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1844

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# INDEX TO THE ACTS

PASSED BY THE

GOVERNOR OF BOMBAY IN COUNCIL

IN THE YEAR 1916



• BOMBAY

PRINTED AT THE GOVERNMENT CENTRAL PRESS  
1917

[Price—1½a. or 2d.]

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**TITLES**  
**OF**  
**ACTS PASSED BY THE GOVERNOR OF BOMBAY IN COUNCIL**  
**IN THE YEAR 1916.**

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**1916.**

Act No. I of 1916—An Act further to amend the City of Bombay Municipal Act, 1888.

Act No. II of 1916—An Act further to amend the Act to declare the constitution of Courts of Civil and Criminal Judicature in the Province of Sind.

Act No. III of 1916—An Act further to amend the Bombay Medical Act, 1912.

Act No. IV of 1916—An Act further to amend the Bombay Medical Act, 1912.

Act No. V of 1916—An Act further to amend the Bombay Landing and Wharfage Fees Act, 1882.

Act No. VI of 1916—An Act further to amend the City of Bombay Municipal Act, 1888.

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# INDEX

## TO THE

### ACTS PASSED BY THE GOVERNOR OF BOMBAY IN COUNCIL IN THE YEAR 1916.

	Year.	Act.	Section.	Sub-section.
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Amendment of section 68' .. .. .	"	"	3	
Amendment of section 337 .. .. .	"	"	4	
Amendment of section 338 .. .. .	"	"	5	
Amendment of section 342 .. .. .	"	"	6	
New section 347A <i>re</i> building not to be converted to other purposes without the permission of the Commissioner .. .. .	"	"	7	
New section 375A <i>re</i> removal of building materials from any premises may be required..	"	"	8	
Amendment of section 377 .. .. .	"	"	9	
New section 384A <i>re</i> stabling animals or storing grain in dwelling house may be prohibited..	"	"	10	
Amendment of section 390 .. .. .	"	"	11	
Amendment of section 461 .. .. .	"	"	12	
Amendment of section 471 .. .. .	"	"	13	
Amendment of section 472 .. .. .	"	"	14	
Amendment of Schedule M .. .. .	"	"	15	
<b>AN ACT FURTHER TO AMEND THE ACT TO DECLARE THE CONSTITUTION OF COURTS OF CIVIL AND CRIMINAL JUDICATURE IN THE PROVINCE OF SIND.</b>				
Short title .. .. .	1916	II	1	
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<b>AN ACT FURTHER TO AMEND THE BOMBAY MEDICAL ACT, 1912.</b>				
Short title .. .. .	1916	III	1	
Amendment of section 2 .. .. .	"	"	2	
Amendment of section 7 .. .. .	"	"	3	
Amendment of section 9 .. .. .	"	"	4	

	Year.	Act.	Section.	Sub-section.
<b>AN ACT FURTHER TO AMEND THE BOMBAY MEDICAL ACT, 1912.</b>				
Short title .. .. .	1916	IV		1
Amendment of section 11 of Bom. VI of 1912.	"	"		2
Repeal of certain portions of Bom. VI of 1912 and of Bom. IX of 1912 .. .. .	"	"		3
<b>AN ACT FURTHER TO AMEND THE BOMBAY LANDING AND WHARFAGE FEES ACT, 1882.</b>				
Short title .. .. .	1916	V		1
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Amendment of section 5 .. .. .	"	"		3
Amendment of section 7 .. .. .	"	"		4
Amendment of section 9 .. .. .	"	"		5
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<b>AN ACT FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888.</b>				
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Amendment of section 74 .. .. .	"	"		3
Amendment of section 84 .. .. .	"	"		4
Amendment of section 342 .. .. .	"	"		5
New section 378 .. .. .	"	"		6
Amendment of section 394 .. .. .	"	"		7
Amendment of section 412A .. .. .	"	"		8
Amendment of sections 471 and 472 .. .. .	"	"		9
Amendment of Schedule M .. .. .	"	"		10



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TABLE SHOWING  
THE EFFECT OF LEGISLATION

BY

BOMBAY ACTS

IN THE YEAR 1916.

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TABLE SHOWING  
THE EFFECT OF LEGISLATION

BY  
BOMBAY ACTS  
IN THE YEAR 1916.

*Repeals and Amendments effected by Bombay Acts, 1916.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
1	The City of Bombay Municipal Act, 1888 (Bom. III of 1888).	....	<p>1. To section 3 the following definitions are added :—</p> <p>“(ee) ‘bake house’ means any place in which are baked bread, biscuits or confectionery, from the baking or selling of which a profit is derived.</p> <p>(ff) ‘eating-house’ means any premises to which the public are admitted and where any kind of food is prepared or supplied for consumption on the premises for the profit or gain of any person owning or having an interest in or managing such premises.</p> <p>(gg) ‘premises’ includes messuages, buildings and lands of any tenure, whether open or enclosed, whether built on or not and whether public or private.”</p> <p>2. Section 68.—In the list of sections in sub-section (2) after sections “375” and “384, clause (a),” respectively, sections “375A” and “384A” are entered.</p>	Bombay Act I of 1916. section 2.

*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bom. III of 1888) —<i>contd.</i></p>		<p>3. <i>Section 337.</i>—For sub-section (2) the following sub-section is substituted—</p> <p>“(2) In this chapter ‘to erect a building’ means</p> <p>(a) newly to erect a building, or</p> <p>(b) to re-erect</p> <p>(i) any building of which more than three-quarters of the cubical contents of the building above the level of the plinth have been pulled down, or</p> <p>(ii) and masonry walled building of which more than three-quarters of the superficial area of the external walls above the level of the plinth has been pulled down, or</p> <p>(iii) any frame-building of which more than three-quarters of the number of posts have been pulled down, or</p> <p>(c) to convert into a dwelling-house any building not originally constructed for human habitation, or</p> <p>(d) to convert into more than one dwelling-house a building originally constructed as one dwelling-house only;</p>	<p>Bombay Act I of 1916, section 4.</p>

