



Government of Bombay
Legal Department

The Bombay Code

Volume V

containing

The unrepealed Acts of the Bombay Legislative Council
from 1923 to 1930: And a Chronological Table
of Acts reproduced in the Volume with an index

FIFTH EDITION

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BOMBAY

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PREFACE

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

2. The exceptions referred to above are—

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

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

Act XVIII of 1848 (Nawab of Surat).

Act VI of 1893 (Sir Dinshah Mañockjee Petit).

Act XIX of 1911 (Sir Cowasjee Jehangir Baronetcy).

Act IV of 1913 (Sir Currimbhoy Ebrahim Baronetcy).

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

Act X of 1915 (Sir Jamsetjee Jeejeebhoy Baronetcy).

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

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

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

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

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

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

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

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

LEGAL DEPARTMENT :

28th January 1938.

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

(1923 TO 1930)

Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
1	2	3	4	5
1923	I	The Bombay Entertainments Duty Act, 1923.	Amended by Bom. Act 6 of 1925 ; Amended by Bom. Act 13 of 1931 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	1
1923	II	The Opium (Amendment) Act, 1923.	Amended by Bom. Act 14 of 1930 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	9
1923	IV	The Bombay Primary Education Act, 1923.	Amended by Bom. Act 15 of 1927 ; Amended by Bom. Act 6 of 1934 ; Amended by Bom. Act 15 of 1935 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	11
1923	VI	The Bombay Local Boards Act, 1923.	Amended by Bom. Act 2 of 1925 ; Amended by Bom. Act 13 of 1925 ; Amended by Bom. Act 7 of 1926 ; Amended by Bom. Act 10 of 1927 ; Amended by Bom. Act 5 of 1928 ; Amended by Bom. Act 4 of 1930 ; Amended by Bom. Act 25 of 1930 ; Amended by Bom. Act 10 of 1931 ; Amended by Bom. Act 22 of 1931 ; Amended by Bom. Act 23 of 1931 ; Amended by Bom. Act 5 of 1932 ; Amended by Bom. Act 15 of 1932 ; Amended by Bom. Act 16 of 1933 ; Amended by Bom. Act 8 of 1934 ; Amended by Bom. Act 14 of 1934 ; Amended by Bom. Act 6 of 1935 ; Amended by Bom. Act 13 of 1935 ; Amended by Bom. Act 16 of 1935 ; Amended by Bom. Act 30 of 1935 ; Amended by Bom. Act 34 of 1935 ; Amended by Bom. Act 14 of 1936 ; Amended by Bom. Act 18 of 1936 ; Amended by Bom. Act 24 of 1936 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	23
1923	IX	The Prevention of Cruelty to Animals (Bombay Amendment) Act, 1923.		105

Chronological Table

Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
1	2	3	4	5
1923	XI	The Bombay Prevention of Prostitution Act, 1923	Amended by Bom. Act 9 of 1926 ; Amended by Bom. Act 9 of 1927 ; Amended by Bom. Act 12 of 1930 ; Amended by Bom. Act 20 of 1931 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	107
1924	IX	The Cattle-trespass (Amendment) Act, 1924.		117
1924	XIII	The Bombay Children Act, 1924.	Supplemented by Act 35 of 1925 ; Amended by Bom. Act 10 of 1925 ; Amended by Bom. Act 13 of 1927 ; Amended by Bom. Act 19 of 1929 ; Amended by Bom. Act 8 of 1931 ; Amended by Bom. Act 11 of 1933 ; Amended by Bom. Act 11 of 1935 ; Amended by Bom. Act 7 of 1936 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	119
1925	V	The Bombay Prevention of Adulteration, Act, 1925.	Amended by Bom. Act 23 of 1935 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	157
1925	VI	The Bombay Betting Tax Act, 1925.*	Amended by Bom. Act 4 of 1931 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	171
1925	VII	The Bombay Co-operative Societies Act, 1925.	Amended by Bom. Act 8 of 1933 ; Amended by Bom. Act 22 of 1935 ; Amended by Bom. Act 8 of 1936 ; Amended by Bom. Act 17 of 1936 ; Amended by Bom. Act 24 of 1936 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	177
1925	VIII	The Bombay Securities Contracts Control Act, 1925.	Amended by Bom. Act 9 of 1927 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	215

* The original title of this Act was "The Bombay Totalisator Betting Tax Act, 1925".

