj, M.L.C.*

1. "This Council recommends to Government to move His Excellency the Governor to extend the life of the present Legislative Council by one year pending the inquiry to be made by the Royal Statutory Commission appointed in accordance with the Government of India Act of 1919 to inquire into the working of the system of government under the said Act."

[Appendix 14—contd.]

*Resolution by Khan Bahadur Haji Imambakh Khan Jatoi,  
M.L.C.*

1. "This Council recommends to Government to move His Excellency the Governor to extend the life of the present Legislative Council by one year pending the inquiry to be made by the Royal Statutory Commission appointed in accordance with the Government of India Act of 1919 to inquire into the working of the system of government under the said Act."

*Resolution by Mr. Hoosenally M. Rahimtoola, M.L.C.*

1. "This Council recommends to Government to take steps to amend the rules and the standing orders so that the first reading of a private Bill can be moved on its being introduced in the same way as a Government Bill."

*Resolution by Mr. Ghulam Haidar Shah, M.L.C.*

1. "This Council recommends to Government to move His Excellency the Governor to extend the life of the present Legislative Council by one year pending the inquiry to be made by the Royal Statutory Commission appointed in accordance with the Government of India Act of 1919 to inquire into the working of the system of government under the said Act."

*Resolutions by Mr. M. D. Karki, M.L.C.*

1. "This Council recommends to Government that the existing land revenue assessment in the talukas of Sidlapur, Sirsi and Yellapur in Kanara should not be increased by virtue of the revisional settlement made by Mr. Collins since 1924 but be decreased throughout."

2. "This Council recommends to Government to request the Government of India to take necessary steps forthwith for the formation of an independent province of the Kannada speaking areas within British India."

*Resolutions by Mr. Shaikh Abdul Aziz Abdul Latif, M.L.C.*

1. "This Council recommends to Government to add a second year training class to the Central Urdu Girls School, Poona."

2. "This Council recommends to Government to establish immediately an Anglo-Urdu Middle School at Jalgaon, district East Khandesh."

3. "This Council recommends to Government to request the Government of India to protect the hand-loom industry from dying out completely by abolishing the extra tax imposed upon yarn and by either prohibiting the production of saris below 30 counts by Indian mills or by imposing a 15 per cent. duty thereupon."

4. "This Council recommends to Government to appoint a committee to inquire into the position of Hindu and Muslim devasthan properties and the use to which they are put at present by the managers of them and to suggest means and measures for making the occupants and possessors of such properties liable to use a sufficient portion of the income thereof for the devasthanas."

[Appendix 14—*concl'd.*]

*Resolution by Syed Muhammad Kamil Shah, M.L.C.*

1. "This Council recommends to Government to move His Excellency the Governor to extend the life of the present legislative Council by one year pending the inquiry to be made by the Royal Statutory Commission appointed in accordance with the Government of India Act of 1919 to inquire into the working of the system of government under the said Act."

*Resolution by Mr. M. G. Bhosle, M.L.C.*

1. "This Council recommends to Government to take steps to secure two seats in this Council for representation of West Khandesh."

*Resolution by Mr. S. C. Joshi, M.L.C.*

1. "In view of the opinion expressed by the Royal Commission on Agriculture in India, this Council recommends to Government to appoint a committee of the following gentlemen with powers to add to their number, to inquire into the working of the co-operative movement in the presidency in all its aspects and to suggest lines for its future expansion :—

1. Mr. Otto Rothfeld, . . . . . Chairman.
2. Rao Bahadur G. K. Chitale (Ahmednagar),
3. Mr. J. N. R. Mehta (Karachi),
4. Mr. V. N. Jog, M.L.C. (Dharwar),
5. Mr. L. B. Bhopatkar (Poona),
6. Dewan Bahadur A. U. Malji (Broach),
7. The mover.

*Resolution by Rao Saheb R. V. Vandekar, M.L.C.*

1. "This Council recommends to Government to open experimental farms either in the Malegaon or Bagalan taluka of the Nasik District to investigate the problem of irrigated farming on bandharas."

G. S. RAJADHYAKSHA,  
Acting Secretary to the Legislative  
Council of the Governor of Bombay.

Poona, 26th September 1928.