## Repeals and Amendments effected by Bombay Acts, 1916—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bombay Act III of 1888)</p> <p>—contd.</p>		<p>and a dwelling so erected, re-erected or converted is called in this chapter 'a new building'."</p> <p>4. Section 338.—(1) In clause (a) of sub-section (1) after the word "appurtenances" the following words are inserted :—</p> <p>"and the particular part or parts thereof which are, and those which are not, intended to be used for human habitation."</p> <p>(2) In clause (c) of sub-section (1) for the words "a scale of not less than one inch to every forty feet" the following words are substituted :—</p> <p>"the scale of the largest revenue survey map at the time being in existence for the locality in which the building is, or is to be, situated."</p> <p>5. Section 342.—(1) In clause (b) for the words "ground level" the words "plinth level" are substituted.</p> <p>(2) In clause (c) after the word "aforesaid" the following words are inserted :—</p> <p>"or involving the removal or re-erection of any such wall thereof as aforesaid to an extent exceeding one-half of such wall above plinth level."</p>	<p>Bombay Act I of 1916, section 5, sub-section (1).</p> <p><i>Ib.</i> sub-section (2).</p> <p><i>Ib.</i> section 6, sub-section (1).</p> <p><i>Ib.</i> sub-section (2).</p>

*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bombay Act III of 1888). —<i>contd.</i></p>		<p>(3) In the body of section 342 after the word "work", where it occurs on the second occasion, the following words are inserted:—</p> <p>"the particular part or parts, if any, of such work which is or are intended to be used for human habitation."</p> <p>6. After section 347 the following section shall be inserted:—</p> <p>"347A. No person shall, without the written permission of the Commissioner—</p> <p>(a) use or permit to be used for human habitation any part of a building not originally constructed or authorized to be used for that purpose, or</p> <p>(b) convert into, or use, or permit to be used, as a chawl or building intended to form a range of separate rooms for lodgers, a building not originally designed or authorised to be so used."</p> <p>7. After section 375 the following section is inserted:—</p> <p>"375A. If it shall appear to the Commissioner that any tiles, stones, rafters, building materials</p>	<p>Bombay Act I of 1916, section 6, sub-section (3).</p> <p><i>Ib.</i> section 7.</p> <p><i>Ib.</i> section 8.</p>

*Repeals and Amendments effected by Bombay Acts 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bom. III of 1888) —<i>contd.</i></p>	<p>....</p>	<p>or debris of building materials are stored or collected in or upon any premises without the written permission of the Commissioner in such quantity or bulk or in such a way as to constitute a harbourage or breeding place for rats or other vermin or otherwise a source of danger or nuisance to the occupiers of the said premises or to persons residing in the neighbourhood thereof, the Commissioner may by written notice require the owner of such premises, or the owner of the materials or debris so stored or collected therein, to move or dispose of the same or to take such order with the same as shall in the opinion of the Commissioner be necessary or expedient to abate the nuisance or prevent a recurrence thereof."</p> <p>8. In section 377, (a) below sub-section (1) the following sub-section is added, namely:—</p> <p>"(1-A). If it shall appear to the Commissioner that any private street is overgrown with rank and noisome vegetation or is otherwise in an unwholesome or filthy condition, the Commissioner may by written notice require the owners of the several premises fronting or adjoining the said street or abutting thereon to cleanse</p>	<p>Bombay Act I of 1916, section 9.</p>

*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bom. III of 1888) —<i>contd.</i></p>	<p>....</p>	<p>or clear the same, or with the approval of the Standing Committee require them to take such other order with the same as the Commissioner may think necessary: provided that nothing herein contained shall affect the provisions of section 365.”</p> <p>(b) in sub-section (2) after the word “premises” wherever it occurs the words “or such street” are inserted.</p> <p>9. After section 344 the following section is inserted :-</p> <p>“384A. Where a building or any portion thereof is used or intended to be used for human habitation and any portion of such building is used for any of the following purposes, namely,</p> <p>(a) for keeping any horse, cow, buffalo, bullock, goat or donkey, or</p> <p>(b) as a godown or place for the storage, in connection with wholesale trade, of grain, seed or groceries,</p> <p>the Commissioner may, if it shall appear to him necessary for sanitary reasons to do so, by written notice require the owner or occupier of such building to discontinue the use of such building for any such purpose: provided</p>	<p>Bombay Act I of 1916, section 9.</p> <p>16. section 10.</p>



## Repeals and Amendments effected by Bombay Acts, 1916—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bom. III of 1888) —contd.</p>	<p>.....</p>	<p>that the Commissioner may permit such use subject to such conditions as he may think fit to prescribe.”</p> <p>10. In section 390 (a) in sub-section (1) after the word “Commissioner” the words “nor shall any person work, or allow to be worked, any such factory, workshop or work-place without such permission” are inserted;</p> <p>(b) below sub-section (2) the following sub-section is added namely:—</p> <p>“(3) If, any written permission for the establishment of a factory, workshop or work-place granted under sub-section (1) be revoked by the Commissioner in the exercise of his powers under sub-section (3) of section 479, no person shall continue or resume the working or use of such factory, workshop or work-place until such written permission is renewed or a fresh written permission is granted by the Commissioner.”</p> <p>11. Section 461.—To clause (f) the following words are added, namely:—</p> <p>“and the prescribing and regulating of the construction, dimensions, ventilation, lighting, cleansing, drainage and water-supply of any such premises.”</p>	<p>Bombay Act I of 1916, section 11.</p> <p>12.</p>

*Repeals and Amendments effected by Bombay Acts, 1916—continued*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bom. III of 1888) —<i>contd.</i></p>	<p>....</p>	<p>12. Section 471.—In the table appended to section 471,</p> <p>(a) below the entry relating to section 347, subsection (1), the following is inserted :—</p> <p>In column (1), "Section 347A."</p> <p>In column (2), "Building not to be converted to other purposes without the permission of the Commissioner."</p> <p>In column (3), "Five hundred rupees."</p> <p>(b) below the entry relating to section 375 the following is inserted :—</p> <p>In column (1), "Section 375A."</p> <p>In column (2), "Requisition to remove building materials, etc., from any premises."</p> <p>In column (3), "Fifty rupees."</p> <p>(c) below the entry relating to section 384, subsection (1), the following is inserted :—</p> <p>In column (1), "Section 384A."</p> <p>In column (2), "Requisition to discontinue, etc., stabling animals or storing grain in dwelling house."</p>	<p>Bombay Act I of 1916, section 13</p>

*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bombay Act III of 1888) —<i>contd.</i></p>	<p>....</p>	<p>In column (3), " Fifty rupees."</p> <p>(d) In column 2 of the entry relating to section 390, sub-section (1), after the word "established", the words "or worked" are inserted;</p> <p>(e) below the entry relating to section 390, sub-section (1), the following entry is inserted, namely:—</p> <p>In column (1), " section 390, sub-section (3)."</p> <p>In column (2), " Prohibition of continuance or resumption of working of factory, etc., after revocation of written permission for its establishment."</p> <p>In column (3), " One thousand rupees."</p> <p>13. Section 472.—In the table appended to section 472.</p> <p>(a) below the entry relating to section 347, sub-section (1), the following is inserted:—</p> <p>In column (1); " Section 347A."</p> <p>In column (2), " Building not to be converted to other purposes without the permission of the Commissioner."</p> <p>In column (3), " One hundred rupees."</p>	<p>Bombay Act I of 1916, section 14.</p>