Chronological Table

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Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
1	2	3	4	5
1925	XVIII	The Bombay Municipal Boroughs Act, 1925.*	Amended by Bom. Act 10 of 1926; Amended by Bom. Act 1 of 1927; Amended by Bom. Act 12 of 1927; Amended by Bom. Act 3 of 1930; Amended by Bom. Act 4 of 1930; Amended by Bom. Act 9 of 1930; Amended by Bom. Act 25 of 1930; Amended by Bom. Act 12 of 1931; Amended by Bom. Act 23 of 1931; Amended by Bom. Act 7 of 1932; Amended by Bom. Act 15 of 1932; Amended by Bom. Act 17 of 1933; Amended by Bom. Act 14 of 1934; Amended by Bom. Act 19 of 1935; Amended by Bom. Act 14 of 1936; Amended by Bom. Act 15 of 1936; Amended by Bom. Act 24 of 1936; Adapted and modified by the Adaptation of Indian Laws Order in Council.	221
1926	XI	The Invalidation of Hindu Ceremonial Emoluments Act, 1926.		373
1927	XVII	The Bombay Cotton Markets Act, 1927.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	377
1928	III	The Bombay Non-Agriculturists' Loans Act, 1928.	Amended by Bom. Act 11 of 1928; Adapted and modified by the Adaptation of Indian Laws Order in Council.	385
1928	IV	The Bombay University Act, 1928.	Amended by Bom. Act 12 of 1928; Amended by Bom. Act 13 of 1929; Amended by Bom. Act 15 of 1930; Amended by Bom. Act 20 of 1930; Amended by Bom. Act 10 of 1936; Adapted and modified by the Adaptation of Indian Laws Order in Council.	389
1929	V	The Indian Registration (Bombay Amendment) Act, 1929.	Adapted and modified by the Adaptation of Indian Laws Supplementary Order in Council.	415
1929	VII	The Bombay Maternity Benefit Act, 1929.	Amended by Bom. Act 5 of 1934; Adapted and modified by the Adaptation of Indian Laws Order in Council.	419

*The original title of this Act was "The Bombay City Municipalities Act, 1925".

Chronological Table

Year.	No.	Short title or subject.	Whether repealed or otherwise affected by legislation.	Page.
1	2	3	4	5
1929	XVIII	The Bombay Borstal Schools Act, 1929.	Amended by Bom. Act 10 of 1932 ; Amended by Bom. Act 3 of 1934 ; Amended by Bom. Act 18 of 1935 ; Amended by Bom. Act 2 of 1936 ; Adapted and modified by the Adaptation of Indian Laws Order in Council.	427
1930	VI	The Provincial Small Cause Courts (Bombay Amendment) Act, 1930.		437
1930	XVII	The Indian Registration (Bombay Amendment) Act, 1930.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	439
1930	XXV	The Bombay Local Fund Audit Act, 1930.	Adapted and modified by the Adaptation of Indian Laws Order in Council.	443

THE BOMBAY ENTERTAINMENTS DUTY ACT, 1923.

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5. Punishment for non-compliance with section 4.
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(b) the powers and duties of auditors and the procedure to be followed by them for conducting an audit and the times at which such audit may be conducted ; and

(c) the manner in which all matters required to be published under this Act shall be published.

(3) The making of rules under this section shall be subject to the condition of previous publication. Such rules shall be laid ¹[before each Chamber of the Provincial Legislature] for one month previous to the next session thereof and shall be liable to be rescinded or modified ²[by a Resolution in which both Chambers of the Legislature concur]. If any rule is modified, ³[the Provincial Government] may accept the modification and re-issue the rule accordingly, or, may rescind the rule.

16. [*Amendments made by Section 16 have been incorporated in the principal Acts.*]

¹ The words "before each Chamber of the Provincial Legislature" were substituted for the words "on the table of the Bombay Legislative Council" by the Adaptation of Indian Laws Order in Council.

² These words were inserted by *ibid.*

³ The words "the Provincial Government" were substituted for the words "Government" by *ibid.*

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