INDEX

A

	Pages
Abdul Latif Haji Hajrat Khan, Khan Sahab—	
Resolution regarding—	
Mehta, Sir Chunilal: Appreciation of services of .. .. .	232
Acts—	
Act IX of 1887, Bill to amend the .. .. .	79-88
Bombay Act V of 1879, Bill to amend the .. .. .	79-88, 449-57
Bombay Act III of 1888, Bill to amend the .. .. .	56-78, 236-55, 255-84, 295-333, 360-402, 422-34
Bombay Act VII of 1926, Bill to amend the .. .. .	79-88
Addyman, Mr. J.—	
Resolution regarding—	
Mehta, Sir Chunilal: Appreciation of services of .. .. .	230
Supplementary estimates .. .. .	209-10
Agenda .. .. .	1-36
Ahmad, the Honourable Moulvi Rafiuddin—	
Bills—	
Bombay University Act Amendment Bill— .. .. .	105, 107-08
City of Bombay Municipal Act Amendment Bill .. .. .	277
Allabakh <i>walad</i> Khan Sahab Haji Mahomed Umar, Khan Sahab—	
Supplementary estimates .. .. .	183-84
Ambedkar, Dr. B. R.—	
Asks questions .. .. .	287-88
Amcer Ali, Syed: Death of — .. .. .	333
Amin, Mr. H. J.—	
Statement regarding—	
Broach, trouble in — .. .. .	357
Anderson, Mr. F. G. H.—	
Appointed member of the select committee on—	
Bombay Land Revenue Code Amendment Bill .. .. .	456
Bills—	
Bombay Land Revenue Code Amendment Bill .. .. .	452-53
Angadi, Rao Bahadur S. N.—	
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	394
Supplementary estimates .. .. .	133-34
Allison, Mr. F. W.—	
Appointed member of the select committee on—	
Bombay Land Revenue Code Amendment Bill .. .. .	456
Motion to amend Standing Orders .. .. .	446
Bills—	
Bombay Pleaders Act Amendment Bill .. .. .	448
Bombay Repealing and Amending Bill .. .. .	89, 92, 94
Bombay University Act Amendment Bill .. .. .	129
City of Bombay Municipal Act Amendment Bill .. .. .	67, 70, 75-76, 78, 242-43, 297-98, 298, 299, 303, 306, 311, 361, 364-65, 366-67, 372, 396, 424, 429, 433, 434

Appendices .. .. .	458-512
<b>Asavale, Mr. R. S.—</b>	
Appointed member of the select committee on—	
Motion to amend Standing Orders .. .. .	446
Asks Questions .. .. .	39
Bills—	
Bombay University Act Amendment Bill .. .. .	119-20, 123
City of Bombay Municipal Act Amendment Bill .. .. .	64, 69-70, 77, 238, 239, 246, 252, 301, 318-20, 363, 369, 370, 385, 392, 396, 431
Resolution regarding—	
Sir Cowasji Jehangir: Appreciation of services of— .. .. .	435-36
Supplementary estimates .. .. .	358
<b>B</b>	
<b>Bechar, Mr. N. A.—</b>	
Asks questions .. .. .	405
Bills—	
Bombay Land Revenue Code Amendment Bill .. .. .	451-52
Bombay University Act Amendment Bill .. .. .	108-10
City of Bombay Municipal Act Amendment Bill .. .. .	244-46, 251-52, 277-80, 296, 300-01, 307-08, 314-17, 362, 365-66, 368, 374, 376-77, 380-81, 390-92, 425-26, 430-31, 432-33
Karachi Small Causes Court Bill .. .. .	85-87
Supplementary estimates .. .. .	130, 174-75, 188-90
<b>Bhosle, Mr. M. G.—</b>	
Asks questions .. .. .	406-07
<b>Bhutto, Khan Bahadur S. N.—</b>	
Resolution regarding—	
Mehta, Sir Chunilal: Appreciation of services of .. .. .	235
Supplementary estimates .. .. .	131-32, 135
<b>Bills—</b>	
Bill No. XIV of 1928 (A Bill further to amend the Bombay Land Revenue Code, 1879): Statement by the Honourable Mr. J. L. Rieu regarding—	78-79
Bill No. XVIII of 1928 (A Bill further to amend the City of Bombay Municipal Act, 1888)—	
Second reading .. .. .	56-57
Third reading .. .. .	78
Bill No. XXVI of 1928 (A Bill to provide for the establishment of a Court of Small Causes at Karachi)—	
Bill introduced .. .. .	79
First reading .. .. .	80-87
Bill referred to select committee .. .. .	87-88
Bill No. XXVII of 1928 (A Bill to amend certain enactments and to repeal certain other enactments)—	
Bill introduced .. .. .	88
First reading .. .. .	89
Second reading .. .. .	89-91
Third reading .. .. .	94
Bill No. XXVIII of 1928 (A Bill to amend the Bombay University Act, 1928)—	
Bill introduced .. .. .	98
First reading .. .. .	98-124
Second reading .. .. .	125
Bill read clause by clause .. .. .	125-28
Third reading .. .. .	128-29
<b>Private Bills—</b>	
Bill No. XXIV of 1927 (A Bill further to amend the Bombay Local Boards Act of 1923)—	
First reading .. .. .	446