*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bom. III of 1888) —<i>contd.</i></p>	<p>....</p>	<p>(b) below the entry relating to section 375 the following is inserted :—</p> <p>In column (1), "Section 375A."</p> <p>In column (2), "Requisition to remove building materials, etc., from any premises."</p> <p>In column (3), "Five rupees."</p> <p>(c) below the entry relating to section 384, sub-section (1), the following entries shall be made, namely :—</p> <p>In column (1) "Section 384A."</p> <p>In column (2), "Requisition to discontinue, etc., stabling animals in dwelling house."</p> <p>In column (3), "Twenty rupees."</p> <p>In column (1), "Section 390, sub-section (1)."</p> <p>In column (2), "Prohibition of working of factory, etc., established without written permission."</p> <p>In column (3), "Five hundred rupees."</p> <p>In column (1), "Section 390, sub-section (3)."</p>	

## Repeals and Amendments effected by Bombay Acts, 1916—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments	Repealing or Amending Act.
	The City of Bombay Municipal Act, 1888 (Bom. III of 1888) — <i>contd.</i>	....	<p>In column (2), "Prohibition of continuance or resumption of working of factory, etc., after revocation of written permission for its establishment."</p> <p>In column (3), "Five hundred rupees."</p> <p>14 In Part IV of <i>Schedule M</i> after the entry "Dyeing cloth or yarn, in indigo or other colour" the following entry is inserted:—</p> <p>"Keeping of eating-houses."</p>	Bombay Act I of 1916, section 15.
2	Smd Courts Act, 1866 (Bom. XII. of 1866).	....	<p>For section 9-E the following section is substituted, namely:—</p> <p>"9-E. The Court of the Judicial Commissioner shall record evidence and judgments in such manner as it may by rule from time to time direct with the sanction of the Local Government, notwithstanding anything contained in the Code of Civil Procedure, 1908, or the Code of Criminal Procedure 1898."</p>	Bombay Act II of 1916, section 2.
3	Bombay Medical Act, 1912 (Bom. VI of 1912).	<p>....</p> <p>Section 2.—In clause (d) the words "or under the Medical Acts" are repealed.</p>	<p>1. Section 2.—To clause (c) of sub-section (2) the following words are added, namely:—</p> <p>"who are registered under this Act."</p>	Bombay Act III of 1916, section 2, sub-section (1).  1b. sub-section (2).

*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	Bombay Medical Act, 1912 (Bom. VI of 1912)— <i>contd.</i>		<p>2. For section 7 the following is substituted, namely:—</p> <p>“7. (1) Every person for the time being registered under the Medical Acts shall be entitled to be registered under this Act free of charge on informing the Registrar of the date of his registration under the Medical Acts and giving a correct description of his qualifications with the dates on which they were granted.</p> <p>(2) Every person who is possessed of any of the qualifications described in the Schedule to this Act (subject to the provisions of section 20) shall be entitled to be registered under this Act on payment of a fee of fifteen rupees, and on giving evidence to the satisfaction of the Registrar of his possession of a qualification fitting him for registration.</p> <p>(3) The Governor in Council may, after consulting the Medical Council, permit the registration of any person who was actually practising medicine in the Bombay Presidency before the 25th day of June, 1912.</p> <p>(4) The Medical Council may refuse to permit the registration of any person who has been convicted</p>	Bombay Act III of 1910, section 3.

Repeals and Amendments effected by Bombay Acts, 1916—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	Bombay Medical Act, 1912 (Bom. VI of 1912)— <i>contd.</i>		<p>of a cognizable offence as defined in the Code of Criminal Procedure, 1898, or who, being or having been subject to military law has been convicted under the Army Act or under the Indian Army Act, 1911, of an offence which is also a cognizable offence as so defined, or who, after due enquiry has been held guilty by the Medical Council of infamous conduct in any professional respect."</p> <p>3. In section 9 between the figure "1898" and the word "or" the following words are inserted, namely:—</p> <p>"or who, being or having been subject to military law, has been convicted under the Army Act or under the Indian Army Act, 1911, of an offence which is also a cognizable offence as so defined."</p>	Bombay Act III of 1916, section 4.
4	Do.	<p>.....</p> <p>I.—In section 2— (a) In clause (d) of sub-section (2), the brackets and words "(or in the case of the first election, are qualified to be registered under this Act),"</p>	<p>1. In section 11 before the words "no person shall" the words "Except with the special sanction of the Governor in Council," are inserted.</p>	Bombay Act IV of 1916, section 2.  1b. section 3 and schedule.

*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>Bombay Medical Act, 1912 (Bom. VI of 1912)—<i>contd.</i></p>	<p>(b) in sub-section (3), the words "the first election of members under clauses (c) and (d) of the preceding sub-section shall be held at such time (as soon as may be after the commencement of this Act) and at such place and in such manner as the Governor in Council shall appoint by notification in the <i>Bombay Government Gazette</i> and all" and the words "subsequent to such first election,"</p> <p>(c) in clause (c) of sub-section (4); the words "or in the case of the first election qualified to be registered under this Act."</p> <p>II.—In section 4, the words "shall hold their first meeting within three months from the commencement of this Act, in such place and at such time as the Governor in Council shall appoint, and."</p>		<p>Bombay Act IV of 1916, section 3 and schedule.</p>



*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	Bombay Medical Act, 1912 (Bom. VI of 1912)— <i>could</i>	<p>III.—In section 10, sub-sections (1) and (2), the words "After the commencement of this Act,"</p> <p>IV.—In section 11, the words "On the expiry of three months from the commencement of this Act."</p>		
5	Bombay Act IX of 1912 (an Act to amend the Bombay Medical Act, 1912).	The whole.		Bombay Act IV of 1916, section 3 and schedule
6	The Bombay Landing and Wharfage Fees Act, 1882 (Bom. VII of 1882).	...	<p>1. In section 4—</p> <p>(a) for the definition of the term "landing place" the following is substituted, namely—</p> <p>"In this Act the term 'landing place' includes a bandar, wharf, pier, jetty, hard and any place used for the landing, shipping, or storage of goods, or for the embarking or disembarking of passengers."</p> <p>(b) the following definition shall be added, namely:—</p> <p>"and the term 'passengers' means any person of three years of age or upwards, carried in a vessel, other than the master and crew and the owner, his family and servants."</p>	Bombay Act V of 1916, section 2.

## Repeals and Amendments effected by Bombay Acts, 1916—continued.

1 Serial No.	2 Enactments affected.	3 Repeals.	4 Amendments.	5 Repealing or Amending Act.
	<p>The Bombay Landing and Wharfage Fees Act, 1882 (Bom. VII of 1882) —contd.</p>	<p>The definition of the term 'Commissioner' is repealed.</p>	<p>2. (1) For clause (e) of section 5 the following is substituted, namely :—</p> <p>“(e) to fix the fees to be levied—</p> <p>(1) on goods landed, shipped or stored at, and</p> <p>(2) on passengers embarking or disembarking at, and</p> <p>(3) on animals or vehicles bringing or removing goods, to or from, or plying for hire at, and</p> <p>(4) on vessels or boats approaching or lying alongside,</p> <p>any such landing place</p> <p>(2) For the proviso to the said section the following proviso is substituted :—</p> <p>“ Provided that it shall be lawful for the Governor in Council at any time to exempt any goods, passengers, vessel, boat, animal or vehicle wholly or partially from any fee to which the same may be liable under this section :</p>	<p>Bombay Act V of 1916, section 2.</p> <p>1b. section 8.</p>

## Repeals and Amendments effected by Bombay Acts, 1916—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The Bombay Landing and Wharfrage Fees Act, 1882 (Bom. VII of 1882) —contd.</p>	<p>....</p>	<p>provided further that the fee to be levied on any passenger on each occasion of embarking or disembarking at a landing-place shall not exceed one anna".</p> <p>3. To section 7 the following is added, namely :—</p> <p>“In particular and without prejudice to the generality of the provisions of the foregoing paragraph, the penalty prescribed in the third column of article I of section 167 of the Sea Customs Act, 1878, shall be leviable in respect of the contravention of any bye-law made under this Act”.</p> <p>4. In section 9—</p> <p>(a) for the words from “The Commissioner” to “Presidency of Bombay”, the words “Chief Customs-authority” are substituted;</p> <p>(b) after clause (b), the following clause is inserted, namely :—</p> <p>“(c) regulating the collection and remittance of the fees leviable under all or any of the provisions of this Act; and”</p> <p>(c) clause (c) is numbered clause (d).</p> <p>5. For section 10 the following section is substituted, namely :—</p>	<p>Bombay Act V of 1916, section 4.</p> <p>Ib. section 5.</p> <p>Ib. section 6.</p>

*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The Bombay Landing and Wharfage Fees Act, 1882 (Bom. VII of 1882) —<i>contd.</i></p>	<p>....</p>	<p>“ 10. The proceeds of all fees realized under this Act shall be expended in any port to which this Act applies—</p> <p>(a) in payment of the expenses of the administration of this Act;</p> <p>(b) in defraying the cost of acquiring or constructing new landing-places required for the convenience of the traffic or trade of such port;</p> <p>(c) in maintaining and improving any existing landing-place and in constructing, maintaining or providing waiting rooms and other conveniences or facilities for passengers, and generally in the improvement of such port; and</p> <p>(d) in payment of the charges connected with the establishing, maintaining and working of telegraphs and telephones between any such ports.”</p> <p>6. To the said Act the following sections are added, namely :—</p> <p>“ 11. (1) For each port to which this Act applies a distinct account, to be called the landing and wharfage fees fund account, shall be kept showing, in such detail as the Chief Customs-authority prescribes, the receipts and expenditure under this</p>	<p>Bombay Act V of 1916, section 7.</p>

## Repeals and Amendments effected by Bombay Acts, 1916—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing Amending Act.
	<p>The Bombay Landing and Wharfage Fees Act, 1882. (Bom. VII of 1882) —<i>contd.</i></p>	<p>....</p>	<p>Act for the port. An abstract of the account for the past financial year, in such form as the Chief Customs-authority prescribes, shall be published annually as soon after the first day of April as may be practicable.</p> <p>(2) If an advance of money shall be made by the Government for any of the purposes of this Act, on account of any port to which this Act applies, simple interest on that advance or upon so much of it as shall remain unrepaid, at such rate as the Governor in Council may determine, shall be chargeable in the landing and wharfage fees fund account of such port.</p> <p>(3) All monies received under this Act at or on account of any port to which this Act applies shall be credited in the landing and wharfage fees fund account of the port.</p> <p>(4) Any balance from time to time standing to the credit of a landing and wharfage fees fund account may be temporarily invested in such manner as the Governor in Council may direct.</p> <p>"12. The Governor in Council may direct that for the purposes of sections 10 and 11 any number of</p>	



## Repeals and Amendments effected by Bombay Acts, 1916—continued.

1 Serial No.	2 Enactments affected.	3 Repeals	4 Amendments.	5 Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bomb. III of 1888) —<i>conld</i></p>		<p>health officer a personal allowance not exceeding rupees two hundred and fifty per mensem, in addition to his maximum monthly salary.”</p> <p>(2) The amendment contained in sub-section (1) is deemed to have been made and to have had effect from the first day of February one thousand nine hundred and sixteen.</p> <p>(3) After clause (e) of 16. sub-section (3) the following clause is inserted, namely:—</p> <p>“(ee) the executive health officer may accept for such period as may be sanctioned by the corporation any appointment, whether honorary or otherwise, which has for its object the promotion of public health, whether by means of education or otherwise, and which in the opinion of the corporation would not interfere with his duties as executive health officer.”</p> <p>3. In section 3A—</p> <p>(a) to sub-section (1) the following words are added, namely:—</p> <p>“and other than an officer or servant the power of appointing whom is vested in the schools’ committee”.</p>	<p>Bombay Act VI of 1916, section 3.</p> <p>16. section 4.</p>

## Repeals and Amendments effected by Bombay Acts, 1916—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bom. III of 1888) —contd.</p>		<p>(b) to clause (b) of subsection (2) the words "or in the schools' committee" are added;</p> <p>(c) the following subsection is added, namely:—</p> <p>"(3) Leave of absence may be granted, subject as aforesaid, by the schools' committee to any municipal officer or servant the power of appointing whom is vested in the said committee."</p> <p>4. In section 342 after clause (c), the following clause is inserted, namely:—</p> <p>(cc) to make any alteration in a building involving—</p> <p>(i) the sub-division of any room in such building so as to convert the same into two or more separate rooms,</p> <p>(ii) the conversion of any passage or space in such building into a room or rooms, or"</p> <p>5. For section 378 the following section is substituted, namely:—</p> <p>"378. (1) If, for any reason, it shall appear to the Commissioner that any building or any room in a building intended for or used as a dwelling is unfit for human habitation,</p>	<p>Bombay Act VI of 1916, section 5.</p> <p>16. section 6.</p>