## B—contd.

## PAGES

## Bills—contd.

Private Bills—contd.	
Bill No. XXVII of 1927 (A Bill further to amend the City of Bombay Municipal Act No. III of 1888)—	
Select Committee report presented .. .. .	230-27
Second reading .. .. .	238
Bill read clause by clause .. .. . 238-84, 295-333, 360-401, 422-34	
Third reading .. .. .	434
Bill No. XXVIII of 1927 (A Bill further to amend the Bombay Local Boards Act, 1923)—	
First reading .. .. .	447
Bill No. XXI of 1928 (A Bill further to amend the Bombay Land Revenue Code, 1879)—	
First reading .. .. .	447
Bill No. XXII of 1928 (A Bill to amend the Bombay Pleaders Act, 1920)—	
First reading .. .. .	447-48
Bill No. XXIII of 1928 (A Bill to amend the Bombay Act V of 1879, the Bombay Land Revenue Code)—	
First reading .. .. .	449-56
Bill referred to select committee .. .. .	456
Motion for leave to introduce—	
A Bill to amend the—	
Bombay District Vaccination Act, 1892 .. .. .	442
Bombay Land Revenue Code, 1879 .. .. .	443
Bombay Local Boards Act, 1923 (by Mr. Jairamdas Doulatram) ..	441
Bombay Local Boards Act, 1923 (by Mr. J. C. Swaminarayan) ..	442
Bombay Rent War Restrictions Act, 1918, and the Bombay Rent (War Restrictions No. 2) Act, 1918 .. .. .	444
City of Bombay Police Act, 1902 (by Mr. P. J. Marban) .. .. .	442
City of Bombay Police Act, 1902 (by Mr. J. C. Swaminarayan) ..	441
Dekkhan Agriculturists' Relief Act, 1879 .. .. .	444
Bale, Mr. S. K.—	
Asks questions .. .. .	336, 407
Bills—	
City of Bombay Municipal Act Amendment Bill 244, 250, 296-81, 323-24, 364, 384-85, 394	
Resolution regarding—	
Gowaji Jehangir, Sir: Appreciation of services of .. .. .	437
Mehta, Sir Chunilal: Appreciation of services of .. .. .	236-31
Supplementary estimates .. .. .	172
Branch: Trouble in—Statement regarding .. .. .	357
Brown, Mr. D. R. H.—	
Oath of office .. .. .	39
Statement regarding Sukkur Barrage film .. .. .	284
C	
Chairman of Council: Nomination of .. .. .	39
Chikodi, Mr. P. R.—	
Appointed member of the select committee on—	
Bombay Land Revenue Code Amendment Bill .. .. .	456
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	249, 313, 377, 396
Statement regarding—	
Branch: trouble in .. .. .	357
Supplementary estimates .. .. .	171-72, 176-77, 300
Council Business: Arrangement of .. .. .	230-21, 401-02, 439-41

	PAGES
<b>Cooverton, Mr. S. H.—</b>	
Oath of office .. .. .	39
<b>Cowasji Jehangir, Sir—</b>	
Resolution regarding : Appreciation of services of .. .. .	434-39

## D

<b>Dabholkar, Sir Vasantao—</b>	
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	259, 260-62, 263
<b>Desai, Mr. B. T.—</b>	
Bills—	
Bombay University Act Amendment Bill .. .. .	112-15
City of Bombay Municipal Act Amendment Bill 62-64, 72-73, 258-59, 260, 329-31	
Supplementary estimates .. .. .	184-88
<b>Desai, Rao Saheb D. P.—</b>	
Resolution regarding—	
Mehta, Sir Chunilal: Appreciation of services of .. .. .	234-35
<b>Desai, the Honourable Dewan Bahadur Harilal D.—</b>	
Bills—	
Bombay University Act Amendment Bill .. .. .	98-102, 103, 120-24, 125, 128
City of Bombay Municipal Act Amendment Bill 56, 78, 243, 250, 253, 254-55, 270-71, 279, 282-83, 296-97, 298, 305, 310, 332-33, 369, 376, 388-89, 401, 424, 429, 431	
Supplementary estimates .. .. .	176, 177-78
<b>Desai, Mr. J. B.—</b>	
Bills—	
Bombay Land Revenue Code Amendment Bill .. .. .	454
<b>Deeshpande, Mr. L. M.—</b>	
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	239-40
Bombay Land Revenue Code Amendment Bill .. .. .	451
Bombay Local Boards Act Amendment Bill .. .. .	446-47
Supplementary estimates .. .. .	162-64
<b>Division on—</b>	
Bills—	
Bombay University Act Amendment Bill 124, 126, 128, 253-54, 283-84, 378, 389	
<b>Dixit, Dr. M. K.—</b>	
Bills—	
City of Bombay Municipal Act Amendment Bill 66-67, 68, 69, 73-75, 252-53, 320-23	
Bombay University Act Amendment Bill .. .. .	111-12
<b>G</b>	
<b>Ghulam Hussain, the Honourable Sir—</b>	
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	273-75, 320, 427-28
Supplementary estimates .. .. .	94-95, 129, 134-35, 136, 178-79, 178, 210, 211-13, 214, 215, 216, 219, 220, 357-58, 359
<b>Gilder, Dr. M. D.—</b>	
Appointed chairman of council .. .. .	39
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	70-72, 78
Supplementary estimates .. .. .	177
<b>Godhra Riots—</b>	
Statement regarding .. .. .	54-56, 216-19, 224, 353-57