*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bom. III of 1888) —contd.</p>		<p>he shall give to the owner or occupier of such building notice in writing stating such reason and signifying his intention to prohibit the further use of the building or room, as the case may be, as a dwelling and shall by such notice call upon the owner or occupier aforesaid to state in writing any objection thereto within thirty days after the receipt of such notice, and if no objection is raised by such owner or occupier within such period as aforesaid, or if any objection which is raised by such owner or occupier within such period appears to the Commissioner invalid or insufficient, he may, with the previous approval of the standing committee, by an order in writing prohibit the further use of such building or room as a dwelling.</p> <p>Provided that, before such approval is given, the owner or occupier aforesaid shall have the right of appearing before the standing committee in person or by agent and of showing cause why such approval should not be given.</p> <p>(2) When any such prohibition as aforesaid has been made, the Commissioner shall cause notice of such prohibition to be affixed to, and the letters "U.H.H." to be painted</p>	

## Repeals and Amendments effected by Bombay Acts, 1916—continued.

1	2	3	4	5
Serial No.	Enactments affected.	Repeals.	Amendments.	Repealing or Amending Act.
	<p>The City of Bombay Municipal Act, 1888 (Bom. III of 1888) —<i>contd.</i></p>	<p>....</p>	<p>on, the door or some conspicuous part of such building or room as the case may be, and no owner or occupier of such building or room shall use or suffer the same to be used for human habitation until the Commissioner certifies in writing that the building or room, as the case may be, has been rendered fit for human habitation."</p> <p>6. Section 392.—After clause (b) of sub-section (1) the following clause is inserted, namely:—</p> <p>"(bb) keep, in or upon any building intended for or used as a dwelling or within fifteen feet of such building, cotton, in pressed bales or boras or loose, in quantity exceeding four hundred weights; "</p> <p>7. In section 412A after the word "milk" in clauses (a) and (b), the words "butter or other milk products" are added.</p> <p>8. Sections 471 and 472.—In column 2 of the tables under section 471 and section 472 against section 412A, for the words "Dealers in and sellers of milk to be licensed" the following words are substituted, namely:—</p> <p>"Milk, butter, etc., not to be sold without a license."</p>	<p>Bombay Act VI of 1916, section 7.</p> <p><i>Ib.</i> section 8.</p> <p><i>Ib.</i> section 9.</p>

*Repeals and Amendments effected by Bombay Acts, 1916—continued.*

Serial No.	Enactments affected	Repeals.	Amendments.	Repealing or Amending Act.
	The City of Bombay Municipal Act, 1888 (Bom. III of 1888) — <i>contd.</i>		<p>9. In <i>schedule M</i>—</p> <p>(a) in Part II, below the words</p> <p>“Matches for fighting, 1 gross boxes”</p> <p>the words</p> <p>“Methylated spirit, 10 gallons”</p> <p>are inserted ;</p> <p>(b) in Part III, below the word “Grass” the words “Gunny bags” are inserted.</p>	Bombay Act VI of 1916, section 10.

# BOMBAY ACT No. I OF 1916.

*First published, after having received the assent of the Governor General, in the "Bombay Government Gazette," on the 12th February 1916.*

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

Bom. III  
of 1888.

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

1. This Act may be called the City of Bombay Municipal (Amendment) Act, 1916. Short title.

Bom. III  
of 1888.

2. To section 3 of the City of Bombay Municipal Act, 1888, hereinafter called the said Act, the following definitions shall be added:— Amend-  
ment of  
section 3.

“(ee) ‘bakehouse’ means any place in which are baked bread, biscuits or confectionery, from the baking or selling of which a profit is derived.

“(ff) ‘eating-house’ means any premises to which the public are admitted and where any kind of food is prepared or supplied for consumption on the premises for the profit or gain of any person owning or having an interest in or managing such premises.

“(gg) ‘premises’ includes messuages, buildings and lands of any tenure, whether open or enclosed, whether built on or not and whether public or private.”

3. In the list of sections in sub-section (2) of section 68 of the said Act, after sections “375” and “384, clause (a),” respectively, sections “375A” and “384A” shall be entered. Amend-  
ment of  
section 68.

Amend-  
ment of  
section 337

4. For sub-section (2) of section 337 of the said Act, the following sub-section shall be substituted:—

“(2) In this chapter ‘to erect a building’ means

(a) newly to erect a building, or

(b) to re-erect

(i) any building of which more than three-quarters of the cubical contents of the building above the level of the plinth have been pulled down, or

(ii) any masonry walled building of which more than three-quarters of the superficial area of the external walls above the level of the plinth has been pulled down, or

(iii) any frame-building of which more than three-quarters of the number of posts have been pulled down, or

(c) to convert into a dwelling-house any building not originally constructed for human habitation, or

(d) to convert into more than one dwelling-house a building originally constructed as one dwelling-house only ;

and a dwelling so erected, re-erected or converted is called in this chapter ‘a new building’.”

Amend-  
ment of  
section 338.

5. (1) In clause (a) of sub-section (1) of section 338 of the said Act, after the word “appurtenances”, the following words shall be inserted:—

“and the particular part or parts thereof which are, and those which are not, intended to be used for human habitation”.

(2) In clause (c) of sub-section (1) of section 338, for the words “a scale of not less than one

inch to every forty feet” the following words shall be substituted:—

“the scale of the largest revenue survey map at the time being in existence for the locality in which the building is, or is to be, situated”.

6. (1) In clause (b) of section 342 of the said Act, for the words “ground level” the words “plinth level” shall be substituted. Amendment of section 342.

(2) In clause (c) of section 342 after the word “aforesaid” the following words shall be inserted:—

“or involving the removal or re-erection of any such wall thereof as aforesaid to an extent exceeding one-half of such wall above plinth level”.

(3) In the body of section 342 after the word “work”, where it occurs on the second occasion, the following words shall be inserted:—

“the particular part or parts, if any, of such work which is or are intended to be used for human habitation”.

7. After section 347 of the said Act the following section shall be inserted:— New section 347A.

“347A. No person shall, without the written permission of the Commissioner—

(a) use or permit to be used for human habitation any part of a building not originally constructed or authorised to be used for that purpose, or Building not to be converted to other purposes without the permission of the Commissioner.