INDEX

17

G—contd.

	PAGES
Gunjal, Mr. N. R.—	
Appointed member of the select committee on—	
Motion to amend Standing Orders .. .. .	446
Asks questions .. .. .	141-43
Resolution regarding—	
Mehta, Sir Chunilal: Appreciation of services of .. .. .	229

H

Haji Mir Mahomed Baloch—	
Asks questions .. .. .	52, 138-62
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	281-82, 327-28
Karachi Small Causes Court Bill .. .. .	83-84
Resolution regarding—	
Mehta, Sir Chunilal: Appreciation of services of .. .. .	231-32
Supplementary estimates .. .. .	95, 132-33, 134, 166-67, 180-83
Harrison, Mr. R. T.—	
Supplementary estimates .. .. .	191-94

I

Indian Statutory Commission Committee—	
Motion regarding election of a representative on .. .. .	224-55

J

Jairamdas Doulatram, Mr.—	
Appointed member of the select committee on—	
Bombay Land Revenue Code (Amendment) Bill .. .. .	456
Asks questions .. .. .	48-49, 143-58, 288-92, 337-46, 408-15
Bills—	
Bombay District Vaccination Act (Amendment) Bill .. .. .	442
Bombay Land Revenue Code (Amendment) Bill .. .. .	454-55
Bombay Local Boards Act (Amendment) Bill .. .. .	442
City of Bombay Municipal Act (Amendment) Bill .. .. .	240, 241-42, 248-49, 275-77, 302-03, 324-26, 375
Karachi Small Causes Court Bill .. .. .	80-83
Supplementary estimates .. .. .	208

Jitekar, Mr. Haji Ibrahim Haji Mahomed—	
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	64

Jog, Mr. V. N.—	
Asks questions .. .. .	415
Bills—	
Bombay University Act Amendment Bill .. .. .	116-17

Joshi, Mr. S. C.—	
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	238-39, 240-41, 243, 301-42, 312-13, 360-61, 364, 365, 368, 383-84
Rent Acts Amendment Bill .. .. .	444

K

Kale, Rao Bahadur R. R.—	
Appointed member of the select committee on—	
Bombay Land Revenue Code (Amendment) Bill .. .. .	456
Bills—	
Bombay Land Revenue Code (Amendment) Bill .. .. .	449-50, 456
Bombay Repealing and Amending Bill .. .. .	90-92, 93-94
Bombay University Act Amendment Bill .. .. .	106-107
Statement regarding Godhra Riots .. .. .	353, 354, 355, 356, 357
Supplementary estimates .. .. .	208-09

	Pages
<b>Kambli, Rao Bahadur S. T.—</b>	
Appointed member of the select committee on—	
Motion to amend Standing Orders .. .. .	446
<b>Bills—</b>	
Bombay University Act Amendment Bill .. .. .	115-16
City of Bombay Municipal Act Amendment Bill .. .. .	312, 377, 385-86
<b>Resolution regarding—</b>	
Cowasji Jehangir, Sir: Appreciation of services of .. .. .	436
Supplementary estimates .. .. .	132, 357-58
<b>Karki, Mr. M. D.—</b>	
Asks questions .. .. .	61
<b>Kerwada, the Thakor of—</b>	
Appointed member of the select committee on—	
Bombay Land Revenue Code Amendment Bill .. .. .	456
<b>Bills—</b>	
Bombay Land Revenue Code Amendment Bill .. .. .	450, 453-54
<b>Resolution regarding—</b>	
Cowasji Jehangir, Sir: Appreciation of services of .. .. .	436
<b>Statement regarding—</b>	
Broach, trouble in .. .. .	357
<b>Khuhro, Mr. M. S.—</b>	
Asks questions .. .. .	415-16
Supplementary estimates .. .. .	172-74
<b>L</b>	
<b>Lalji Naranji, Mr.—</b>	
<b>Resolution regarding—</b>	
Mehta, Sir Chunilal: Appreciation of services of — .. .. .	225-27
Supplementary estimates .. .. .	203-04
<b>Lalljee, Mr. Hooseinbhoy Abdullabhoj—</b>	
<b>Bills—</b>	
Bombay University Act Amendment Bill .. .. .	98, 101, 102, 127
City of Bombay Municipal Act Amendment Bill 59-61, 68, 69, 76, 255-57, 274, 277, .. .. .	364, 382-83, 392-93, 398-402, 423-34
<b>Resolution regarding—</b>	
Mehta, Sir Chunilal: Appreciation of services of — .. .. .	234
Supplementary estimates .. .. .	129-30, 136-37, 178-79, 219-20, 359-60
<b>Library Committee .. .. .</b>	53
<b>Ligade, Mr. S. P.—</b>	
<b>Bills—</b>	
City of Bombay Municipal Act Amendment Bill .. .. .	392
<b>Lloyd Barrage—</b>	
Statement by Government regarding visit of M. L. C.'s to — .. .. .	421, 422
<b>M</b>	
<b>Mansuri, Khan Sahab A. M.—</b>	
Asks questions .. .. .	416-18
<b>Resolution regarding—</b>	
Mehta, Sir Chunilal: Appreciation of services of — .. .. .	231
<b>Martin, the Honourable Mr. J. R.—</b>	
<b>Bills—</b>	
Bombay Pleaders Act (Amendment) Bill .. .. .	448
Bombay Repealing and Amending Bill .. .. .	88-89, 94
Karachi Small Causes Court Bill .. .. .	79, 80, 87, 88

## M—contd.

	PAGES
<b>Martin, the Honourable, Mr. J. R.—contd.</b>	
Statement regarding—	
Broach, trouble in .. .. .	357
Godhra Riots .. .. .	84-85, 86, 355, 216-18, 224
Nasik Disturbances .. .. .	352
Surat Riots .. .. .	352-53, 367
<b>Marzban, Mr. P. J.—</b>	
Bills—	
Bombay University Act Amendment Bill .. .. .	98
City of Bombay Municipal Act Amendment Bill .. .. .	87-89, 65, 89, 317-18, 366, 428-29
City of Bombay Police Act Amendment Bill .. .. .	442-43
Resolution regarding—	
Cowasji Jehangir, Sir: Appreciation of services of — .. .. .	437-38
<b>Mehta, Sir Chunilal—</b>	
Resolution regarding appreciation of services of — .. .. .	225-36
<b>Miller, Mr. E.—</b>	
Appointed Chairman of Council .. .. .	39
<b>Motions—</b>	
Motion regarding—	
Indian Statutory Commission Committee—Election of a representative on .. .. .	224
Motion to amend Standing Orders .. .. .	445-46
<b>Mujumdar, Sardar G. N.—</b>	
Appointed member of the select committee on—	
Bombay Land Revenue Code Amendment Bill .. .. .	456
Asks questions .. .. .	346-47
Bills—	
Bombay Land Revenue Code Amendment Bill .. .. .	447, 454
Resolution regarding—	
Mehta, Sir Chunilal: Appreciation of services of — .. .. .	235
<b>Munshi, Mr. K. M.—</b>	
Appointed Chairman of Council .. .. .	39
Appointed member of the select committee on—	
Motion to amend Standing Orders .. .. .	446
<b>N</b>	
<b>Naik, Rao Bahadur B. R.—</b>	
Asks questions .. .. .	347-48, 418
Bills—	
Bombay Land Revenue Code Amendment Bill .. .. .	453
Statement regarding Surat Riots .. .. .	357
Supplementary estimates .. .. .	164-66
<b>Nasal, Mr. B. R.—</b>	
Asks questions .. .. .	292-94
<b>Nariman, Mr. K. F.—</b>	
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	264-69, 271, 373-74, 396-98
Statement regarding Godhra Riots .. .. .	354
Supplementary estimates .. .. .	181-82, 194-99, 213-14, 358, 359
<b>Nasik Disturbances—</b>	
Statement regarding .. .. .	353
<b>Noor Mahomed, Mr.—</b>	
Appointed member of the select committee on—	
Motion to amend Standing Orders .. .. .	446
Bills—	
Karachi Small Causes Court Bill .. .. .	65