(b) convert into, or use, or permit to be used, as a chawl or building intended to form a range of separate rooms for lodgers, a building not originally designed or authorised to be so used.”

New section 375A. 8. After section 375 of the said Act, the following section shall be inserted:—

Removal of building materials from any premises may be required.

“375A. If it shall appear to the Commissioner that any tiles, stones, rafters, building materials or debris of building materials are stored or collected in or upon any premises without the written permission of the Commissioner in such quantity or bulk or in such a way as to constitute a harbourage or breeding place for rats or other vermin or otherwise a source of danger or nuisance to the occupiers of the said premises or to persons residing in the neighbourhood thereof, the Commissioner may by written notice require the owner of such premises, or the owner of the materials or debris so stored or collected therein, to move or dispose of the same or to take such order with the same as shall in the opinion of the Commissioner be necessary or expedient to abate the nuisance or prevent a recurrence thereof”.

Amendment of section 377.

9. In section 377 of the said Act,

(a) below sub-section (1) the following sub-section shall be added, namely:—

Neglected private streets.

“(1-A). If it shall appear to the Commissioner that any private street is overgrown with rank and noisome vegetation or is otherwise in an unwholesome or filthy condition, the Commissioner may by written notice require the owners of the several premises fronting or adjoining the said street or abutting thereon to cleanse or clear the same, or with the approval of the Standing Committee require them to take such other order with the same as the Commissioner may think necessary: provided that nothing herein contained shall affect the provisions of section 365.”

(b) in sub-section (2) after the word "premises" wherever it occurs the words "or such street" shall be inserted.

10. After section 384 of the said Act, the following section shall be inserted:—

New section 384A.

"384A. Where a building or any portion thereof is used or intended to be used for human habitation and any portion of such building is used for any of the following purposes, namely,

Stabling animals or storing grain in dwelling house may be prohibited.

(a) for keeping any horse, cow, buffalo, bullock, goat or donkey, or

(b) as a godown or place for the storage, in connection with wholesale trade, of grain, seed or groceries,

the Commissioner may, if it shall appear to him necessary for sanitary reasons to do so, by written notice require the owner or occupier of such building to discontinue the use of such building for any such purpose: provided that the Commissioner may permit such use subject to such conditions as he may think fit to prescribe."

11. In section 390 of the said Act,

Amendment of section 390.

(a) in sub-section (1) after the word "Commissioner" the words "nor shall any person work, or allow to be worked, any such factory, workshop or work-place without such permission" shall be inserted;

(b) below sub-section (2) the following sub-section shall be added, namely:—

"(3) If any written permission for the establishment of a factory, workshop or work-place granted under sub-section (1) be revoked by the Commissioner in the exercise of his powers under sub-section (3) of section 479, no person shall continue or



resume the working or use of such factory, workshop or work-place until such written permission is renewed or a fresh written permission is granted by the Commissioner."

Amend-  
ment of  
section 461.

**12.** To clause (f) of section 461 of the said Act, the following words shall be added, namely :—

"and the prescribing and regulating of the construction, dimensions, ventilation, lighting, cleansing, drainage and water-supply of any such premises."

Amend-  
ment of  
section 471.

**13.** In the table appended to section 471 of the said Act,

(a) below the entry relating to section 347, sub-section (1), the following shall be inserted :—

In column (1), "Section 347A."

In column (2), "Building not to be converted to other purposes without the permission of the Commissioner."

In column (3), "Five hundred rupees."

(b) below the entry relating to section 375 the following shall be inserted :—

In column (1), "Section 375A."

In column (2), "Requisition to remove building materials, etc., from any premises."

In column (3), "Fifty rupees."

(c) below the entry relating to section 384, sub-section (1), the following shall be inserted :—

In column (1), "Section 384A."

In column (2), "Requisition to discontinue, etc., stabling animals or storing grain in dwelling house."

In column (3), "Fifty rupees."

(d) In column 2 of the entry relating to section 390, sub-section (1), after the word "established", the words "or worked" shall be inserted;

(e) below the entry relating to section 390, sub-section (1), the following entry shall be inserted, namely:—

In column (1), "Section 390, sub-section (3)."

In column (2), "Prohibition of continuance or resumption of working of factory, etc., after revocation of written permission for its establishment."

In column (3), "One thousand rupees."

14. In the table appended to section 472 of the said Act, Amendment of section 472.

(a) below the entry relating to section 347, sub-section (1), the following shall be inserted:—

In column (1), "Section 347A."

In column (2), "Building not to be converted to other purposes without the permission of the Commissioner."

In column (3), "One hundred rupees."

(b) below the entry relating to section 375 the following shall be inserted:—

In column (1), "Section 375A."

In column (2), "Requisition to remove building materials, etc., from any premises."

In column (3), "Five rupees."

(c) below the entry relating to section 384, sub-section (1), the following entries shall be made, namely:—

In column (1), "Section 384A."

In column (2), "Requisition to discontinue, etc., stabling animals in dwelling house."

In column (3), "Twenty rupees."

In column (1), "Section 390, sub-section (1)."

In column (2), "Prohibition of working of factory, etc., established without written permission."

In column (3), "Five hundred rupees."

In column (1), "Section 390, sub-section (3)."

In column (2), "Prohibition of continuance or resumption of working of factory, etc., after revocation of written permission for its establishment."

In column (3), "Five hundred rupees."

Amend-  
 ment of  
 Schedule M.      **15.** In Part IV of Schedule M of the said Act, after the entry "Dyeing cloth or yarn, in indigo or other colour" the following entry shall be inserted :—

• "Keeping of eating-houses."

# BOMBAY ACT No. II OF 1916.

*First published, after having received the assent of the Governor General, in the "Bombay Government Gazette" on the 10th February 1916.*

An Act further to amend the Act to declare the constitution of Courts of Civil and Criminal Judicature in the Province of Sind.

Bom. XII  
of 1866.

**WHEREAS** it is expedient further to amend the Act to declare the constitution of Courts of Civil and Criminal Judicature in the Province of Sind, in manner hereinafter appearing :

55 and 56  
Vict., c.  
14.

**AND WHEREAS** the previous sanction of the Governor General required by section 5 of the Indian Councils Act, 1892, has been obtained for the passing of the Act; it is hereby enacted as follows :—

1. This Act may be called the Sind Courts (Amendment) Act, 1916. Short title.

Bom. XII  
of 1866.

2. For section 9-E of the Act to declare the constitution of Courts of Civil and Criminal Judicature in the Province of Sind, the following section shall be substituted, namely :—

Substitution of section for section 9-E.