	Pages
<b>Noor Mahomed, Mr.—contd.</b>	
Resolution regarding—	
Cowasji Jehangir, Sir: Appreciation of services of — .. ..	434
Mehta, Sir Chunilal: Appreciation of services of — .. ..	232-33
Statement regarding Godhra Riots .. ..	355-56
<b>O</b>	
<b>Owen, Mr. A. C.—</b>	
Supplementary estimates .. ..	202
<b>P</b>	
<b>Pahalajani, Mr. B. G.—</b>	
Appointed member of select committee on—	
Motion to amend Standing Orders .. ..	446
Bills—	
City of Bombay Municipal Act Amendment Bill 77, 246-47, 250-51, 253, 270, 271, 295, 297, 298-300, 303-05, 307-09, 331-32, 361-62, 365, 367, 370, 371, 376, 377-78, 379, 380, 386-88, 390, 395-96, 400, 401, 424, 430.	
Karachi Small Causes Court Bill .. ..	84
Resolution regarding—	
Cowasji Jehangir, Sir: Appreciation of services of — .. ..	437
Mehta, Sir Chunilal: Appreciation of services of — .. ..	230
Statement regarding Godhra Riots .. ..	354, 355, 356
Supplementary estimates .. ..	167-69, 190, 202-03
<b>Pataaskar, Mr. H. V.—</b>	
Bills—	
Bombay Local Boards Act (Amendment) Bill .. ..	446, 447
Bombay Pleaders Act (Amendment) Bill .. ..	447, 448
City of Bombay Municipal Act Amendment Bill .. ..	306-07, 326-27
Dekkhan Agriculturists' Relief Act Amendment Bill .. ..	444
<b>Patel, Mr. J. R.—</b>	
Asks questions .. ..	62
<b>Pradhan, the Honourable Mr. G. B.—</b>	
Bills—	
Bombay Repealing and Amending Bill .. ..	92, 93
City of Bombay Municipal Act Amendment Bill .. ..	256, 260
Oath of office .. ..	38
<b>Pradhan, Mr. R. G.—</b>	
Asks questions .. ..	62
Bills—	
Bombay University Act Amendment Bill .. ..	103-06
City of Bombay Municipal Act Amendment Bill .. ..	309-11, 374-75
Resolution regarding—	
Mehta, Sir Chunilal: Appreciation of services of — .. ..	233-34
Statement regarding—	
Nasik Disturbances .. ..	352
Surat Riots .. ..	352
<b>President, the Honourable the—</b>	
Rulings of—	
Appreciative reference—	
Resolution regarding—	
Remarks opposing—are not in good taste. An honourable member may bring a separate resolution and raise a general question of such resolutions independently .. ..	231-32
Debates—	
Unparliamentary words—	
“Dabbling” is not a very polite word .. ..	391

P—contd.

	PAGE
President, The Honourable the— <i>contd.</i>	
Rulings of— <i>contd.</i>	
Riots, disturbances, etc.—	
Statements by honourable members regarding — may be distributed to honourable members under Standing Order XII, 5 (2), provided the honourable member wishing to do so undertakes to supply the required number of copies of such statements .. ..	354
Smoking cannot be permitted on the floor of the House even during the period of a division .. ..	389
Supplementary Grants—	
The practice of placing — before the Finance Committee and then bringing them before the House should be adhered to as far as possible .. ..	190
Prorogation of Council .. ..	457

## Q

## Questions and Answers—

## Question regarding—

Ahmedabad Courts—Receivers and Liquidators .. ..	53
Back Bay Reclamation: Block No. 8 .. ..	420
Backward and Muhammadan Communities: Recruitment of — for Government Service .. ..	348-50
Bench Magistrates, Thar Parkar District .. ..	158-62
Blind Relief Fund, Thar Parkar District: Subscription by bench magistrates .. ..	158-62
Boarding House for Bhils .. ..	419-20
Bombay Medical Service—Muslims .. ..	418-19
Bombay Small Causes Court and Police Courts—Delay in Cases .. ..	53
Circular No. 3840 of 25th July 1925 regarding advertisement of vacancies for direct recruitment— .. ..	350-52
Civil Court at Navalgund .. ..	415
Civil Hospital, Godhra: Sub-Assistant Surgeon .. ..	417
Deccan Agriculturists' Relief Act: Repeal .. ..	287
Dugad, Liquor Shop .. ..	336
Educational Institutions, Sind: Grants by Local Boards .. ..	143-45
Engineers: Indian Service of — .. ..	288
Ghorla Tank, Gorgam village .. ..	418
Hyderabad and Karachi Districts—Cultivated areas and Land Revenue in — .. ..	337-42
Indian Service of Engineers: Recruitment— .. ..	288-90
Indrayani river, Bridge over—near Kamshet railway station .. ..	141-43
Irrigation Rates—Changes in — .. ..	39
Irrigation Schemes, Sind: Press notes on effect of Punjab Irrigation Schemes .. ..	145
Jamrao Canal: Inspection Roads—Motor traffic on —, weakening of bunds by — .. ..	48
Jamrao Canal: Service Roads—Wheeled traffic on — .. ..	48
Judicial and Revenue Departments: Transfer of Officers .. ..	420-21
Judicial Department Staff—Recruitment of — .. ..	52
Judicial Work, Broach, Panch Mahals and Surat Districts .. ..	418
Kanara—Madhukeshwar Temple <i>versus</i> Mr. Wadiyar—Civil Suit— .. ..	51
Karachi and Hyderabad districts: Cultivated areas and land revenue in — .. ..	337-42
Koli nautch parties: Shimga holidays .. ..	407
Labana Sikhs: Education of — .. ..	291
Land grants in Sind: Re-grants of relinquished holdings — .. ..	288
Landholders in Sind: Number of Hindus and Moslems holding land on which assessment of not less than Rs. 32 and Rs. 16 (separately) has been paid .. ..	291-92
Liquor (Country) Shops—disposal by auction— .. ..	336
Liquor Shop, Dugad .. ..	336
Lloyd Barrage: (Reorganisation of Chief Engineer's office) .. ..	152-53
Lloyd Barrage: Western Circle: Appointments .. ..	415-16
Local Boards, Sind: Grants to educational institutions .. ..	143-45
Local Boards, Sind: Representation of Hindus and Muslims .. ..	153-58

## Questions and Answers—contd.

## Question regarding—contd.

	Pages
Local Boards, Sind: Scholarships sanctioned for different communities .. .. .	145-52
Locust pests—Method adopted by Government for destruction of .. .. .	343-45
Locust pests—Use of poison gas for destruction of — .. .. .	345-46
Magistrates' Bench—Thar Parkar District— .. .. .	158-62
Maratha and depressed classes Members affected by retrenchment proposals .. .. .	352
Ministerial posts—Government ruling regarding appointment to .. .. .	346-47
Mir Mahomed Khan Talpur: Jagir of —, grievances of Zamindars .. .. .	290
Muhammadan and backward communities, recruitment of — for Government Service— .. .. .	348-50
Pensions: Amount drawn by permanent Government Servants in the Subordinate and Clerical Services .. .. .	287-88
Pensions—Payments at Nasik .. .. .	52
Primary education: Transfer of teachers by School Boards .. .. .	408-409
Primary teachers of Surat Municipality—revision of pay of — .. .. .	347-48
Provincial Road Board: Work done .. .. .	410-13
Public Service: Muslim Officers .. .. .	416-17
Public Works Department Officers: Suspension of lien on transfer to Sukkur Barrage .. .. .	413-14
Railway advisory committees: Representation for passengers' association .. .. .	405-07
Relinquished holdings in Sind: Re-grants .. .. .	288
Revenue and Judicial Departments: Transfer of Officers .. .. .	420-21
Revenue receipts, Southern Division .. .. .	292-94
Road Development Conference, Simla .. .. .	414-15
Salaries: Amount drawn by permanent Government Servants in the subordinates and Clerical Services .. .. .	287-88
Sind Canals: Press notes on Punjab Irrigation Schemes .. .. .	145
Sind Educational Grants by Local Boards to Muslim and Hindu institutions .. .. .	49
Sind Educational Institutions, Grants by Local Boards— .. .. .	143-45
Sind local boards: Representation of Hindus and Muslims— .. .. .	153-56
Sind local boards: Scholarships sanctioned by .. .. .	145-52
Sind, Number of Hindus and Moslems holding land on which assessment of not less than Rs. 32 and Rs. 16 (separately) has been paid .. .. .	291-92
Southern Division: Revenue receipts .. .. .	292-94
Sukkur Barrage—(see Lloyd Barrage)— .. .. .	
Surat Municipality, Primary teachers of —, revision of pay of .. .. .	347-48
Surat, supply of boring machines to — .. .. .	347
Tatta Civil Court—Staff .. .. .	52
Thar Parkar district: Bench Magistrates .. .. .	158-62

## R

## Rahimtoola Mr. Hooseenally M.—

Asks questions .. .. .	53, 348-50
Bills— .. .. .	
City of Bombay Municipal Act Amendment Bill .. .. .	272-73, 296, 306
Resolution regarding— .. .. .	
Cowasji Jehangir, Sir: Appreciation of services of — .. .. .	434-39
Mehta, Sir Chunilal: Appreciation of services of — .. .. .	225-36
Rica, The Honourable Mr. J. L.— .. .. .	
Appointed member of Library Committee .. .. .	53
Appointed member of the select committee on Motion to amend Standing Orders .. .. .	446
Bills— .. .. .	
Land Revenue Code Amendment Bill .. .. .	78-79, 456
Pleaders Act Amendment Bill .. .. .	448
Motion regarding— .. .. .	
Indian Statutory Commission Committee, election of a representative on — .. .. .	224

R—contd.