V of 1909  
V of 1898.

“9-E. The Court of the Judicial Commissioner shall record evidence and judgments in such manner as it may by rule from time to time direct with the sanction of the Local Government, notwithstanding anything contained in the Code of Civil Procedure, 1908, or the Code of Criminal Procedure, 1898.”

Recording evidence and judgments in the Court of the Judicial Commissioner.

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[Price— $\frac{1}{2}$  Anna.]

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS

# BOMBAY ACT No. III OF 1916.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette," on the 11th March 1916.)

An Act further to amend the Bombay Medical Act, 1912.

† Bom. VI  
of 1912.

**W**HEREAS it is expedient further to amend the Bombay Medical Act, 1912, hereinafter called "the said Act" in manner hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Bombay Short title. Medical (Amendment) Act, 1916.

† Bom VI  
of 1912.

2. (1) To clause (c) of sub-section (2) of Amendment of section 2. section 2 of the said Act, the following words shall be added, namely:—

"who are registered under this Act".

(2) In clause (d) of the said sub-section, the words "or under the Medical Acts" shall be repealed.

3. For section 7 of the said Act, the following Amendment of section 7. shall be substituted, namely:—

"7. (1) Every person for the time being registered under the Medical Acts shall be entitled to be registered under this Act free of charge on informing the Registrar of the date of his registration under the Medical Acts and giving a correct description of his qualifications with the dates on which they were granted. Persons entitled to be registered.

(2) Every person who is possessed of any of the qualifications described in the Schedule to this Act (subject to the provisions of section 20) shall be entitled to be registered under this

Act on payment of a fee of fifteen rupees, and on giving evidence to the satisfaction of the Registrar of his possession of a qualification fitting him for registration.

(3) The Governor in Council may, after consulting the Medical Council, permit the registration of any person who was actually practising medicine in the Bombay Presidency before the 25th day of June, 1912.

(4) The Medical Council may refuse to permit the registration of any person who has been convicted of a cognizable offence as defined in the Code of Criminal Procedure, 1898, or <sup>V of 1898</sup> who, being or having been subject to military law, has been convicted under the Army Act <sup>44 and 45</sup> or under the Indian Army Act, 1911, of an <sup>Vict., cap. 53.</sup> offence which is also a cognizable offence as so <sup>VIII of</sup> defined, or who after due enquiry has been <sup>1911.</sup> held guilty by the Medical Council of infamous conduct in any professional respect."

Amendment  
of section 9.

4. In section 9 of the said Act, between the <sup>Bom. VI</sup> figure "1898" and the word "or" the following <sup>of 1912.</sup> words shall be inserted, namely:—

"or who, being or having been subject to military law, has been convicted under the Army Act or under the Indian Army Act, <sup>44 and 45</sup> 1911, of an offence which is also a cognizable <sup>Vict., cap. 53.</sup> offence as so defined". <sup>VIII of</sup> <sup>1911.</sup>

# BOMBAY ACT No. V OF 1916.

(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette," on the 10th June 1916.)

An Act further to amend the Bombay Landing and Wharfage Fees Act, 1882.

om. VII  
† 1882.

WHEREAS it is expedient to amend the Bombay Landing and Wharfage Fees Act, 1882; It is hereby enacted as follows:—

1. This Act may be called the Bombay Landing and Wharfage Fees (Amendment) Act, 1916. Short title.

om. VII  
† 1882.

2. In section 4 of the Bombay Landing and Wharfage Fees Act, 1882, hereinafter called the said Act—

(a) for the definition of the term "landing place" the following shall be substituted, Amendment of section 4. namely:—

"In this Act the term 'landing place' includes a bandar, wharf, pier, jetty, hard and any place used for the landing, shipping, or storage of goods; or for the embarking or disembarking of passengers";

(b) the definition of the term 'Commissioner' shall be repealed;

(c) the following definition shall be added, namely:—

"and the term 'passengers' means any person of three years of age or upwards, carried in a vessel, other than the master and crew and the owner, his family and servants."

3. (1) For clause (e) of section 5 of the said Act the following shall be substituted, Amendment of section 5. namely:—

"(e) to fix the fees to be levied—

(1) on goods landed, shipped or stored at, and

2 *The Bombay Landing and Wharfage* [BOM. V

(2) on passengers embarking or disembarking at, and

(3) on animals or vehicles bringing or removing goods to or from, or plying for hire at, and

(4) on vessels or boats approaching or lying alongside,

any such landing-place : ”

(2) For the proviso to the said section the following proviso shall be substituted :—

“ Provided that it shall be lawful for the Governor in Council at any time to exempt any goods, passengers, vessel, boat, animal or vehicle wholly or partially from any fee to which the same may be liable under this section ;

provided further that the fee to be levied on any passenger on each occasion of embarking or disembarking at a landing-place shall not exceed one anna ”.

Amend-  
ment of  
section 7.

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

“ In particular and without prejudice to the generality of the provisions of the foregoing paragraph, the penalty prescribed in the third column of article I of section 167 of the Sea Customs Act, 1878, shall be leviable in respect of the contravention of any bye-law made under this Act ”. Act VIII of 1878.

Amend-  
ment of  
section 9.

5. In section 9 of the said Act—

(a) for the words from “ The Commissioner ” to “ Presidency of Bombay ”, the words “ Chief Customs-authority ” shall be substituted ;

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

“ (c) regulating the collection and remittance of the fees leviable under all or any of the provisions of this Act ; and ”

(c) clause (c) shall be numbered clause (d).



6. For section 10 of the said Act the following section shall be substituted, namely :—

New section 10.

“ 10. The proceeds of all fees realized under this Act shall be expended in any port to which this Act applies—

Fees realized under this Act how to be expended.

(a) in payment of the expenses of the administration of this Act ;

(b) in defraying the cost of acquiring or constructing new landing-places required for the convenience of the traffic or trade of such port ;

(c) in maintaining and improving any existing landing-place and in constructing, maintaining or providing waiting rooms and other conveniences or facilities for passengers, and generally in the improvement of such port ; and

(d) in payment of the charges connected with the establishing, maintaining and working of telegraphs and telephones between any such ports.”

7. To the said Act the following sections shall be added, namely :—

New sections 11 and 12.

“ 11. (1) For each port to which this Act applies a distinct account, to be called the landing and wharfage fees fund account, shall be kept showing, in such detail as the Chief Customs-authority prescribes, the receipts and expenditure under this Act for the port. An abstract of the account for the past financial year, in such form as the Chief Customs-authority prescribes, shall be published annually as soon after the first day of April as may be practicable.