	PAGE
<b>Rice, The Honourable Mr. J. L.—contd.</b>	
Motion to amend Standing Orders .. .. .	445
Supplementary grants .. .. .	196, 220
Riots in Surat .. .. .	294
<b>Resolution regarding—</b>	
Cowasji Jehangir, Sir: Appreciation of services of — .. .. .	438
Mehta, Sir Chunilal: Appreciation of services of — .. .. .	236
§	
<b>Nardesai, Mr. S. A.—</b>	
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	426-27
Land Revenue Code Amendment Bill .. .. .	455
Resolution regarding—	
Cowasji Jehangir, Sir: Appreciation of services of — .. .. .	435
Mehta, Sir Chunilal: Appreciation of services of — .. .. .	227-28
<b>Shaikh Abdul Aziz, Mr.—</b>	
Appointed Chairman of Council .. .. .	39
Asks questions .. .. .	418-20
<b>Sheth, Mr. A. D.—</b>	
Bills—	
City of Bombay Municipal Act Amendment Bill .. 257-58, 328-29, 382, 393	
<b>Solanki, Dr. P. G.—</b>	
Appointed member of the select committee on Motion to amend Standing Orders .. .. .	446
Bills—	
City of Bombay Municipal Act Amendment Bill .. .. .	424-25, 429-30
Resolution regarding—	
Cowasji Jehangir, Sir: Appreciation of services of — .. .. .	438
Mehta, Sir Chunilal: Appreciation of services of — .. .. .	235-36
Standing Orders: Motion to amend — .. .. .	445-46
<b>Sukkur Barrage—</b>	
See Lloyd Barrage.	
<b>Surat Riots—</b>	
Statement regarding— .. .. .	294, 352-53, 357
<b>Supplementary Grants—</b>	
Grant for Bombay Development Scheme .. .. .	219-20
Excavating Pateji Branch ex-Indus .. .. .	136-37, 162-76
Expenditure on relief purposes in the areas affected by floods of July 1927 .. .. .	220
Lloyd Barrage and Canals Scheme .. .. .	178-216, 357-60
Remodelling the Kander Branch ex-Mahiwah .. .. .	94-95, 129-136
Sera and vaccine for the Veterinary Department, Purchase of — .. .. .	176-78
<b>Swaminarayan, Mr. J. C.—</b>	
Appointed member of the select committee on Motion to amend Standing Orders .. .. .	446
Asks questions .. .. .	53, 420-21
Bills—	
Bombay University Act Amendment Bill .. .. .	117-19, 125
City of Bombay Municipal Act Amendment Bill .. 61-62, 247-48, 262-63, 264, 307, 363, 366, 367-68, 376, 381-82, 422-23, 427	

S—contd.

Swaminarayan, Mr. J. C.— <i>contd.</i>	Pages
<i>Bills—contd.</i>	
City of Bombay Police Act Amendment Bill .. .. .	441
Land Revenue Code Amendment Bill .. .. .	443, 450-51
Local Boards Act Amendment Bill .. .. .	441
Motion to amend Standing Orders .. .. .	445, 446
<i>Resolution regarding—</i>	
Mehta, Sir Chunilal: Appreciation of services of — .. .. .	230
<i>Statement regarding—</i>	
Godhra Riots .. .. .	219
Supplementary estimates .. .. .	169-71, 201, 206-08
 Syed Ameer Ali, Death of — .. .. .	 333
 Syed Munawar, Mr. —	
<i>Bills—</i>	
City of Bombay Municipal Act Amendment Bill 236-37, 238, 244, 305, 332, 364, 388,	432
<i>Resolution regarding—</i>	
Cowasji Jehangir, Sir: Appreciation of services of — .. .. .	436-37
Supplementary estimates .. .. .	205-06
<b>T</b>	
Thakor of Kerwada, the— (See under "Kerwada, the Thakor of")	
<b>V</b>	
Vandekar, Rao Sabab R. V.—	
Asks questions .. .. .	350-52
<b>W</b>	
Wiles, Mr. G.—	
Supplementary estimates .. .. .	179-80, 199-200, 204-05