Receipt, expenditure and account of landing and wharfage fees.

(2) If an advance of money shall be made by the Government for any of the purposes of this Act, on account of any port to which this Act applies, simple interest on that advance or upon so much of it as shall remain unrepaid, at such rate as the Governor in Council may determine, shall be chargeable in the landing and wharfage fees fund account of such port.

4     *The Bombay Landing and Wharfage* [BOM. v  
          *Fees (Amendment) Act, 1916.*     [OF 1916.]

(3) All monies received under this Act at or on account of any port to which this Act applies shall be credited in the landing and wharfage fees fund account of the port.

(4) Any balance from time to time standing to the credit of a landing and wharfage fees fund account may be temporarily invested in such manner as the Governor in Council may direct.

Grouping  
of ports.

“ 12. The Governor in Council may direct that for the purposes of sections 10 and 11 any number of ports to which this Act applies shall be regarded as constituting a single port, and thereupon all monies to be credited to the landing and wharfage fees fund account under section 11 shall form a common fund account which shall be available for expenditure for the sake of the several ports of the group on the objects authorized by this Act.”

# BOMBAY ACT No. VI OF 1916.

*(First published, after having received the assent of the Governor General, in the "Bombay Government Gazette," on the 27th September 1916.)*

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

Bom. III  
of 1888.

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

1. This Act may be called the City of Bombay Short title.  
Municipal (Further Amendment) Act, 1916.

Bom. III  
of 1888.

2. In section 39 of the City of Bombay Municipal Act, 1888, hereinafter called the said Act, Amend-  
ment of  
section 39  
of Bom.  
III of  
1888.

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

"(1) It shall be the duty of the corporation to appoint a schools' committee of twelve members for the purpose of giving effect to the provisions as to primary education hereinafter enacted."

Appoint-  
ment by  
the cor-  
poration  
of a  
schools'  
committee  
for pur-  
poses of  
primary  
education.

(b) in sub-section (3), for the word "two" the word "four" shall be substituted, and the words "or on their ceasing to be councillors" shall be added at the end of the sub-section ;

3. (1) In clause (c) of sub-section (2) of section 74 of the said Act, after the words "fifteen hundred," the following words shall be inserted, namely :— Amend-  
ment of  
section 74  
of Bom.  
III of  
1888.

"provided that, with the previous sanction of the Governor in Council, the corporation may

grant to the municipal executive health officer a personal allowance not exceeding rupees two hundred and fifty per mensem, in addition to his maximum monthly salary."

(2) The amendment contained in sub-section (1) shall be deemed to have been made and to have had effect from the first day of February one thousand nine hundred and sixteen.

(3) After clause (e) of sub-section (3) of section 74 of the said Act, the following clause shall be inserted, namely:—

"(ee) the executive health officer may accept for such period as may be sanctioned by the corporation any appointment, whether honorary or otherwise, which has for its object the promotion of public health, whether by means of education or otherwise, and which in the opinion of the corporation would not interfere with his duties as executive health officer."

4. In section 84 of the said Act—

Amend-  
ment of  
section 84  
of Bom.  
III of  
1888.

(a) to sub-section (1) the following words shall be added, namely:—

"and other than an officer or servant the power of appointing whom is vested in the schools' committee";

(b) to clause (b) of sub-section (2) the words "or in the schools' committee" shall be added;

(c) the following sub-section shall be added, namely:—

"(3) Leave of absence may be granted subject as aforesaid, by the schools' committee to any municipal officer or servant the power of appointing whom is vested in the said committee."

5. In section 342 of the said Act, after clause (c), the following clause shall be inserted, namely:—

Amendment of section 342 of Bom. III of 1888.

“(cc) to make any alteration in a building involving—

(i) the sub-division of any room in such building so as to convert the same into two or more separate rooms,

(ii) the conversion of any passage or space in such building into a room or rooms, or”.

6. For section 378 of the said Act, the following section shall be substituted, namely:—

New section 378 of Bom. III of 1888.

“378. (1) If, for any reason, it shall appear to the Commissioner that any building or any room in a building intended for or used as a dwelling is unfit for human habitation, he shall give to the owner or occupier of such building notice in writing stating such reason and signifying his intention to prohibit the further use of the building or room, as the case may be, as a dwelling and shall by such notice call upon the owner or occupier aforesaid to state in writing any objection thereto within thirty days after the receipt of such notice, and if no objection is raised by such owner or occupier within such period as aforesaid, or if any objection which is raised by such owner or occupier within such period appears to the Commissioner invalid or insufficient, he may, with the previous approval of the standing committee, by an order in writing prohibit the further use of such building or room as a dwelling:

Buildings or rooms in buildings unfit for human habitation.

Provided that, before such approval is given, the owner or occupier aforesaid shall have the right of appearing before the standing committee in person or by agent and of showing cause why such approval should not be given.

(2) When any such prohibition as aforesaid has been made, the Commissioner shall cause notice of such prohibition to be affixed to, and the letters 'U.H.H.' to be painted on, the door or some conspicuous part of such building or room as the case may be, and no owner or occupier of such building or room shall use or suffer the same to be used for human habitation until the Commissioner certifies in writing that the building or room, as the case may be, has been rendered fit for human habitation."

Amend-  
ment of  
section 394  
of Bom.  
III of  
1888.

7. After clause (b) of sub-section (I) of section 394 of the said Act the following clause shall be inserted, namely :—

"(bb) keep, in or upon any building intended for or used as a dwelling or within fifteen feet of such building, cotton, in pressed bales or boras or loose, in quantity exceeding four hundred-weights ;"

Amend-  
ment of  
section  
412A of  
Bom. III  
of 1888.

8. In section 412A of the said Act, after the word "milk" in clauses (a) and (b), the words "butter or other milk products" shall be added.

Amend-  
ment of  
sections  
471 and  
472 of  
Bom. III  
of 1888.

9. In column 2 of the tables under section 471 and section 472 of the said Act, against section 412A, for the words "Dealers in and sellers of milk to be licensed" the following words shall be substituted, namely :—

"Milk, butter, etc., not to be sold without a license".

Amend-  
ment of  
schedule  
M of Bom.  
III of  
1888.

10. In schedule M of the said Act—

(a) in Part II, below the words

"Matches for lighting. 1 gross boxes"

the words

"Methylated spirit. 10 gallons"  
shall be inserted ;

(b) in Part III, below the word "Grass" the words "Gunny bags" shall be inserted.